



# 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 [2542 \(2020\)](#) and [2510 \(2020\)](#), covers political, security 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 issuance of my previous report on 25 August 2020 ([S/2020/832](#)) and interim report on 30 December 2020 ([S/2020/1309](#)) on proposed ceasefire monitoring arrangements in Libya.

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

2. Since my previous report ([S/2020/832](#)), a de facto truce in central Libya has continued to hold. Meanwhile, consultations with the Libyan parties to advance a ceasefire agreement, resume political talks and advance economic reforms have continued, under the auspices of the United Nations.

3. From 6 to 10 September, delegations representing members of the House of Representatives and of the High State Council met in Bouznika, Morocco, to discuss the appointment of sovereign positions listed in article 15 of the Libyan Political Agreement, including the Governor of the Central Bank of Libya and the Head of the Audit Bureau.

4. From 7 to 9 September, representatives of the main Libyan parties met in Montreux, Switzerland, at the invitation of the Centre for Humanitarian Dialogue and in the presence of UNSMIL, to discuss transitional arrangements leading to a comprehensive solution to the Libyan conflict. The participants issued recommendations that included a time frame for the transition, the restructuring of the executive authority and its selection and oversight mechanism.

5. On 16 September, in a televised address, the Prime Minister, Faiez Mustafa Serraj, announced his intention to resign as President of the Presidency Council and hand over power to a new executive authority by the end of October 2020. On 30 October, in response to calls from the High State Council and some members of the House of Representatives, Mr. Serraj announced that he would remain in post until an agreement was reached to ensure a smooth transition to the new executive authority.



6. On 20 September, the High State Council endorsed the outcome of the Bouznika talks (see para. 3). The delegations of the House of Representatives and of the High State Council met again in Morocco on 30 September and reached a provisional agreement on the selection criteria, including representation of the three historic Libyan regions, competencies and appointment mechanisms for sovereign positions. Consultative meetings continued in Tangier, Morocco from 23 to 28 November, and in Ghadamis, Libya, on 6 December.

7. In October, the National Oil Corporation progressively lifted the declaration of force majeure, ending the blockade on the oil infrastructure after more than nine months. On 23 October, the Corporation confirmed that foreign armed elements reportedly operating in Sharara oil field and Ra's Lanuf oil port had vacated the premises.

8. On 23 October, the Agreement for a complete and permanent ceasefire in Libya between the Libyan Army of the Government of National Accord and the Libyan National Army of the General Command of the Armed Forces ([S/2020/1043](#), annex) was signed at the United Nations Office at Geneva by the Libyan Army of the Government of National Accord of the State of Libya and the Libyan National Army, General Command of the Armed Forces. I transmitted the Agreement to the Security Council on 27 October.

9. Notwithstanding the ceasefire agreement, Government of National Accord forces continued to maintain their presence at Abu Qurayn and Washkah, with ongoing patrolling activities reportedly taking place and military cargo flights reported at Watiyah and Misratah airports. The Libyan National Army and affiliated groups maintained fortifications and military outposts equipped with air defence systems between Sirte and Jufrah, and north of Jufrah airbase. In addition, the Libyan National Army extended the military build-up of forces in southern Libya, implementing fortifications and air defence systems in and around Birak al-Shati' airbase.

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

10. During the reporting period, tangible progress was achieved in advancing the UNSMIL-facilitated political, security and economic intra-Libyan dialogues within the framework of the conclusions of the Berlin Conference on Libya.

11. On 17 September, my acting Special Representative chaired the third meeting of the UNSMIL-facilitated intra-Libyan economic dialogue. The virtual meeting convened 29 Libyan economic experts and representatives from the United Nations Development Programme (UNDP) and the World Bank to discuss and review the policy road map developed during the economic dialogue, which was adopted by the international follow-up committee to the Berlin Conference on Libya in July 2020. The road map provides a set of priority economic reforms required to establish a durable economic arrangement, including the transparent management of oil revenues.

12. In September and October, UNSMIL held consultative meetings in preparation for the Libyan Political Dialogue Forum, including tribal leaders, mayors, women and youth.

13. From 19 to 23 October, the fourth round of in-person meetings of the 5+5 Joint Military Commission was held in Geneva, under the auspices of the United Nations, and the ceasefire agreement was signed on 23 October (see para. 8). The Libyan parties requested the assistance of the United Nations for the inclusion of a Libyan ceasefire monitoring mechanism in the ceasefire agreement (see [S/2020/1043](#)). Throughout November, the 5+5 Joint Military Commission reconvened in Ghadamis,

Sirte and Marsa al-Burayqah to discuss the operationalization of the agreement and the unification and restructuring of the Petroleum Facilities Guard. In December, the 5+5 Joint Military Commission continued to exert efforts and engage regularly inside Libya to advance the implementation of the ceasefire agreement.

14. Progress on the security track generated momentum for the resumption of UNSMIL-facilitated intra-Libyan political talks. On 26 October, my acting Special Representative convened the first virtual session of the Libyan Political Dialogue Forum. UNSMIL briefed participants on the latest developments in the security, economic and international humanitarian law and human rights tracks of the international follow-up committee. A group of women, youth and mayors briefed the Forum on the UNSMIL-led consultations, which took place prior to the talks.

15. From 9 to 15 November, UNSMIL convened the first in-person meeting of the Libyan Political Dialogue Forum, with the support of UNDP. The meeting was held in Tunis and hosted by the President of Tunisia. The Forum brought together 75 participants, including 17 women, representing all regions, as well as the main political and social constituencies in Libya, including the House of Representatives and the High State Council. On 15 November, the Forum adopted a political road map, which concludes with the holding of presidential and parliamentary elections on 24 December 2021, marking the seventieth anniversary of the country's independence.

