



# Security Council

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## United Nations Support Mission in Libya

### Report of the Secretary-General

#### I. Introduction

1. The present report, submitted pursuant to Security Council resolutions [2510 \(2020\)](#), [2542 \(2020\)](#), [2570 \(2021\)](#), [2599 \(2021\)](#) and [2619 \(2022\)](#), covers political, security and economic developments in Libya. It provides an overview of the human rights and humanitarian situation in the country and the activities of the United Nations Support Mission in Libya (UNSMIL) since the issuance of the previous report ([S/2022/31](#)) on 17 January 2022.

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

2. During the reporting period, the House of Representatives held several rounds of consultations on the way forward for the electoral process. Moreover, the United Nations engaged actively with Libyan political actors and institutions to facilitate a pathway to holding parliamentary and presidential elections as soon as possible. However, Libyan actors have yet to agree on a constitutional basis for the elections to take place.

3. Disagreements over the Libyan interim executive authority emerged. The House of Representatives engaged in a process of appointing a new interim executive authority to replace the Government of National Unity. Although the road map adopted by the Libyan Political Dialogue Forum in November 2020 provided for the transitional period to end in June 2022, the House argued that the mandate of the Government had expired as a result of its failure to organize timely elections in December 2021.

4. On 10 February, during a contested vote, the House of Representatives selected Fathi Bashagha, who had served as Minister of the Interior in the former Government of National Accord, as Prime Minister-designate and tasked him with forming a new government within two weeks, to be presented to the House for a vote of confidence. Mr. Bashagha's candidacy was endorsed by 52 members of the High State Council.

5. Also on 10 February, the House of Representatives adopted the twelfth constitutional amendment, which contained calls for the appointment by 24 February of an expert-level constitutional review committee composed of 12 members each from the House and the High State Council, representing the three historical regions of Libya.



6. On 1 March, the House of Representatives conducted a contested vote of confidence on the cabinet proposed by Mr. Bashagha, which included three deputy prime ministers, 29 ministers and six ministers of state, only two of whom were women. Questions were raised as to whether the required quorum had been met following a roll call of attendance.

7. According to a report issued by the House of Representatives, 96 members voted in favour of the confidence motion, 1 abstained and another voted against it, while 3 did not participate in the vote as they had been nominated for ministerial positions. It was also noted that, of the 101 members voting, 93 attended the meeting in person and 8 voted remotely by way of voice messages. However, UNSMIL received information from members of the House and other individuals from across the political spectrum that contradicted the numbers presented in the report. It also received reports of intimidation and threats against members of the House and their families ahead of the vote.

8. In a statement issued on 2 March, I expressed concern over reports that the vote fell short of the expected standards of transparency and procedure and included acts of intimidation prior to the session. The Special Adviser of the Secretary-General on Libya, Stephanie Williams, had previously underscored the importance of ensuring that decisions of the House of Representatives were consistent with Libyan laws and regulations, as well as the House's own rules and procedures, and made in a transparent manner.

9. On 2 March, the Prime Minister in the Government of National Unity, Abdulhamid Al Dabiba, met with the President of the High State Council, Khaled Mishri, to discuss the political situation and how to support the holding of national elections by June 2022. Mr. Al Dabiba presented his road map for the elections.

10. On 3 March, Mr. Bashagha and some members of his Cabinet were sworn in by the House of Representatives in Tubruq. Several members of the Cabinet were unable to travel there owing to the suspension of domestic flights. In a televised address on 11 March, he expressed his view that the Government of National Unity was no longer legitimate, noting his commitment to holding presidential and parliamentary elections and to engaging in dialogue with Mr. Al Dabiba under the auspices of the international community. Mr. Al Dabiba rejected Mr. Bashagha's position.

11. On 21 April, Mr. Bashagha held the first Cabinet meeting of the "Government of National Stability" in the southern city of Sabha.

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

12. The Special Adviser continued to lead United Nations good offices and mediation efforts and to engage with Libyan and international stakeholders to pursue implementation of the three intra-Libyan dialogue tracks – the political, security and economic tracks – and to support the holding of presidential and parliamentary elections in Libya as soon as possible. These broad consultations in Libya included meetings with representatives of national and municipal institutions, political parties, security actors and civil society groups, including women's groups, as well as parliamentary and presidential candidates.

