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# **Report of the Secretary-General on the United Nations Support Mission in Libya (May 2021)**

## **I. Introduction**

1. The present report is submitted pursuant to Security Council resolutions 2542 (2020) and 2510 (2020). It covers political, security-related and economic developments in Libya, provides an overview of the human rights and humanitarian situation and includes an outline of the activities of the United Nations Support Mission in Libya (UNSMIL) since the previous report issued on 19 January 2021 (S/2021/62) and the progress report on the proposed ceasefire monitoring arrangements in Libya issued on 22 March (S/2021/281).

## **II. Political, security and economic developments**

2. Since the previous reports (S/2021/62 and S/2021/281), UNSMIL continued to convene the Libyan Political Dialogue Forum (LPDF) to pursue the implementation of the roadmap adopted in Tunis in November 2020, entitled “The preparatory phase for a comprehensive solution”. On 5 February, members of the Forum selected a new interim executive authority to lead the country towards national elections, to be held on 24 December 2021. Mohammad Younes Menfi was selected as President-designate of the Presidency Council, while Mossa al-Koni and Abdullah Hussein al-Lafi were selected as members-designate of the Presidency Council. Forum members selected Abdul Hamid Mohammed Dbeibah as the new Prime Minister-designate.
3. On 8 February, the new Special Envoy of the Secretary-General and Head of UNSMIL, Ján Kubiš, took up his duties. He met with Libyan actors in Tripoli and Benghazi from 15 to 20 February, and subsequently held consultations with national, regional and international actors, virtually and in person. In his engagements, the Special Envoy highlighted the importance of advancing the implementation of the ceasefire agreement signed on 23 October at the United Nations Office at Geneva. He emphasized the need to support the new interim unified executive authority in its mission to unify Libya and its institutions and stressed the importance of preparing for the holding of national elections on 24 December 2021, as stipulated in the LPDF roadmap.
4. Following discussions on the agenda and location of its next session, the House of Representatives (HoR) meeting in Sirte from 8-10 March 2021 led to the repositioning of foreign fighters and mercenaries in and around Sirte to enable the reopening of Al-Ghardabiya airport for the movements of the members of the HoR. However, most of these elements returned to their original positions thereafter.
5. On 10 March, with more than two-thirds of the total membership of the HoR present, the new Government of National Unity (GNU) proposed by the Prime Minister-designate received a vote of confidence, with 132 votes in favour of the proposed Government, 2 abstentions and 36 absent members. The Secretary-General welcomed the endorsement of the GNU by the HoR in a statement issued on 10 March. The Security Council welcomed the vote of confidence by the HoR in a presidential statement issued on 12 March (S/PRST/2021/6). Several Member States and the Libya Quartet partners – which includes the African Union, the European Union, the League of Arab States and the United Nations – also welcomed the endorsement.

6. On 15 March, the GNU was sworn in by the HoR during a ceremony held in Tubruq. The Speaker of the HoR, Agila Saleh Gwaider, the President of the High State Council (HSC), Khaled Mishri, and several international observers, including the United Nations Assistant Secretary-General and UNSMIL Coordinator, Raisedon Zenenga, attended the ceremony. The new Government includes 35 ministers, 5 of whom are women, with the position of Minister of Defence currently occupied by Prime Minister Dbeibah. Separately, the President-designate of the Presidency Council and his two deputies-designate took the constitutional oath before the Supreme Court in Tripoli, also on 15 March. On 17 March, the HoR announced that it had received a draft budget proposal for its consideration from the GNU in the amount of LYD 96 billion (approximately \$21 billion).
7. Following the swearing-in of the GNU, on 16 March the transfer of power from the outgoing Presidency Council of the Government of National Accord (GNA) to the new Presidency Council and the GNU took place at a handover ceremony at the seat of Government in Tripoli. On 23 March, Deputy Prime Minister Hussein Al-Qatrani led a ministerial visit to Benghazi to mark the handover of responsibilities from the parallel eastern-based “interim government” to the GNU.
8. From 23 to 30 March, the Special Envoy travelled to Libya to encourage the implementation of the LPDF roadmap, in particular to mobilize the required support and resources to hold national elections on 24 December 2021. The Special Envoy met with the Presidency Council and the Prime Minister as well as members of the GNU. He also met with the Chairperson of the High National Elections Commission (HNEC) to follow up on technical preparations for elections and international support required, and with representatives of civil society organizations and women groups in Tripoli and Misrata.
9. Meanwhile, in response to the Security Council request (S/2021/110), the Libya planning team at United Nations Headquarters established a multidisciplinary and inter-agency advance team. From 3 to 28 March 2021, the advance team conducted consultations with relevant stakeholders, including the 5+5 Joint Military Commission (JMC), in Benghazi, Misrata, Sirte and Tripoli. The advance team also conducted site visits to assess key operational, security, administrative, logistical and medical requirements pertaining to the ceasefire monitoring component to be established within UNSMIL in support of the Libyan-led and Libyan-owned ceasefire monitoring mechanism.
10. On 22 March, the Secretary-General submitted a progress report to the Security Council on the proposed ceasefire monitoring arrangements in Libya (S/2021/281). On 7 April, the Secretary-General submitted additional information on the composition and operational aspects of the proposed UNSMIL ceasefire monitoring component in a letter to the President of the Security Council (S/2021/353). The Security Council approved the Secretary-General’s proposals through resolution 2570 (2021) adopted on 16 April.
11. While the ceasefire agreement continued to hold, UNSMIL received reports of fortifications and defensive positions being set up along the Sirte-Jufra axis in central Libya, as well as of the continued presence of foreign elements and assets. Despite the commitments made by the parties, air cargo activities reportedly continued with flights

to various military airbases in Libya's western and eastern regions. Reports indicated that there was no reduction of foreign fighters or of their activities in central Libya.