16. The Libyan Political Dialogue Forum political road map, entitled "The preparatory phase for a comprehensive solution", complements the Libyan Political Agreement. It sets out general principles and objectives guiding the transition period under reconstituted and unified institutions, as well as the main time frames for the endorsement of a new executive authority by the House of Representatives and for the constitutional arrangements. Key human rights principles that emerged from consultations with civil society actors were included in the road map, including ensuring that the Libyan political process be rights-based and rights-centred, that the political agreement reflects the needs, interests and grievances of victims and their families, ending impunity, empowering women through meaningful participation and fostering an environment conducive to peace, stability and democracy.

17. The Libyan Political Dialogue Forum also agreed on the competencies, eligibility criteria and prerogatives for a reformed executive authority to lead a government of national unity during the transitional period. The reformed executive authority, which would be composed of a three-member Presidency Council and a separate Prime Minister with two deputies, would be tasked to reunify State institutions and provide security and basic services to the population until elections were held. The Forum agreed to meet regularly to monitor the implementation of the road map.

18. Since November, my acting Special Representative has reconvened the Libyan Political Dialogue Forum on a regular basis, to continue discussions on a selection mechanism for the executive authority. The participants narrowed the initial nine options for the selection mechanism down to two. Separately, on 14 December, the Speaker of the House of Representatives formed a committee, including some Forum members, to provide alternative solutions should the Forum not advance.

19. On 21 December, my acting Special Representative launched virtually the legal committee of the Libyan Political Dialogue Forum to follow up on the discussions of the constitutional committee established by the House of Representatives and the High State Council and to make recommendations on, inter alia, a proposal or proposals for an appropriate constitutional basis and arrangements for the national elections. The committee is comprised of 18 members of the Forum, with representatives of the House of Representatives, the High State Council and other constituencies, including women. The Legal Committee has held three virtual

meetings, during which members shared proposals for constitutional arrangements for elections.

20. On 4 January, my acting Special Representative established the Advisory Committee of the Libyan Political Dialogue Forum to discuss issues related to the selection of a unified executive authority and to propose concrete and practical recommendations to the Forum to decide upon. The committee is composed of 18 members of the Forum to ensure broad geographical, political and cultural diversity, as well as the participation of women and youth.

21. On 26 December, the 5+5 Joint Military Commission announced the exchange of prisoners between the Government of National Accord and the Libyan National Army, as part of the confidence-building measures agreed to during their meetings in Sirte. Thirty-three Libyan National Army prisoners were exchanged for 15 Government of National Accord prisoners near Shuwayrif, under the auspices of the 5+5 Joint Military Commission and elders from Misratah and Zintan. The second round of prisoner exchanges took place on 6 January.

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

22. The international follow-up committee met virtually on 27 August, 29 September, 6 November and 16 December at the senior official level. Its four working groups, covering security, political, economic and international humanitarian law and human rights aspects, provided advice to Libyan authorities and supported additional confidence-building efforts.

23. Since August 2020, the security working group, co-chaired by France, Italy, Turkey, the United Kingdom of Great Britain and Northern Ireland and the African Union, has held 10 meetings to accompany Libyan efforts to operationalize the ceasefire agreement and develop a monitoring mechanism. On 23 November 2020, the 5+5 Joint Military Commission participated in the Security Working Group plenary meetings and requested the Security Council to adopt a resolution endorsing the 23 October ceasefire agreement and its provisions. The Security Working Group plans to invite the Joint Military Commission to its next meeting in January 2021.

24. The political working group, co-chaired by Algeria, Germany and the League of Arab States, met on 24 September and 3 December, to accompany and support United Nations efforts to reach a political solution to the Libyan conflict. On 5 December, the co-chairs issued a statement calling on all Libyan stakeholders to support the outcomes of the political dialogue and encouraged all participants of the Libyan Political Dialogue Forum to agree on the modalities of the new executive authority, and refrain from hate speech. They also said in the statement that progress on the political track could contribute to further consolidating the implementation of the ceasefire agreement and advance talks on economic governance.

25. On 20 and 22 October, the economic working group, co-chaired by Egypt, the United States of America and the European Union, together with representatives of the World Bank and the International Monetary Fund, reviewed the presentation developed by the Libyan Experts Economic Commission on the economic situation of the country and priority economic reforms to be delivered to the Libyan Political Dialogue Forum. On 5 November, the economic working group recommended at its plenary meeting that quick impact projects be developed to form the basis of a reconstruction mechanism, as envisaged in the conclusions of the Berlin Conference. On 14 and 15 December 2020 and 5 January 2021, UNSMIL convened a technical meeting of key Libyan economic experts, including the World Bank, in Geneva, to further develop economic reforms and restore public confidence in the management of the economy of Libya. The Economic Working Group, with the participation of the World Bank, representatives of both branches of the Central Bank of Libya, the



Ministry of Finance, the National Audit Bureau and the National Oil Corporation, together with members of the Libyan Experts Economic Commission, also met to discuss currency reform, the banking crisis and the unification of the national budget, including a timetable for implementing these reforms.

26. The International Humanitarian Law and Human Rights Working Group, co-chaired by the Netherlands and Switzerland, met on 8 and 24 September and 1 December. Their discussions were focused on support for accountability and transitional justice. In order to strengthen national capacities, the Working Group advocated for technical and financial support to the General Authority for Search and Identification of Missing Persons. On 1 December, the Minister of Justice, the Director of the General Authority for Search and Identification of Missing Persons and civil society representatives briefed the Working Group on national efforts and plans to further prioritize transitional justice mechanisms, while implementing the Libyan Political Dialogue Forum outcomes.