13. With regard to the political track, the priority of the United Nations remained to enable credible, transparent and inclusive elections as soon as possible on the basis of an agreed constitutional and legal framework, through the relevant Libyan institutions, in order to realize the aspirations of the more than 2.8 million Libyans who had registered to vote on 24 December 2021.

14. On 24 and 25 January, the House of Representatives received and reviewed the preliminary report of the road map committee that it had established in December 2021 to identify next steps in the political process. On 31 January, following extensive consultations between the road map committees of the House of Representatives and High State Council, the two chambers agreed on a road map to advance the electoral and constitutional process.

15. According to the twelfth constitutional amendment adopted by the House of Representatives on 10 February, the constitutional review committee should agree on a draft constitution within 45 days of its first official meeting, to be submitted to the High National Elections Commission and put to a referendum. It is also stipulated in the amendment that, should the committee fail to reach an agreement, the House and the High State Council should form a joint committee to agree on a constitutional basis for elections.

16. On 14 February, the Special Adviser met with the President of the High State Council to stress the need to build consensus among all political actors, preserve calm and stability, initiate a comprehensive national reconciliation process and move towards national elections. On 16 February, she met the Speaker of the House of Representatives, Aguila Saleh Issa, to discuss the next steps following the adoption by the House of the twelfth constitutional amendment, including the establishment of the constitutional review committee. Mr. Issa requested that the United Nations provide technical support and advice to the committee.

17. In a letter to Mr. Issa dated 20 February, the Special Adviser stressed the importance of the transparency of the political process. She encouraged the House of Representatives to officially publish the final text of the twelfth constitutional amendment as well as the text of its decision on a mechanism for the designation of a prime minister, and called on Mr. Issa to make public a list of active members of the House. She also confirmed that the United Nations remained ready to provide assistance, including technical constitutional expertise, to the constitutional review committee.

18. On 23 February, the session of the High State Council to discuss the twelfth constitutional amendment and Mr. Bashagha's proposed cabinet was suspended owing to security concerns, including intimidation against its members. When the Council reconvened on 24 February, it rejected the amendment and the decision by the House of Representatives to select Mr. Bashagha as Prime Minister-designate, accusing the House of acting unilaterally. It also called for adherence to agreements reached between the road map committees of the two chambers and urged cooperation to end the political transitional period as soon as possible.

19. On 3 March, following the delay in establishing a constitutional review committee and the unravelling of a consensus between the House of Representatives and the High State Council, the Special Adviser invited the two chambers to establish a joint committee, consisting of six representatives from each chamber, to meet for a period of two weeks from 15 March under the auspices of the United Nations to develop a consensual constitutional basis for elections. Her initiative garnered broad support from national actors, including the Presidency Council, several presidential and parliamentary candidates and civil society organizations, as well as from international stakeholders.

20. The High State Council nominated 12 members, citing the need to ensure representation of the three historical regions of the country as well as women. Despite having expressed support for the initiative, the House of Representatives did not at first designate representatives to the joint committee. Consequently, the Special Adviser held consultative meetings with Council representatives in Tunis from 22 to 24 March, during which the Council presented its proposals for a constitutional basis

for the elections. She continued to engage with both chambers on the possibility of reconvening talks on the constitutional track at a later stage.

21. The text of the twelfth constitutional amendment as published in the Official Gazette on 21 March contained several changes from the version voted on during the House of Representatives session held on 10 February. In the published version, the reference to the Libyan Political Agreement of 2015 was removed from the preamble; article 6, in which it had previously been stipulated that the draft constitution would be considered adopted if it received the support of two thirds of the votes cast across Libya, was amended to include a new formula in which it was stated that the constitutional draft required the support of more than 50 per cent in each of the country's three historical regions; and article 8 was amended to stipulate that electoral laws to be adopted following the adoption of the constitution would be formulated following "consultations" with the High State Council rather than through reaching a "consensus" with the Council.

22. On 27 March, the Special Adviser launched an outreach campaign to gather views from Libyan political and social actors on the way forward towards holding elections and on the economic and security situations. On 28 March, she met representatives of several Libyan political parties, including the National Charter Party, the only political party headed by a woman, to discuss efforts to unlock the political impasse, as well as the participation of women in politics. A digital dialogue on 31 March with over 1,000 participants served to reaffirm the broad support among the Libyan people for democratic elections that would help to resolve the crisis in the country as soon as possible.