### **Implementation of the Intra-Libyan dialogue tracks, facilitated by the United Nations Support Mission in Libya**

12. There were sustained efforts across the UNSMIL-facilitated intra-Libyan political, security and economic dialogues, within the framework of the conclusions of the Berlin Conference on Libya. As a result, a peaceful transfer of power took place from the GNA and the eastern-based parallel authorities to the GNU. Moreover, further progress towards the full implementation of the ceasefire agreement was achieved.
13. On 19 January, the LPDF voted to approve the proposed selection mechanism for a new interim executive authority to govern Libya in the lead-up to national elections, with 73 per cent of the votes in favour. A one-week nomination period resulted in 24 candidacies for the positions of a three-member Presidency Council and 21 candidacies for the post of Prime Minister. The LPDF selection process was based on a proposal elaborated by consensus by the 18-member Advisory Committee of the LPDF established on 4 January.
14. From 1 to 5 February, UNSMIL convened the LPDF in Geneva, with the support of the Government of Switzerland. On 2 February, none of the candidates for the Presidency Council attained the required threshold of 70 per cent in the electoral colleges, resulting in the formation of lists composed of candidates for the three-member Presidency Council and the position of Prime Minister as the next step. In two rounds of voting held on 5 February, the LPDF selected among four competing lists. The winning list received 39 votes (out of 73) while the runner-up list, which comprised of Agila Saleh Gwaider for President of the Presidency Council, Osama Juwaili and Abdul Majeed Seif Al-Nasr for members of the Presidency Council and Fathi Bashagha for Prime Minister, received 34 votes. The candidates in the runner-up list promptly accepted the outcome of the vote. The outgoing President of the Presidency Council, Fayez Serraj, congratulated the winning list and the LPDF on its agreement on a new interim executive authority. The voting process was livestreamed for the benefit of all Libyans, as well as the international community.
15. From 8 to 12 February, the Constitutional Committee established by the HoR and the High State Council (HSC) to determine a constitutional basis for national elections met in Hurgada, Egypt. The Committee formulated a proposal that provides for a referendum on the 2017 draft constitution to be held prior to the presidential and legislative elections. The proposal includes a potential amendment to the Constitutional Declaration to enable the holding of the elections, should the High National Elections Commission (HNEC), HoR and HSC assess that the organization of a referendum is not possible before the elections. The proposal envisions the election of the Head of State and the members of the HoR by universal and direct suffrage according to electoral laws promulgated by the HoR in agreement with the HSC. The proposal of the Constitutional Committee was adopted by the HSC on 16 February but is yet to be considered by the HoR.
16. On 11 February, UNSMIL convened a plenary session of the Libyan Economic Dialogue to seek the views of economic experts on recent economic reforms and receive

recommendations on the way forward. Participants stressed the need for subsidy reform and increased transparency, in view of the prospective selection of a new government.

17. On 26 March, UNSMIL convened a virtual meeting of the LPDF, the first since the formation of the GNU on 5 February. The Special Envoy highlighted the continued relevance of the Forum as an instrument to ensure follow-up on the implementation of the LPDF roadmap.
18. From 7 to 9 April, UNSMIL convened the LPDF Legal Committee in Tunis. The meeting achieved progress on finalizing a draft constitutional basis that provides constitutional arrangements for the exercise of legislative and executive powers after elections and a process to review the 2017 draft Constitution before submitting it to a referendum after elections. On 4 May, the Special Envoy transmitted the Legal Committee's proposal to the LPDF, which he intends to convene in a plenary session in the second half of May to deliberate on the proposal.
19. In the framework of national reconciliation, the Government of National Unity, in coordination with the leadership of the Libyan National Army (LNA) and western armed groups facilitated the release of combatants and political detainees on 31 March. On that day, 107 combatant detainees from the western region captured by the Zawiyya Security Directorate were released by the municipality of Zawiyya. The following day, the LNA Command approved the release of 8 women from Grenada prison in the east, in addition to 27 detainees also from the east. Subsequently, a total of over 200 detainees, mostly from the eastern city of Derna, were released by the LNA Command, in various batches. Additionally, on 7 May, dozens of detainees were released by the LNA Command which reiterated its commitment to release more detainees, with more releases expected after Eid-al-Fitr.
20. The 5+5 JMC continued to provide leadership and build confidence between the parties. This included the provision of security assurances for the convening of the HoR in Sirte from 8 to 10 March. The 5+5 JMC held six meetings during the reporting period, including three with the security working group of the Berlin process. They also continued to work towards the reopening of the coastal road connecting Misrata with eastern Libya, to prepare for ceasefire monitoring and joint security forces, and to advocate for the withdrawal of foreign fighters and mercenaries from the country. The 5+5 JMC met with the advance team deployed by the United Nations Secretariat to inform their deliberations on the UNSMIL ceasefire monitoring component. They also met with the Special Envoy on 27 April in Sirte to discuss progress on ceasefire implementation and remaining steps to reopen the coastal road.