### **International and regional engagement**

27. Regional and international stakeholders continued to engage in support of a political solution to the Libyan crisis. On 27 August, my acting Special Representative met with the Minister of Foreign Affairs of Morocco and other government officials in Rabat to discuss the initiative by Morocco to support United Nations mediation efforts. On 29 August, my acting Special Representative met with the Foreign Minister of Egypt, other senior government officials, and the Secretary-General of the League of Arab States in Cairo. At the invitation of the Government of Egypt, UNSMIL facilitated talks on the constitutional framework between representatives of the High State Council and the House of Representatives from 11 to 13 October in Cairo.

28. On 5 October, I co-chaired a ministerial meeting on Libya with the Minister of Foreign Affairs of Germany on the margins of the seventy-fifth session of the General Assembly. Participants reaffirmed their commitment to the conclusions of the Berlin Conference and expressed their strong support for the resumption of the political talks. I reiterated the concerns of the United Nations about the violations of the arms embargo and stressed the need for Libyans to seize the opportunity to agree on a political solution to the conflict with the support of the international community.

29. My acting Special Representative intensified engagement with international stakeholders to galvanize support for a permanent ceasefire agreement and the resumption of the intra-Libyan dialogue. From September to December, she also held consultations with senior officials of several Member States.

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

30. As the provision of electricity services deteriorated in August and September, demonstrations were held across Libya against corruption, deteriorating living conditions and lack of access to basic services. Demonstrations were reported in Zawiyah and Sirte on 20 August, and on 23 August in Tripoli and other towns in western Libya. Dozens of peaceful demonstrators and organizers were arbitrarily arrested and detained in Tripoli. Many were reportedly tortured and at least one was reportedly raped by an unidentified armed group.

31. On 23 August, the Ministry of the Interior issued a statement accusing Tripoli-based and other armed groups of indiscriminately firing live ammunition at demonstrators. On 29 August, the Presidency Council suspended the Minister of the Interior from office, as part of a government reshuffle. Following a hearing about the role of the security forces in the demonstrations, the Minister was officially reinstated on 3 September.

32. Although the provision of electricity services improved, largely owing to lower temperatures and demand, structural issues of the national electricity grid remain a serious concern. UNSMIL is working closely with the United Nations Environment Programme (UNEP), the World Bank and the United States Agency for International Development (USAID) to support the General Electricity Company of Libya in prioritizing and costing repairs to the grid to avoid a system-wide collapse.

33. The number of recorded incidents involving explosive devices decreased as compared with the previous reporting period. Since 26 August, the Libyan Mine Action Centre has recorded 18 incidents involving explosive devices in southern Tripoli and Sirte, resulting in 28 casualties (11 fatalities and 17 injured). Twenty-six civilians and two mine clearance operators from the Ministry of Defence and the Ministry of the Interior were victims of the incidents.

34. Following the discovery of multiple mass graves in and around Tarhunah in June (see [S/2020/832](#)), 115 sets of human remains have been exhumed. The slow identification process led to public calls for prompt action and response. Armed groups continued to operate with impunity in Tarhunah, resulting in a continued volatile security situation. Numerous human rights violations and abuses, including enforced disappearances, extrajudicial killings and widespread torture, have led to a state of impunity and an absence of rule of law in Tarhunah.

35. During the reporting period, the Ministry of the Interior conducted search and arrest operations to disrupt smuggling activities by criminal networks in Zawiyah and other western locations. On 14 October, Government of National Accord law enforcement agencies arrested Abd al-Rahman al-Milad in Tripoli. Mr. al-Milad was added to the United Nations sanctions list pursuant to Security Council resolution [1970 \(2011\)](#) in June 2018 for heading the regional unit of the coast guard in Zawiyah, which was consistently linked with acts of violence against migrants.

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

36. In eastern Libya, there were continued reports of criminal activity, including killings, kidnappings for ransom, carjacking and extortion.

37. Underlining nationwide discontent over corruption, the lack of provision of basic services and a shared desire for change, largely peaceful demonstrations were reported in early September in Benghazi, Ajdabiya, Bayda', Qubba and Marj, as well as in the southern city of Sabhah. Following reports that a civilian had been killed and three others injured in Marj during demonstrations on 12 September, UNSMIL called for a thorough investigation and the speedy release of all those arbitrarily arrested and detained by groups affiliated to the Libyan National Army. Under the pressure of public unrest, on 13 September, the House of Representatives reported that Abdullah al-Thinni, prime minister of the parallel "interim government", had submitted his resignation. The House of Representatives subsequently rejected his resignation.

38. On 11 October, the parallel "interim government" announced the release of seven Indian nationals who had been kidnapped on 14 September in the Shuwayrif area while on their way to Tripoli. On 10 November, Hanan al-Bara'ssi, a human rights lawyer and political activist, was shot dead in Benghazi. UNSMIL called for a prompt and thorough investigation into her death, and for the perpetrators to be brought to justice.

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

39. During the reporting period, the Libyan National Army established fortifications and military outposts equipped with air defence systems in the vicinity of Birak al-Shati' and Tamanhint airbases.

40. In southern Libya, there were reports of criminal activities. On 25 August, an armed group affiliated with the Libyan National Army disrupted the election in the southern municipality of Traghin. The Committee for Municipal Council Elections suspended electoral processes in the neighbouring municipalities of Qatrun and Sharqiyah planned for 31 August, following similar reports of Libyan National Army disruptions.