23. From 13 to 18 April, following the appointment of participants from the House of Representatives for the joint committee, the Special Adviser facilitated talks between the House and the High State Council, hosted by Egypt in Cairo, with the aim of agreeing on a constitutional basis for elections. The delegations agreed on internal rules that would govern the work of the joint committee, and reconvened in Cairo from 15 May to discuss, among other things, elements of the 2017 draft constitution pertaining to the legislature and the judiciary.

24. Throughout the reporting period, the Special Adviser maintained regular contact with Mr. Al Dabiba and Mr. Bashagha. She met them separately on 13 February, stressing the critical importance of moving forward in an inclusive, transparent and consensual manner to preserve calm and stability on the ground.

25. With regard to the economic track, UNSMIL continued to support efforts to advance the reunification of the Central Bank of Libya and facilitate transparency in public expenditure as well as reliable funding for the priority needs of the Libyan people in the absence of an agreed national budget. The Governor and Deputy Governor of the Bank met in Tunis on 20 January and decided to launch a reunification programme, in line with recommendations of the intra-Libyan dialogue track and the Berlin process. It was confirmed that an international consulting firm would provide technical assistance to implement the recommendations issued in 2021 following the United Nations-facilitated international audit for the reunification of the Bank.

26. With regard to the security track, the Special Adviser and the UNSMIL ceasefire monitoring component convened a meeting of the 5+5 Joint Military Commission in Sirte on 9 February to discuss efforts to operationalize the action plan for a gradual, balanced and sequenced process for the withdrawal of mercenaries, foreign fighters and foreign forces from Libyan territory, in consultation with the Member States and regional organizations concerned, including the African Union.

27. The 5+5 Joint Military Commission continued to take steps to operationalize the Libyan ceasefire monitoring mechanism, including an agreement to establish a joint operations room in Sirte and facilitate coordination between UNSMIL ceasefire monitors and Libyan monitors. The Commission also discussed the clearance of mines and improvised explosive devices to facilitate the reopening of the southern road between Abu Qurayn and Jufrah.

28. On 9 April, the eastern members of the 5+5 Joint Military Commission suspended their activities over delays in the payment of Libyan National Army salaries by the Government of National Unity. They also called on their leadership to close oil terminals in eastern Libya, suspend domestic flights between eastern and western Libya, close the coastal road and halt all cooperation with the Government in areas controlled by the Army.

29. Following the engagement of the Special Adviser, UNSMIL and other international partners, the Government of National Unity released the Libyan National Army salaries on 11 April for January and February, and on 30 April for March. During his meeting with the Special Adviser on 11 May, Mr. Al Dabiba indicated that salaries for April and May would be paid and that he would authorize the regular payment of monthly salaries.

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

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

31. The security working group, co-chaired by the United Nations, France, Italy, Turkey, the United Kingdom of Great Britain and Northern Ireland and the African Union, continued to meet to discuss progress in the implementation of the ceasefire agreement. In a virtual meeting on 18 January, the co-chairs and the 5+5 Joint Military Commission reviewed challenges and progress in the implementation of the action plan for a gradual, balanced and sequenced process for the withdrawal of mercenaries, foreign fighters and foreign forces from Libyan territory. The co-chairs were also briefed on the Commission's engagements with regional partners. In another virtual meeting on 29 March, the co-chairs discussed efforts to sustain momentum for the security track amid political polarization. On 21 April, they met to discuss opportunities and challenges for a successful disarmament, demobilization and reintegration process.

32. After launching a national dialogue on advancing human rights in Libya on 16 December 2021, the international humanitarian law and human rights working group, co-chaired by the United Nations, the Netherlands and Switzerland, held several consultations with Libyan human rights defenders, civil society actors, government entities, journalists, experts and academics to exchange views on human rights. On 10 March, the working group heard from Libyan women human rights defenders about key challenges affecting human rights, including women's rights, in Libya.