#### **International follow-up committee to the Berlin Conference on Libya**

21. The international follow-up committee to the Berlin Conference on Libya (IFCL) met virtually at the senior level twice during the reporting period. On 25 February, participants reaffirmed their full support to UNSMIL and its new leadership in facilitating international efforts to promote a Libyan-led solution to the conflict. On 21 April, the Minister for Foreign Affairs of Germany, Mr. Heiko Maas, delivered opening remarks and Prime Minister Dbeibah updated on developments since the swearing in of the GNU on 10 March. In a joint statement, the co-chairs of the IFCL, Special Envoy Kubiš and Germany, noted that holding elections was the primary task of the interim

executive authority and other relevant institutions and called on the HoR to clarify and enact, at the latest by 1 July, the constitutional basis and legal framework for elections. They emphasized that the full implementation of the ceasefire agreement remained critical and urged all actors to expedite the withdrawal of all foreign forces and mercenaries from Libya without delay, and to fully comply with the United Nations arms embargo. The four working groups, covering security, political, economic, and international humanitarian law and human rights aspects, continued to meet in support of the three intra-Libyan track dialogue process.

22. The security working group, co-chaired by France, Italy, Turkey, the United Kingdom and the African Union, held seven meetings during the reporting period, including one with the participation of the 5+5 JMC. The working group played an important role in maintaining international consensus around the 23 October ceasefire agreement, and reinforced the efforts of the 5+5 JMC to implement the ceasefire provisions, including the reopening of the coastal road, and the withdrawal of foreign fighters and mercenaries and operationalizing the Libyan Ceasefire Monitoring Mechanism (LCMM).
23. On 21 January, the economic working group, co-chaired by Egypt, the United States of America and the European Union, convened a plenary meeting with the Governor of the Central Bank of Libya and the two ministers of finance to seek agreement to unify the budget under the facilitation of UNSMIL. The following week, UNSMIL held meetings with the ministers of finance and the Central Bank of Libya resulting in an agreement on a consolidated two-month interim budget for January and February. However, with the formation of the GNU, the interim budget was put aside pending the promulgation of a new unified national budget by the incoming administration. The economic working group convened a second plenary on 22 March with the new Minister of Finance and Economy, intended to focus on the need for emergency spending to stabilize the electricity grid that was in danger of collapsing. This meeting was however postponed at the request of the Prime Minister in order to review the Government's cooperation with the economic working group.
24. The political working group, co-chaired by Algeria, Germany and the League of Arab States, convened three plenary sessions to review the progress achieved by the LPDF and the efforts of the unified interim executive authority. During its meeting on 25 February, the then President-designate of the Presidency Council and the then Prime Minister-designate stated their commitment to forming an inclusive national unity cabinet and highlighted their priorities. On 18 March, the Chairperson of the HNEC briefed the working group on preparations for elections. He emphasized that while the Commission was ready to start preparations for national elections, the lack of a constitutional basis and an electoral legal framework prevented it from taking concrete steps in this regard. He indicated that the constitutional and legislative frameworks should be ready by early July at the latest for the HNEC to be able to prepare for elections on 24 December 2021.
25. The international humanitarian law and human rights working group, co-chaired by the Netherlands and Switzerland, convened three plenary sessions. The first plenary focused on arbitrary detention and its impact, including on the political process and local and national reconciliation activities. At the second plenary, held in cooperation with the Libyan Civil Society Commission, the working group discussed the imperative

of preserving and expanding humanitarian space and of ensuring peace dividends for civilians as a result of the ceasefire, including freedom of movement and access to essential services and markets.

### **International and regional engagement**

26. Regional and international stakeholders continued to offer support and engage with Libyan parties to promote progress on the intra-Libyan dialogue tracks. Egypt hosted the meeting of the Constitutional Committee of the HoR and the HSC from 8 to 12 February in Hurghada to formulate proposals on a constitutional basis for elections. On 17 March the President of Tunisia, Kais Saied, became the first foreign head of state to visit Tripoli since the election of the new GNU. Subsequently, the Foreign Ministers of France, Germany and Italy, the Prime Ministers of Egypt, Greece, Italy, and Malta, and the President of the European Council visited Tripoli. Several embassies have relocated to Tripoli or are in the process of doing so.
27. President Menfi undertook visits to Egypt, France and Turkey in March while Prime Minister Dbeibah visited Kuwait, Russia, Turkey and the United Arab Emirates in early April. On 13 April, Prime Minister Dbeibah and a large delegation of Ministers from the GNU travelled to Ankara, Turkey for a two-day visit.
28. The Special Envoy held consultations, virtually and in-person, with senior representatives of Member States participating in the Berlin process and other stakeholders. He also undertook visits to Egypt, France, Germany, Italy, the Russian Federation, Tunisia, Turkey and the United Arab Emirates. In his meetings, the Special Envoy highlighted the importance of advancing the three-track intra-Libyan dialogues, including the full implementation of the LPDF Roadmap, the critical importance of holding national parliamentary and presidential elections on 24 December, as well as supporting the new interim executive in its efforts to unify Libya and its institutions. Further, the Special Envoy stressed the need to fully implement the ceasefire agreement, including the withdrawal of the mercenaries and foreign forces.
29. On 26 March, the European Union renewed the mandate of its military operation in the Mediterranean EUNAVFOR MED Operation IRINI for two years, until 31 March 2023.
30. The Special Envoy and UNSMIL maintained regular contact with the other members of the Libya Quartet (the African Union, the European Union, and the League of Arab States). From 11 to 13 April, he held consultations in Addis Ababa with senior African Union officials. On 15 April, he met with the Secretary-General of the League of Arab States in Cairo.
31. On 20 April, the Secretary-General of the League of Arab States, Mr. Ahmed Aboul Gheit chaired the sixth meeting of the Libya Quartet. The meeting was attended by the Secretary-General of the United Nations, the African Union Commission Vice-Chairperson, Ms. Monique Nsanzabaganwa, on behalf of African Union Commission Chairperson, and the High Representative of the European Union for Foreign Affairs and Security Policy and Vice-President of the European Commission, Mr. Josep Borrell. A joint communiqué was issued after the meeting.