41. On 9 November, two pumps of the Great Man-Made River were destroyed in the Hasawnah well fields, located near Birak al-Shati', bringing the total number of water wells destroyed in the past two years to 151. Continued attacks on the Great Man-Made River continue to threaten water security in north-western Libya, including Tripoli. UNSMIL continued to work on projects to incentivize communities to protect the vital infrastructure and improve water use efficiency, while the UNDP Stabilization Facility continued efforts to restore power grids and water and sewage networks.

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

42. Although operationally weakened as a result of a series of counter-terrorism operations, the Islamic State in Iraq and the Levant (ISIL) and a support network of the Organization of Al-Qaida in the Islamic Maghreb (AQIM) remain a threat in Libya.

43. The Libyan National Army conducted counter-terrorism operations in southern Libya, supported by foreign advisers, specifically in the area between Ghadwah, Awbari, Murzuq and Tmisan village, and west of Birak al-Shati'. On 23 September, the ISIL Emir for North Africa, Abu Moaz al-Iraqi, was reported killed during one of these operations on 14 September. On 27 November, the Libyan National Army dismantled a support network of AQIM in Awbari, with the arrest of elements accused of being arms and drug dealers.

### **Economic situation**

44. The Libyan economy is at a precipice. The utilities sector, including electricity and water, is coming dangerously close to systemic failure owing to a combination of insecurity and a lack of development funding. It is estimated that the blockade on oil production had resulted in over \$10 billion in lost revenue and caused significant damage to oil infrastructure. As at 23 December, oil production had returned to pre-blockade levels, at 1.2 million barrels per day with preparations to increase production even further.

45. The closure of the oil fields, combined with the ongoing conflict, caused generational damage to the economy, including a national debt amounting to close to \$97 billion. According to the Economic and Social Commission for Western Asia (ESCWA), the cost of the conflict in Libya since its outbreak in 2011 exceeds \$576 billion. In 2020, the country spent 63 per cent of its budget on salaries, 17 per cent on subsidies but only 1 per cent on development. Some 2.2 million Libyans, over a third of the population, are now on the public payroll. In less than a year, Libya's foreign currency reserves dropped from \$78 billion to \$57 billion, while the country's economy continues to rely heavily on global oil prices.

46. With the resumption of oil production, pressure is building to develop a more durable economic arrangement for the management of national resources. Since the lifting of force majeure, oil revenues have been held in abeyance in an account controlled by the National Oil Corporation. This arrangement was agreed upon to restart oil production and intended as an interim measure until a more sustainable economic arrangement is negotiated among Libyan stakeholders.

47. Signalling progress, on 13 October the board of trustees of the Libyan Investment Authority announced that it would conduct the first comprehensive audit since it was created in 2008. In conjunction with the ongoing UNSMIL-facilitated financial audit review of the two branches of the Central Bank of Libya, these audits should significantly increase transparency in the management of public funds. On 1 December, the Presidency Council held a meeting of the Council of Ministers to declare its intention to negotiate an economic arrangement that would allow for the use of oil revenues. On 16 December, the Central Bank of Libya Board of Directors met for the first time in five years and decided to unify the country's exchange rate, demonstrating a positive step towards stabilizing the Libyan currency and combating corruption.

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

#### **A. Electoral support**

48. Despite challenges related to instability and coronavirus disease (COVID-19), the Committee for Municipal Council Elections organized eight municipal council elections between August and December in Misratah, Ghat, Rajban and Zawiyah al-Gharbiyah. National observer groups assessed the polling procedures as credible. In January, four municipal elections were organized, including in municipalities in Tripoli. The Committee announced on 28 December that elections in Tajura' and Sabratah would be held on 14 January.

49. On 7 November, the Chairperson of the High National Elections Commission briefed the Libyan Political Dialogue Forum virtually on the mandate and role of the Commission, the preconditions for a feasible and credible electoral process and the challenges related to the absence of government funding. The Chairperson confirmed the Commission's technical capacity to implement elections pending an enabling political and security environment, a feasible legislative framework and a timely and adequate disbursement of financial resources. On 23 November, the Government of National Accord allocated 50 million dinars (approximately \$37 million) to the Commission to enable it to fulfil its mandate and conduct presidential and parliamentary elections in December 2021. On 28 December, the Chairperson of the Commission briefed the legal committee of the Forum on measures taken by the Commission to strengthen its institutional capacity as part of planning for different scenarios to implement national elections on 24 December 2021.

50. UNSMIL continued its cooperation with the High National Elections Commission and the Committee for Municipal Council Elections, with the aim of supporting the institutions in delivering their mandate.

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

51. From 26 August to 3 December 2020, UNSMIL recorded at least 18 civilian casualties (9 deaths and 9 injured), including 1 woman and 10 children, representing

a decrease in civilian casualties as compared with the second quarter of 2020, notably as a result of the cessation of hostilities.

52. UNSMIL continues to engage with relevant Libyan actors and the population in pursuit of efforts to exchange combatants, detainees and mortal remains, including by documenting requests for the release of the bodies of family members.

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

53. During the reporting period, some journalists were reportedly arbitrarily arrested by Libyan National Army-affiliated groups in eastern Libya. Most of the arrests were reportedly due to their work or for their tribal and family affiliations. In Tripoli, on 21 October, the head of the Libyan Media Association, Mohamed Omar Baaio, was illegally detained by an armed group, together with his two sons and the newly appointed head of programmes of the Libya al-Wataniya television channel, Hind Ammar. Mr. Baaio's sons were released a few hours later and Ms. Ammar was released on 23 October. Following concerted advocacy by UNSMIL and other actors, Mr. Baaio was released on 9 November.

54. Approximately 8,800 people, of whom an estimated 60 per cent were in pretrial detention, continued to be held in 27 official prisons, under the authority of the Ministry of Justice, with limited access to judicial services to challenge the legality of their detention or seek redress for violations. Thousands of others remain detained in illegal detention facilities operated by armed groups, allegedly suffering torture, extortion, rape and other human rights abuses.

55. UNSMIL provided technical assistance to the Ministry of Justice and the Supreme Judicial Council to screen and release detainees as a mitigation measure against the spread of the COVID-19 pandemic. In the context of the UNSMIL-UNDP Police and Security Joint Programme, technical support was also provided to the Judicial Police to increase their capacities and adopt standard operating procedures to enhance the management and the organization of correction facilities.

56. UNSMIL, in cooperation with the Ministry of Justice and the Judicial Police, advocated for the provision of basic health care to prisoners in an effort to stem the spread of COVID-19. Subsequently, health-care units were operationalized in several prisons, and some correction facilities were sanitized. Medical screening was conducted and visitation procedures were reviewed, in order to prevent the spread of the virus in these institutions.

57. From August to October 2020, the Ministry of Justice and the Public Prosecution Office announced that more than 1,400 individuals had been released from prisons across the country, bringing the total to 3,900 in 2020. The release is a measure to stem the spread of COVID-19. Libyan authorities declined to provide the names of those released, including women and children, and UNSMIL has not been able to verify the reported releases.

### **Groups in vulnerable situations**

#### *Migrants and refugees*

58. Migrants and refugees, including women and children, continued to be routinely subjected to discrimination, arrest, arbitrary detention, torture and other human rights violations and abuses. UNSMIL received reports of torture, deprivation of food and health care, enforced disappearances and sexual and gender-based violence against persons detained in the Suq al-Khamis, Abu Salim, Nasir and Abu Isa centres operated by the Directorate for Combating Illegal Migration. Men and boys were allegedly routinely shot at or severely beaten by guards trying to pressure families for ransom

pay. Detainees were also shot at when attempting to escape, resulting in injuries and deaths.

59. On 28 September, around 355 migrants and asylum seekers, including 258 men, 57 women and 40 children, were arrested by security forces at their homes, places of work and other gathering places in Ujaylat and the outskirts of Sabratah. The migrants and asylum seekers were taken to the Dahman assembly point in Sabratah, controlled by the Directorate for Combating Illegal Migration and the Security Directorate under the Ministry of Defence. During the arrests, two males of unconfirmed age were shot and injured, and two women were reportedly sexually assaulted. On 1 October, at least three migrants were reportedly killed by armed men at the Dahman assembly point during a riot to protest the lack of food, medical care and potable water.

60. There were also continued reports of large-scale deportations by officials of the Directorate for Combating Illegal Migration along the southern border of Libya with Chad and Sudan under the so-called “emergency procedures”, raising concerns of collective expulsion and possible cases of refoulement, with the Kufrah detention centre becoming a de facto deportation centre. A newly established Directorate desert patrol unit headquartered in Assah, reportedly initiated regular patrols and intensified security checks along the Libyan border with Algeria, raising concerns as to discriminatory profiling and increased expulsions outside of process and procedural safeguards.

61. During the reporting period, the number of individuals held in migrant detention centres increased owing to more interceptions or rescues at sea by the Libyan authorities and the closure of sea routes to migrants and refugees through interception on land, preventing their departure. In 2020, more than 11,900 migrants and refugees were intercepted at sea, disembarked in Libya and frequently transferred to arbitrary detention in abusive conditions, while others have disappeared altogether. This represents an increase, compared with the 9,200 intercepted throughout 2019. There are currently more than 2,300 persons in eight officially registered detention centres in Libya, of whom 695 are persons of concern to the United Nations High Commissioner for Refugees (UNHCR).

62. On 12 November, three shipwrecks were recorded, in which over 100 people were killed. On 15 November, a vessel carrying migrants off the coast of Khums in western Libya sank, killing at least 74 migrants. UNSMIL received multiple reports of failure to assist and pushbacks of migrant boats in the central Mediterranean, both by relevant international authorities and the Libyan Coast Guard. The United Nations continued to provide life-saving assistance at disembarkation points and monitoring to identify those in need of international protection.

#### *Women and children*

63. Approximately 278 women reportedly remain in detention centres nominally under the authority of the Ministry of Justice, while an estimated 200 women are held at Mitiga detention centre. UNSMIL received multiple allegations of sexual violence, torture and ill-treatment and other sexual abuse by guards against women and children suspected of being linked to ISIL fighters. Some 69 children remain detained with their mothers in Judaydah prison. Violence against women and children is further compounded by the lack of female guards at prisons and detention centres.

64. Cases of sexual and gender-based violence remain underreported in Libya owing to fear of reprisal, intimidation and misplaced stigma related to underlying discriminatory gender norms. To improve documentation of conflict-related sexual violence, UNSMIL established the monitoring, analysis and reporting arrangements on conflict-related sexual violence in Libya, in line with resolution [1960 \(2010\)](#).

### **Support for judicial authorities**

65. Despite ongoing challenges, the unified administration of justice saw signs of improvement, demonstrated by the collaboration of members of the newly elected Supreme Judicial Council and the resumption of legal proceedings in the south, and in Sirte and Darnah. Latest figures indicate that, from August to November, following UNSMIL advocacy, 11 court hearings took place inside Judaydah prison in Tripoli, resulting in the release of eight detainees.

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

66. 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 (see [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. Owing to the COVID-19 pandemic, United Nations agencies, funds and programmes focused their activities on life-saving programmes.