### **Situation in the western region**

32. Latent rivalry and renewed competition between armed groups resurfaced in Tripoli and the western region in the lead-up to and following the selection of a new executive authority by the LPDF. Ahead of the LPDF meeting in Geneva, from 1 to 5 February, some Tripoli-based armed groups and those from western Libya issued a statement on 31 January urging the then-President of the Presidency Council to reunite the Council and form a national unity government until elections are held on 24 December 2021.
33. On 21 February, a security incident in Tripoli's Janzour district involving the security staff of the then-Minister of Interior Fathi Bashagha and members of the "Stability Support Apparatus" (SSA) resulted in the death of one person and the injury of another. The prosecutor's office ordered the arrest of one of the members of the Minister's staff and two members of the SSA, who were placed in the custody of the "Deterrence Apparatus for Combatting Organized crime and Terrorism", formerly known as the "Special Deterrence Force".
34. On 23 January, demonstrations by families of victims of human rights violations in Tarhuna resulted in vandalism and the burning of five unoccupied houses belonging to two pro-LNA families and supporters of the 9<sup>th</sup> Brigade. Additional mass graves were discovered in Tarhuna during the reporting period, reaching a total of 101 graves. Despite challenges related to the lack of resources, national authorities have been using secondary identification processes to identify the bodies. In total, 44 bodies, including those of 3 women and 3 children, were identified and handed over to their families.

### **Situation in the eastern region**

35. In eastern Libya, there were continued reports of criminal activity, including killings, kidnappings for ransom, car jackings and extortion. A series of demonstrations were held in February by wounded LNA veterans demanding payment for medical care. On 28 February, the LNA dispatched a large military force from its 166 Infantry Battalion to Derna, east of Benghazi, reportedly to establish law and order and target Islamic State of Iraq and the Levant (ISIL) elements still operating in the area. On 2 March, protestors stormed the Central Bank of Libya branch in Benghazi. The branch subsequently suspended its activities, demanding adequate protection.
36. On 24 March, Mr. Mahmoud Al-Werfalli, a commander in the LNA-affiliated Al-Saiqa Brigade, who was indicted by the International Criminal Court for war crimes, was shot dead in Benghazi.

### **Situation in the southern region**

37. Criminal activity and violent confrontation between armed groups reportedly increased in the southern region. On 16 February, UNSMIL condemned what appeared to be a targeted mortar attack in the city of Sabha during a celebration of the 10-year anniversary of the February Revolution, which resulted in the killing of a 10-year-old child and injured 29 others, including 2 children.
38. The LNA increased its activities and assets at airbases in the region, including following recent events in Chad. Over the past several months, the LNA continued to operate



mostly in the areas around Sharara Oil Field, Awbari, and Shatii Junction checkpoints, maintaining control over key access points to the southern region.

39. The region also experienced a significant increase in COVID-19 cases, which prompted a lockdown for several weeks.

#### **Islamic State in Iraq and the Levant (ISIL) in Libya and Organization of Al-Qaida in the Islamic Maghreb**

40. Although no operations were attributed to them over the last several months, ISIL and a support network of Al-Qaida in the Islamic Maghreb (AQIM) remained a threat in Libya. Their presence and activities were reported in all regions, including reports of direct threats against both civilian targets and the United Nations.
41. In early March, the GNA Joint Security Room coordinated a counter-terrorism operation in southern Tripoli, which led to the arrest of elements reportedly affiliated with ISIL. On 14 March, the LNA announced that their forces had carried out an operation in southern Libya, which led to the arrest of a prominent ISIL leader, Muhammad Miloud Muhammad. Separately, a member of AQIM who had participated in the attack on Brak al-Shatii Airbase on 18 May 2017, Omar Abdeen al-Mahmoudi, was shot and killed during a family dispute.

#### **Economic situation**

42. On 16 March, the Office of the Prime Minister requested the National Oil Corporation (NOC) to unfreeze oil revenue held in its accounts since September 2020 when the eight months-long blockage of oil production was lifted. The NOC, which had accrued over \$8 billion in revenue during that time, promptly complied with the request. The end of the freeze was the result of numerous reforms by Libyan authorities, including the reactivation of the Central Bank of Libya Board of Directors on 17 December 2020, the unification of foreign exchange rates through a devaluation of the Libyan dinar on 3 January, addressing the banking crisis through the provision of a LYD 5 billion (approximately \$1.1 billion) loan to the commercial banks on 1 February, the launching of a comprehensive audit of the Libyan Investment Authority on 12 January, as well as progress in the international financial review of the two branches of the Central Bank of Libya.
43. On 17 March, the Office of the Prime Minister submitted a draft unified budget to both the HoR and HSC for review. On 19 and 20 April, the HoR met and decided to return the budget to the GNU for review, stating that spending should not exceed LYD 78 billion (approximately \$17.4 billion). The adoption of the budget is urgently needed in order to address immediate needs facing the country, including the growing electricity crisis and the COVID-19 pandemic.

### **III. Other activities of the United Nations Support Mission in Libya**

#### **A. Electoral Support**

44. The UNSMIL-led integrated electoral assistance office, including the United Nations Development Programme (UNDP), continued to provide technical assistance to the

HNEC and to the Central Committee for Municipal Council Elections (CCMCE), including support in the coordination of international electoral assistance. UNSMIL also worked with the HNEC to advance planning and process design for voting cards that the Commission intends to introduce ahead of the upcoming national elections. The UNDP electoral assistance project ‘Promoting Elections for the People of Libya’ initiated a procurement process for purchasing 12,000 ballot boxes to be used in the upcoming elections.

45. On 9 February, the Chairperson of the HNEC briefed the Constitutional Committee of the HoR and the HSC on the technical aspects of the implementation of a constitutional referendum before the national elections. The Chairperson reiterated his position that holding a referendum before the presidential and legislative elections would compromise the 24 December scheduled date. On 23 March, Prime Minister Dbeibah visited the headquarters of the HNEC in Tripoli where he conveyed to the Chairperson the GNU’s commitment to supporting it in fulfilling its mandate, in line with the electoral legislation once issued.
46. In January and February, mayoral elections were completed for eight newly elected municipal councils of Al-Rujban, Zawya West, Qarabouli, Gaser Alakhlar, Zilitin, Sabratha and Suwani Ben Adam as well as Tripoli Centre. Municipal elections for the Greater Tripoli municipality of Souq Al-Juma’a were held on 3 April. Since 2019, elections have been held for 40 municipal councils, while 74 other council elections are yet to be held before the end of 2021.

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

47. While the ceasefire has resulted in a dramatic reduction in civilian casualties, violations of human rights continued. UNSMIL documented killings, enforced disappearances, conflict-related sexual violence including rape, arbitrary arrests and detentions, attacks against activists and human rights defenders and hate crimes. During the reporting period, UNSMIL documented at least 31 civilian victims, including 3 deaths and 28 people injured.

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

48. On 2 February, UNSMIL conducted a joint mission with the United Nations Children’s Fund (UNICEF) to Al Jdaidah detention centre in Tripoli to assess the situation of women and children detained for their alleged affiliation with ISIL. At the time of the visit, 39 women and 59 children from Algeria, Chad, Egypt, Ethiopia, Iraq, Nigeria, Syria, and Tunisia were detained at the facility, having been transferred in September 2020 from Misrata. Many have spent over five years in arbitrary detention, with some children born in detention. On 11 February, in cooperation with the Tunisian Embassy in Libya, UNSMIL conducted an assessment mission of the needs of women and children held at the Mitiga detention centre in Tripoli. Fourteen women and 22 children have been held there for over five years for their alleged affiliation with ISIL. Some of the children have spent most of their lives incarcerated while others were born in the facility. Accounts suggested that most women had been captured by unknown armed groups from Sabratha and subjected to torture and sexual violence, including rape. As a result of UNSMIL advocacy and cooperation by Libyan and Tunisian authorities, all Tunisian women and children were repatriated to Tunisia between 12 and 17 March.

49. On 17 March, the newly appointed Minister of Justice announced the establishment of a 15-member committee to address the issue of arbitrary detention, particularly for the thousands of pre-trial detainees.

### **Conflict-related sexual violence**

50. UNSMIL continued to document numerous reports of conflict-related sexual violence including in places of official detention. Female migrants and refugees continued to face heightened risks of rape, sexual harassment and trafficking by transnational smugglers, traffickers and armed groups, and in some cases, by officials of the Directorate for Combating Illegal Migration (DCIM). The Libya Monitoring, Analysis and Reporting Arrangements on conflict-related sexual violence (MARA) Technical Group and Secretariat were established on 25 February, in an effort to enhance protection for victims of rape and other forms of conflict-related sexual violence, and in line with resolution 1960 (2010). The Secretary-General's latest annual report on conflict-related sexual violence (S/2021/312) reiterated the recommendations on the adoption of anti-trafficking legislation in order to increase protection from sexual violence for women and children migrants and refugees, and for the authorities to strengthen their rule of law institutions to promote accountability for sexual violence crimes, in line with Security Council resolution 2242 (2015).

### **Migrants and refugees**

51. The International Organization for Migration's most recent Displacement Tracking Matrix indicated that there are more than 571,000 migrants in Libya, most of whom come from neighbouring countries, including Chad, Egypt, Niger, and Sudan.
52. On 23 and 26 February, guards at the Abu Salim detention centre, operated by the DCIM, indiscriminately opened fire killing at least five migrants and injuring many more. A similar incident occurred on 8 April in Al-Mabani detention centre when guards shot and killed a migrant and injured several others. On 2 March, the Ministry of Interior announced the capture of the lead suspect in the killing of 27 Bangladeshi and 4 sub-Saharan African migrants and refugees in Mezda in southern Libya.
53. Between 5 and 13 March, the "444-Battalion" operating under the "Deterrence Apparatus for Combatting Organized Crime and Terrorism", conducted multiple raids on Bani Walid-based human traffickers and made several arrests. Migrants and refugees captured as a result of the operation were subsequently detained.
54. The number of migrants and refugees attempting to cross the Mediterranean increased in early 2021. By the end of April, 6,800 migrants and refugees were intercepted while attempting to cross the Mediterranean and returned to Libya by the Libyan Coast Guard, a 115 per cent increase compared to the same period in 2020. In addition, over 500 migrants and refugees died on the Central Mediterranean Route.
55. Increasing numbers of migrants and refugees continued to be arbitrarily detained in official DCIM detention centres without due process and in extremely poor conditions, with reported deaths and injuries. As at 2 May, over 4,300 migrants and refugees were being held in detention centres across the country with significantly increased

humanitarian and protection concerns, including new DCIM restrictions on humanitarian access and monitoring by humanitarian agencies.