## **C. Security sector**

### **Implementation of the ceasefire**

67. The United Nations continued to facilitate and support the Libyan-led and owned negotiations on the implementation of the ceasefire agreement, including the development of a monitoring mechanism. The Secretariat established a Libya planning team chaired by the Department of Political and Peacebuilding Affairs, which includes representatives of relevant components of the Department of Operational Support, the Department of Peace Operations, the Office of Legal Affairs and UNSMIL. A separate report was submitted to the Security Council on 29 December 2020 ([S/2020/1309](#)) on options for an effective ceasefire monitoring mechanism under the auspices of the United Nations, in accordance with resolution [2542 \(2020\)](#).

### **Arms and ammunition management**

68. UNSMIL continued to assist Libyan communities and authorities in mitigating the threat from explosive ordnance and the proliferation of weapons and ammunition through technical assistance and support from the Mine Action Service. Activities were focused on the disposal of explosive ordnance and battle area clearance in southern Tripoli and Misratah. On 30 September, the Service completed a 12-month project in which more than 540 explosive remnants of war were removed from an area of 59,557m<sup>2</sup>.

69. The Mine Action Service also completed a project to reinforce information management capabilities to map explosive remnants of war contamination in Tripoli, to facilitate clearance operations and to support the protection of civilians. In response to the continuing threat from explosive remnants of war, humanitarian mine action sector partners trained and accredited six additional non-technical survey teams, which will conduct essential surveys in Tripoli and facilitate prioritization of future clearance.

## **D. Women's empowerment**

70. As part of its gender inclusion strategy for the intra-Libyan dialogue, UNSMIL organized a multi-stakeholder consultation process with women's groups in October.

Participants included 120 women from cultural components, peacebuilders, human rights defenders, journalists, academics, youth and political parties.

71. The sessions produced recommendations, which reaffirmed UNSMIL advocacy for ensuring women's inclusion in the UNSMIL-facilitated intra-Libyan dialogue tracks. In accordance with these recommendations, two additional women were included in the economic dialogue. UNSMIL advocated for the inclusion of women in the 5+5 Joint Military Commission subcommittees and for a gender perspective to be considered during the monitoring and implementation of the ceasefire agreement. The recommendations were presented virtually to the Libyan Political Dialogue Forum on 26 October and 7 November.

72. On 15 November, the 17 women participants in the Libyan Political Dialogue Forum issued a statement outlining a series of principles and recommendations for improving women's participation in the political process and governance. They called for better representation in political life and called on the State to fulfil its international commitments regarding the rights and protection of women. Their request that women should account for no less than 30 per cent of leadership positions in the reformed executive authority was echoed in the political road map agreed by the Forum.

73. During the reporting period, UNDP and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) provided training for 20 women and youth organizations across Libya to enhance their organizational skills in order to reduce inequality and promote women empowerment.

74. On 11 October, five women judges were appointed to the two specialized courts established in Benghazi and Tripoli to address violence against women and children. UNSMIL, in partnership with the United Nations Children's Fund (UNICEF) and UN-Women, conducted a training programme on international standards for the new judges.

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

75. As part of its efforts to ensure full participation of youth in the Libyan Political Dialogue Forum, UNSMIL held a virtual meeting of the Libyan youth track on 18 October, bringing together 40 male and female participants from various political, ethnic and tribal backgrounds. The participants presented their recommendations to the Forum.

76. The Youth against COVID-19 Fund, established by the United Nations Population Fund and a national partner organization, supported youth-led initiatives combating the COVID-19 pandemic in Benghazi, Sabhah, Ghat and Sirte. In this context, in October, virtual training programmes and grant-awarding schemes were initiated to empower young people, in particular young women, in crisis response.

77. UNDP provided capacity-building training to 80 young men and women through its regional Youth Leadership Programme. The aim of the initiative is to promote their political and civic engagement and to equip them with tools to create and improve their social initiatives.

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

78. The humanitarian response continued to be coordinated by three area coordination groups and the Inter-Sector Coordination Group, under the leadership of the Humanitarian Coordinator, with support provided by the United Nations Office for the Coordination of Humanitarian Affairs.



79. While the ceasefire agreement and the resumption of oil production has had a positive impact for some of the country's most vulnerable people, in the near term, humanitarian needs are expected to persist, compounded by the ongoing impact of COVID-19. It is estimated that, in 2021, 1.3 million people will need some form of humanitarian assistance, an increase of 40 per cent as compared with 2020. Consultations were conducted with national stakeholders in all three regions on humanitarian needs and response planning for 2021.

80. The coordination and response to the COVID-19 pandemic continued to be led by the World Health Organization (WHO), supported by the Office for the Coordination of Humanitarian Affairs, inter alia, in close cooperation with the National Centre for Disease Control, the Ministry of Health of the Government of National Accord and the health authorities in the east, as well as regional health and municipal authorities.

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

81. Following the suspension of hostilities in southern Tripoli in June 2020, there has been a slow decrease in the number of displaced persons, from 426,000 in June to 316,000 in December. However, the risks posed by booby traps, including improvised explosive devices, landmines and explosive remnants of war, as well as the absence of basic services and damage to infrastructure, continued to impede the safe and dignified return of all populations. The United Nations continued to support the authorities with the development of a national internal displacement strategy, including through consultations with relevant stakeholders.

82. The number of migrants and refugees in Libya has steadily decreased, from 626,000 in April to 574,000 in November, in part as a result of a reduction in labour opportunities for migrant workers, increased unemployment and tightened security controls and COVID-19 mobility restrictions implemented by the authorities. Discrimination in access to services and a lack of documentation continued to prevent migrants and refugees from meeting their basic needs, including health care, food, shelter, education and specialized protection assistance.