### **Human rights defenders and members of civil society**

56. Human rights defenders and members of civil society continued to be subjected to arbitrary detention, ill-treatment and torture by various armed groups. Freedom of expression continued to be undermined with activists and defenders subjected to hate crimes. Human rights defenders who spoke up continued to be targeted and subjected to violence, abuse, social media vilification and threats.

### **Corruption**

57. On 9 March, the Libyan Audit Bureau issued its annual report for the year 2019 which included allegations of corruption and serious financial crimes concerning a number of national institutions including the former Presidency Council and the former Ministries of Interior, Defence, Health, Foreign Affairs, and Local Government. The former Minister of Interior rejected the allegations as false and politically motivated. The Attorney General's office announced that it would launch an investigation into the allegations raised in the report.
58. The United Nations Office on Drugs and Crime (UNODC), and the Egyptian Anti-Corruption Academy organized a 4-day training workshop in March with 19 participants from the Libyan law enforcement authorities, prosecution, judiciary and financial information unit to strengthen Libya's criminal justice response to corruption. The workshop was conducted as part of UNODC's anti-corruption project in Libya to prevent and combat corruption and money-laundering, implemented jointly with the United Nations Interregional Crime and Justice Research Institute.

### **Rule of law**

59. On 28 February, the High Judicial Institute announced the resumption of its regular education programme following a four-year suspension. UNSMIL is coordinating the roll-out of the second phase of training for the six judges of the two newly established courts for violence against women and children, in cooperation with UNDP, UN Women, UNICEF and the United Nations Population Fund (UNFPA). UNSMIL also provided technical assistance to the Libyan Bar Association to develop its first code of ethics.

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

60. On 12 February, during an intervention in Tobruk, President of the Presidency Council Menfi, highlighted national reconciliation as one of his priorities, alongside unity of the armed forces and service delivery by unified institutions. These priorities are in line with the commitments set out in the LPDF roadmap. In addition, on 5 April, President Menfi announced the establishment of a High National Reconciliation Commission to address past human rights violations and promote national reconciliation based on justice and the rule of law.

61. UNSMIL initiated consultations with the African Union to discuss possible areas of support to the Libyan authorities on promoting human rights-based reconciliation. From 5 to 6 April, UNSMIL and UNDP, in coordination with the African Union, supported the Office of the Prime Minister in the organization of a workshop to discuss the establishment of a national reconciliation commission. In addition, the Special Envoy discussed collaboration with the African Union in support to Libyan national reconciliation efforts, during his visit to the African Union on 11 and 12 April.

### **Human rights due diligence policy**

62. The United Nations system in Libya continued to implement the human rights due diligence policy on United Nations support to non-United Nations security forces (A/67/775-S/2013/110, annex), with a view to preventing and mitigating the identified risks of grave violations of international humanitarian law, human rights law or refugee law by Libyan security forces receiving United Nations support.

## **C. Security Sector**

### **Implementation of the ceasefire**

63. Significant progress was made on clearing explosive remnants of war from the Coastal Road by military engineers from the west and the east. With UNSMIL and the United Nations Mine Action Service (UNMAS) technical advice and coordination support, and despite serious shortages of human and materiel resources, the teams cleared 120 kilometres of the road and removed 7.5 tons of explosive ordnances during operations. Clearance operations were completed on 21 March, with the final 10 kilometres cleared jointly with and coordinated by the Libya Mine Action Centre. However, the road has not yet reopened, reportedly due to political obstacles and tensions between western affiliated armed groups and pro-LNA mercenaries in the vicinity of Abu Grein.
64. The 5+5 JMC continued to prepare for the establishment of the Joint Libyan Security (Police) Force and the Joint Libyan Military Force, including the development of detailed requirements for possible international assistance. On 29 April, following their meeting in Sirte, the 5+5 JMC issued a statement that welcomed the adoption of Security Council resolution 2571 (2021), as well as the participation of the President of the Presidency Council and the Special Envoy in their last meeting. The statement also noted that the 5+5 JMC had selected the head of the Joint Libyan Military Force.
65. On 29 April, the Security Council held an informal interactive dialogue on the issue of foreign fighters. In their briefing, the Special Envoy and the Assistant Secretary-General and Mission Coordinator underscored the importance of the implementation of the ceasefire agreement, the withdrawal of foreign fighters and mercenaries, as well as security sector reform and disarmament, demobilization and rehabilitation.

### **Arms and ammunition management**

66. Recently completed mine action surveys in south Tripoli provided evidence of the impact of the use of explosive weapons in populated areas during the 2019-2020 conflict. Surveys identified 750 areas that are known or suspected to have contamination. Most areas had explosive remnants of war contamination, with a portion

of the areas suspected to have landmines. To date, survey teams recorded more than 3.8 million square meters as “Confirmed” or “Suspected Hazardous Areas” that require mine action intervention. Ongoing clearance operations in Benghazi, Misrata, Sabha, and Sirte yielded positive results. Additional resources and partnerships need to be mobilized to clear these areas in a timely manner to facilitate safe returns, livelihood activities, and reconciliation.

#### **D. Women’s empowerment**

67. UNSMIL facilitated the engagement and participation of women from across the spectrum of Libyan society in the intra-Libyan dialogue tracks. Twenty-three per cent of the participants in the LPDF in Geneva were women. UNSMIL and the IFCL highlighted the importance of honouring the pledge made by all candidates for the position of Prime Minister to realize greater women’s participation in the affairs of the State. On 26 February, Prime Minister Dbeibah stressed his commitment to appoint no less than 30 per cent women in senior executive positions during a meeting with the women’s caucus of the LPDF.
68. In response to concerns raised by women’s groups over the limited participation of women in the economic dialogue, three additional women joined the economic track, increasing the number of women participating to 7 out of 34 members.
69. From 8 March, UN Women, in collaboration with UNSMIL and the United Nations country team, held a five-day virtual conference with support from partners including Canada and the European Union. The conference brought together 60 Libyan women from a broad spectrum of Libyan society, including the LPDF, academia, civil society and human rights defenders, where they discussed the situation of frontline Libyan women amid the pandemic. Participants highlighted a range of concerns in areas such as security, human rights, economic empowerment, media, youth empowerment and humanitarian response. They reiterated their commitment to ensure the integration of the perspectives of women and girls in the formulation and implementation of policies and programmes in all spheres and stages of the pandemic response and recovery.
70. On 1 April, the Special Envoy briefed the Security Council Informal Experts Group on Women, Peace and Security. He provided an update on the efforts of the United Nations to support women’s participation in elections both as candidates and voters. He stressed that United Nations support to ceasefire monitoring should be inclusive of women and youth, and that women should be included in subcommittees of the 5+5 Joint Military Commission.

#### **E. Young people, peace and security**

71. UNFPA continued to partner with the Libyan Red Crescent, UN Women and the United Nations Educational, Scientific and Cultural Organization (UNESCO) to empower young people engaged on the frontlines of Libya’s humanitarian crisis by awarding 14 micro grants to youth-led initiatives and mentorship programmes. UNFPA organized and chaired regular monthly meetings of the youth working group, responsible for developing an action plan for United Nations engagement with youth in Libya, in line with resolution 2250 (2015) on youth, peace and security and the 2019-2020 United Nations Strategic Framework for Libya.

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

72. The United Nations country team began preparations to conduct a Common Country Assessment and develop the United Nations Sustainable Development Cooperation Framework.

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

73. Insecurity, lack of basic services, economic and governance crises as well as the COVID-19 pandemic have contributed to increased humanitarian needs across Libya. The 2021 Humanitarian Needs Overview assessed that 1.3 million people need humanitarian assistance in 2021, including 173,000 internally displaced people, 228,000 returnees, 304,000 migrants, 44,000 refugees and 502,000 vulnerable host community members, compared to 900,000 people in need of humanitarian assistance in 2020. The situation was exacerbated by increasing food prices that remain 20 per cent above pre-COVID-19 levels. Moreover, the Libya Humanitarian Response Plan identified 153,000 people at risk of gender-based violence and requiring specialized prevention and response programming.
74. Since its inception, the UNDP Stabilization Facility for Libya, aimed at renewing public trust in national and local authorities, thereby generating peace dividends and fostering national unity, supported 24 municipalities, and completed 298 community-endorsed projects through inclusive community consultations. In 2020, the facility completed 114 projects to support the rehabilitation of educational, medical, and public facilities and improve health and sanitation services to the benefit of over 2.5 million people.
75. Since July 2020, the number of internally displaced decreased from an estimated 429,000 to 278,000. Although more IDPs are returning to their homes, lack of basic services and the presence of explosive remnants of war and landmines in return areas, especially in southern parts of Tripoli, continue to present impediments to return. During the reporting period, 15 people were killed and 5 were injured by explosive contamination in Tripoli and Sirte. More explosive contamination continued to be discovered and removed for disposal.
76. The COVID-19 pandemic continued to overwhelm the health system in Libya. As of 29 April, approximately 177,000 confirmed cases of COVID-19 were reported including 3,023 deaths, with the actual number of cases likely much higher. Testing capacity, including human resources and supplies, remained very limited. Several health facilities are still closed due to a lack of oxygen cylinders and sufficient health workers to care for the increasing number of sick patients. Numerous municipalities across the country continued to be in lockdown due to an increasing number of COVID-19 cases.
77. In March, the GNU endorsed the National Deployment Plan for COVID-19 vaccination in Libya, which was developed with support from UNICEF and the World Health Organization (WHO). According to the plan, 426 health facilities or vaccination sites across 102 municipalities will support vaccination efforts. Through the COVAX facility, Libya secured 2.8 million doses of COVID-19 vaccines. In April, Libya received over 258,000 doses of the COVID-19 vaccine, of which 57,600 were delivered

via the COVAX facility. The national COVID-19 vaccination campaign was launched in Tripoli on 17 April, followed by western, eastern, and southern regions. As of 29 April, a total of 63,152 doses were made available in 430 sites across the country; 88 per cent in the West and 11 per cent in East Region. The first stage of the campaign prioritizes medical personnel and the elderly suffering from chronic diseases. On 29 April, the NCDC and UNICEF launched a campaign to increase people's confidence in the vaccine.

78. Humanitarian partners continued to face access constraints due to bureaucratic impediments and insecurity. Some 283 access constraints were reported in February, the lowest number in months. However, delays in issuance of visas for aid workers and clearance of critical relief items particularly health supplies continued, impacting the delivery of assistance to affected people.
79. As of the end of 27 April, humanitarian partners had assisted almost 203,000 people, about 45 per cent of the targeted group of the most vulnerable people in need. An additional 63,000 people in need received assistance with humanitarian activities outside of the Humanitarian Response Plan (HRP). As detailed in the 2021 HRP, \$189 million is required in 2021 to meet the humanitarian needs of 451,000 people of the most vulnerable populations in Libya, of which only \$36.1 million or 19 per cent has been secured so far.