83. Confirmed COVID-19 cases have increased five-fold since September, with cases increasing daily. As at 7 January, 102,880 cases of COVID-19 were confirmed, including 1,558 deaths. However, owing to limited testing capacity and poor mortality surveillance, health experts suspect the number of cases and deaths to be much higher. While 31 laboratories are operational in the country, there are persistent and acute shortages of COVID-19 testing supplies, and response capacity is mostly concentrated in Tripoli, Misratah and Benghazi. It is expected that the three separate COVID-19 response plans in the country will soon be consolidated into one national response plan.

84. The UNSMIL national reconciliation project, implemented with UNDP and WHO, supported a health diplomacy initiative to strengthen the COVID-19 response and helped increase awareness of needs and response planning, as well as build longer-term mechanisms for public health cooperation throughout Libya. On 12 September, virtual exchanges were held with over 30 health-care professionals in Benghazi, Misratah, Sabhah and Tripoli, resulting in a COVID-19 preparedness assessment and performance cooperation goals. On 6 November, the health diplomacy initiative senior medical advisers briefed participants of the Libyan Political Dialogue Forum virtually. On 21 November, an online scientific information session was organized with some 200 participants to share projections for the winter season and best practices on COVID-19 response management.

85. In view of the continued sabotage of the Great Man-Made River infrastructure, the national reconciliation project increased its engagement with the local communities to improve communication channels with the Great Man-Made River project and the General Electricity Company of Libya and begin working on mutually beneficial projects.

86. The continued closure of primary health-care facilities owing to shortages of health workers, power cuts and lack of personal protective equipment has impacted the COVID-19 response and access to other essential health services. This includes reproductive health care, services for children under five years of age and treatment for patients with non-communicable diseases.

87. On 5 November, WHO and UNICEF warned that the supply of vaccines for tuberculosis, polio and measles would run out by the end of 2020 if immediate measures were not taken by national authorities to procure and distribute additional supplies. In December, 804 cold boxes and vaccine carriers were dispatched through UNICEF for the Libyan National Centre for Disease Control to be distributed to 278 vaccination sites. A second vaccine stockout this year would impact children's vaccinations schedules, increasing the risk for 250,000 children of contracting vaccine-preventable diseases.

88. The negative socioeconomic impact of the conflict and COVID-19 are stretching the coping capacities and resilience of people throughout Libya. Continued engagement with all authorities enabled humanitarian personnel and supplies to reach those in need. In 2020, humanitarian organizations reached more than 318,000 people. This includes support for 81,000 internally displaced people, 154,000 vulnerable, conflict-affected Libyans and recent returnees and 82,000 migrants and refugees.

89. Bureaucratic impediments and COVID-19 restriction measures hampering humanitarian access decreased during the reporting period. Partners reported 355 access constraints in October, representing a 36 per cent decrease as compared with September, and a further 355 cases in November. Significant progress was also made on the issuance of visas by the authorities for international humanitarian staff, following nearly eight months of visas not being issued for international staff by international NGOs working in Libya. Despite some progress on the timely clearance of humanitarian supplies at points of entry, health partners continued to report delays for critical COVID-19 and other health supplies.

90. Humanitarian agencies and partners continued to support the COVID-19 response in Libya. This included support for increased testing capacity, contact tracing and case treatment, the provision of essential COVID-19 supplies and training and technical support for health staff. Humanitarian agencies are working with the authorities to strengthen and expand disease surveillance across Libya, including the development of standard criteria for reporting confirmed COVID-19 cases and establishing early warning and event-based surveillance. Sanitation and waste management services and the provision of hygiene kits to vulnerable and low-income households continued. Humanitarian partners provided training to health and community workers and launched risk communication and community engagement campaigns.

91. The United Nations continued to support increased COVID-19 awareness campaigns and risk communication activities by disseminating more than 300,000 items of information materials and conducting campaigns on social and mass media. COVID-19 risk communication activities also targeted vulnerable groups and health staff in at-risk locations, including displaced persons in shelters, migrants and refugees in official detention centres, health facilities and points of entry and disembarkation. Between August and November, close to 1.4 million people were informed about prevention and access to services for COVID-19 through messaging.

92. The UNDP resilience and recovery project provided support to 52 municipalities across Libya to improve access to quality basic and social services for the most vulnerable groups. The UNDP Stabilization Facility for Libya completed 292 projects across the country, with an additional 42 projects to support the rehabilitation of schools and medical facilities and improve sanitation services.

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

93. During the reporting period, the United Nations maintained an international civilian staff presence in Libya of 60 to 90 international staff on a rotational basis, with most international staff in Tripoli and a small presence in the Benghazi hub.

94. Staff presence was monitored closely and adjusted in line with the prevailing security situation, requirements for humanitarian assistance and changing requirements to protect staff from contracting or potentially spreading COVID-19. All international staff in Tripoli continued to be accommodated at the Oea compound, which continues to be protected by the United Nations Guard Unit. National staff were instructed to report to work in the compound only when their presence was required and to work remotely at other times.

95. UNSMIL continued to implement a comprehensive set of measures to ensure the best possible protection of United Nations personnel against the COVID-19 pandemic. The measures were regularly reviewed and adjusted in accordance with advice by WHO and UNSMIL medical staff, and with measures put in place by the Libyan and Tunisian authorities. Owing to host government restrictions, the United Nations' ability to conduct flights between the two countries remained limited. Strict COVID-19 preventive measures are applied on all flights.

96. The rotation of the United Nations Guard Unit was conducted with two flights on 31 October and 20 November from Kathmandu to Tripoli. Road movements in Tripoli were conducted in strict compliance with security risk management measures and reduced to those absolutely necessary, in view of the COVID-19 pandemic.

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

97. Sustained international engagement across the UNSMIL-facilitated intra-Libyan dialogues has generated considerable impetus, demonstrated by tangible progress on the political, security, economic and international humanitarian law and human rights tracks, moving Libya forward on the road to peace, stability and development.

98. I commend the Libyan parties for putting the country's interests first through the signing of the 23 October ceasefire agreement, under the auspices of the United Nations. I also welcome the continued resolve to implement the provisions of the ceasefire agreement and to operationalize a Libyan-led and Libyan-owned Ceasefire Monitoring Mechanism.

99. I welcome the outcome of the Libyan Political Dialogue Forum, held in Tunisia in November, culminating in a road map leading to the holding of national elections on 24 December 2021, and an agreement on a structure of a reformed executive authority. The renewed cooperation that has enabled Libyan institutions to implement long overdue economic reforms is a positive step towards reaching durable economic arrangements, including the transparent management of oil revenues. I urge the Libyan parties to maintain their resolve in reaching a lasting political solution to the

conflict, resolving economic issues and alleviating the humanitarian situation for the benefit of all Libyan people.

100. As the Libyans are taking important steps to move the country forward through a political solution to the conflict and to regain their full sovereignty, I reiterate my appeal to all regional and international actors to respect the provisions of the ceasefire agreement. I encourage the international community to support the parties in ensuring its implementation without delay. This includes ensuring the departure of all foreign fighters and mercenaries from Libya, and full and unconditional respect for the Security Council arms embargo. I also urge the Security Council to give UNSMIL a clear but flexible mandate to enable the Mission to support the Libyan-led and Libyan-owned ceasefire monitoring mechanism.

101. I welcome the continued engagement of the country's neighbours and regional partners in support of the United Nations-facilitated intra-Libyan dialogue tracks. I reiterate the need to ensure a single and coordinated international approach in Libya. I express my gratitude to the President and to the Government of Tunisia for hosting the Libyan Political Dialogue Forum.

102. The continued threat of terrorism and violent extremism in the subregion remains a concern. Progress towards the reunification of Libyan security institutions would contribute to mitigating the risk of ISIL, and other terrorist and extremist groups, reconstituting.

103. I welcome the decision of the Government of National Accord to allocate funds and resources to the High National Elections Commission. I call upon the Government of National Accord to ensure its full support to the Commission to enable the holding of elections by December 2021, as agreed in the road map. I commend the continuous efforts of the Libyan electoral authorities to conduct municipal council elections, despite the challenging security environment and COVID-19.

104. UNSMIL will continue its efforts to ensure the inclusion of women and youth in the intra-Libyan dialogues. I commend the women participants of the Libyan Political Dialogue Forum for their important contributions as bridge builders and encourage them to continue to play a prominent role. I encourage all Libyan actors to implement Security Council resolution [1325 \(2000\)](#) on women and peace and security.

105. The role of Member States and regional organizations, including the African Union, the European Union and the League of Arab States is critical. I welcome their active support for the efforts of the United Nations, including as co-chairs of the working groups of the international follow-up committee. The continued active engagement and support of the international follow-up committee is essential to ensure the implementation of the agreed ceasefire and to facilitate the conduct of a meaningful and inclusive political dialogue, as well as advance the economic and humanitarian law and human rights tracks. I welcome the continued offer by the African Union to host a national reconciliation conference. I also thank Germany, Italy, the United Kingdom and the European Union for their financial contributions for the holding of the Libyan Political Dialogue Forum.

106. Armed groups throughout Libya hold thousands of men, women and children in prolonged arbitrary and unlawful detention and subject them to torture, sexual violence and other human rights abuses. Unlawful detention remains a driver of the conflict. I reiterate my call to the national authorities to identify and close all illegal detention facilities. Those lawfully detained must be transferred to officially registered detention facilities and treated in accordance with applicable international laws and standards. Furthermore, I call for the immediate and unconditional release

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of those detained arbitrarily or otherwise unlawfully deprived of their liberty, as well as an end to conflict-related sexual violence.

107. The continued arbitrary detention of migrants and refugees in formal detention centres and at informal smuggler sites remains a critical concern. Refugees and migrants in Libya should be released from detention and provided with safe shelter. Libya is not considered to be a safe port of disembarkation for refugees and migrants. I urge relevant Member States to revisit policies that support the interception at sea and return of refugees and migrants to Libya. In addition, refugees and migrants should be included in the country's COVID-19 planning and response.

108. I welcome progress in releasing health items that had been held in customs for many months. It is critical that authorities ensure the timely availability of humanitarian assistance. This includes a more predictable and timely process for the clearance of humanitarian supplies, in particular, COVID-19 health items, through Libyan ports and airports, including by considering the issuance of a blanket waiver for all COVID-19 supplies. I urge Member States to support the Humanitarian Response Plan for Libya, including the aspects included in the Global Humanitarian Response Plan for COVID-19, which is vital to ensure that lifesaving needs are met and that existing vulnerabilities are not exacerbated further owing to COVID-19.

109. I wish to express my appreciation to my acting Special Representative for Libya, Stephanie Williams, for her leadership, and to all United Nations personnel working in Libya. I also want to express my appreciation for my outgoing Deputy Special Representative, Resident and Humanitarian Coordinator, Yacoub El Hillo, for his contribution to the work of the United Nations in Libya. I wish to reiterate my sincere appreciation to the Government of Nepal for providing the vital personnel of the United Nations Guard Unit.

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