#### **IV. Deployment of the United Nations Support Mission in Libya and security arrangements**

80. UNSMIL increased its international staff presence to 120 staff, on a rotational basis, considering the improved security situation in the Tripoli area and requirements for staff to engage with Libyan interlocutors to continue the ongoing political, security, economic and human rights/humanitarian law tracks as well as requirements for providing humanitarian assistance. All international staff in Tripoli continued to be accommodated at the Oea compound protected by the United Nations Guard Unit. National staff continued to report to work in the compound on a rotational basis, when their presence was required. Alternatively, they worked remotely.
81. Comprehensive protective and preventive measures to safeguard staff and interlocutors from contracting or potentially spreading COVID-19 remained in place and adherence was closely monitored. The measures were regularly reviewed and adjusted in accordance with evolving advice by WHO and UNSMIL medical staff as well as to ensure alignment with measures put in place by the Libyan and Tunisian authorities. Strict COVID-19 preventive measures continued to be applied on all flights. Road movements in Tripoli were conducted in compliance with security risk management measures.

#### **V. Observations and recommendations**

82. The smooth transfer of power to a new Presidency Council, Prime Minister and Government of National Unity brings renewed hope for the reunification of the country and its institutions and for a lasting peace. The Presidency Council and the Prime Minister now have the important task of leading Libya towards presidential and parliamentary elections on 24 December 2021. I commend the members of the Libyan



Political Dialogue Forum for the key role they played in achieving this outcome. This momentum should be maintained and progress needs to be continued on the political, security and economic tracks, to enable the holding of national elections on 24 December 2021, in accordance with the Libyan Political Dialogue Forum roadmap and as requested by Security Council resolution 2570 (2021). Similarly, the international community should remain aligned in its support for Libya and the Government of National Unity.

83. The House of Representatives' vote of confidence in the Government of National Unity, which took place with a high level of participation, was a significant political milestone. The House of Representatives has to continue to fulfil its responsibility and complete the necessary next tasks to enable the political process to move forward. This includes the approval of the budget as well as the adoption of a constitutional basis and legal framework for the national elections, including the passing of electoral laws and other necessary legislation.
84. Timely support from the Government of National Unity to the High National Elections Commission (HNEC), including through relevant line ministries and government institutions, is also needed to hold the national elections on 24 December. This includes the provision of sufficient funds, ensuring a conducive security environment and support for COVID-19 health and safety measures in the conduct of the process. This will be complemented by international electoral assistance to the HNEC, coordinated by UNSMIL.
85. The conduct of municipal elections despite the political, security and pandemic-related challenges is an important achievement and a sign that many Libyans are eager to participate in democratic processes. The time is ripe for the two committees managing municipal elections in the west and the east to unify and complete elections for the remaining municipalities in a safe and secure manner, following appropriate COVID-19 health and safety measures.
86. The full inclusion of women and youth in the Libyan political process and State institutions is essential. The women's caucus in the Libyan Political Dialogue Forum played an instrumental role to secure a pledge by the new interim executive authority to appoint women in at least 30 per cent of senior executive positions. I urge the Government of National Unity to meet this important commitment.
87. Recent positive developments in the political process would not have been possible without the continued commitment by Libyan parties to the 23 October ceasefire agreement. I call on the Government of National Unity and all Libyan actors to continue supporting the 5+5 Joint Military Commission and its efforts to fully implement the ceasefire agreement. The reopening of the coastal road and progress on the priorities identified by the 5+5 Joint Military Commission will generate dividends for the political process. To help support its implementation and pursuant to resolution 2570 (2021), a scalable UNSMIL ceasefire monitoring component will be deployed to Libya, contingent upon approval by the General Assembly of supplementary resources covering security, logistical, medical and operational requirements, which will be submitted in the near future.

88. Prioritization of security sector reform by the Government of National Unity is also necessary to consolidate and build on political and security gains. Important elements towards that end include filling senior civilian and military appointments, delivering a roadmap for the reunification of the Libyan army and addressing the proliferation of non- and quasi-state armed groups. Bringing one of the world's largest uncontrolled stocks of arms and ammunition under State control is vital. I reiterate my call on Member States and Libyan national actors to put an end to violations of the arms embargo and to facilitate the withdrawal foreign fighters and mercenaries from the country. These are critical elements for lasting peace and stability in Libya and the region.
89. The establishment of the High National Reconciliation Commission to lay the groundwork for a national reconciliation process to promote unity and social cohesion is a significant development. The United Nations stands ready to work in close collaboration with the African Union to support an inclusive process grounded in the principles of justice and human rights which is critical to ensure long-term peace and stability.
90. I am gravely concerned about the continued arbitrary detention of migrants and refugees in formal detention centres and at informal smuggler sites and the poor conditions and treatment they are subjected to at these sites. There is a clear and urgent need to put in place measures to protect detainees from sexual violence, provide assistance to victims and ensure that allegations of sexual violence are effectively investigated and prosecuted. The Libyan authorities should also secure the release of refugees and migrants from detention centres on an urgent basis, provide them with safe shelter and a humane living environment, and ensure that they are included in the country's COVID-19 planning and response. Moreover, Member States should revisit policies that support the interception at sea and return of refugees and migrants to Libya, which is not considered to be a safe port of disembarkation. I call on international partners to continue their support and to contribute generously to the 2021 Humanitarian Response Plan.
91. I thank my Special Envoy on Libya and Head of UNSMIL, Ján Kubiš, the Mission leadership, the staff of UNSMIL and the United Nations country team for their dedication and efforts to support Libya and its people on the path to peace and stability.