33. On 17 March, the economic working group, co-chaired by the United Nations, Egypt, the European Union and the United States of America, with the participation of the Governor and a representative of the Deputy Governor of the Central Bank, met in Tripoli to discuss progress on the reunification of the Bank and identify a mechanism to ensure regular funding for the National Oil Corporation as well as for other priority needs of the Libyan people. A follow-up meeting of the co-chairs was held on 1 April to make further progress on these topics, with the participation of the Governor and Deputy Governor of the Bank, the Chair of the National Oil

Corporation, the head of the House of Representatives Finance Committee and several ministers of the Government of National Unity.

34. On 15 March, the United Nations, Algeria, Germany and the League of Arab States convened a virtual meeting of the co-chairs of the political working group to discuss the current political situation, the Special Adviser's initiative to secure a consensual constitutional basis for organizing elections and the way forward for the working group. The co-chairs issued a statement reiterating that free, fair, inclusive and credible elections remained the only solution to the political crisis in Libya.

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

35. The Special Adviser and UNSMIL held regular consultations with regional and international stakeholders, both in Libya and abroad, on all aspects of the Libyan-led and Libyan-owned dialogue process facilitated by the United Nations. Together with the UNSMIL Mission Coordinator and the United Nations Resident and Humanitarian Coordinator, the Special Adviser briefed the international diplomatic community four times.

36. From 10 to 18 January, the Special Adviser travelled to Tunisia, Egypt, Turkey and the Russian Federation to meet with national authorities and reiterate the commitment of the United Nations to engage all Libyans in an inclusive manner to agree on a constitutional basis to hold elections as soon as possible.

37. On 7 February, the Special Adviser participated in a meeting in Rome held by the Governments of France, Germany, Italy, the United Kingdom and the United States. From 21 April to 3 May, she travelled to Germany, France and the United Kingdom to discuss the situation and the way forward in Libya.

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

38. The political instability in Libya following the postponement of national elections had an impact on the security situation in the west of the country. On 6 February, citing security concerns, the commander of the west coast military zone established a security room to coordinate 22 security agencies. In the early morning of 10 February, unidentified assailants reportedly fired at Mr. Al Dabiba's motorcade in Suq al-Jum'ah, Tripoli. An investigation was launched by the Ministry of the Interior.

39. On 16 February, in southern Tripoli, clashes were reported between the 55th Infantry Brigade and the 3rd Infantry Company at the Sawani bridge. On 24 February, one person was injured when assailants allegedly affiliated with a Tripoli armed group targeted the venue of the High State Council session in an apparent effort to disrupt the proceedings. The Misratan Counter-terrorism Force and the 166th Brigade arrived later to evacuate participants.

40. Several armed groups in western Libya shifted their affiliations as they sought to forge new alliances in support of political actors vying for control of the executive in Tripoli. On 1 March, leaders of prominent armed groups and military forces in western Libya issued a video statement calling for elections and rejecting the vote of confidence by the House of Representatives in the cabinet presented by Mr. Bashagha.

41. On 2 March, ahead of the House of Representatives swearing-in ceremony, UNSMIL received reports that two individuals nominated by Mr. Bashagha as members of his cabinet were prevented by armed groups from travelling to Tubruq to attend the ceremony. They were released following engagement by the Special

Adviser and other members of the international community. From 3 to 23 March, the Government of National Unity suspended domestic flights from Tripoli to eastern Libya, reportedly to prevent Mr. Bashagha's cabinet nominees from travelling to Tubruq.

42. On 10 March, a convoy of armed groups supportive of Mr. Bashagha moving from Misratah towards Tripoli was stopped by armed forces affiliated with the Government of National Unity, resulting in a standoff on the outskirts of Tripoli that heightened tension in the capital. In response to the tension around Tripoli, armed actors supportive of Mr. Bashagha also mobilized in other parts of western Libya, including Zawiyah, Warshafanah and Zintan. Libyan stakeholders, the United Nations and international partners engaged with the actors concerned to avoid any armed confrontation. As a result, the armed convoy of Mr. Bashagha's supporters returned to Misratah. Late on 16 May, Mr. Bashagha entered Tripoli, triggering clashes between armed groups the following day. He subsequently left the city and the situation normalized.

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

43. The status of forces along the Sirte-Jufrah axis remained unchanged, with the Libyan National Army as the sole security actor present.

44. In a sign of increasingly vocal demands from across the country for elections, demonstrators gathered in Shahhat on 25 February and Qubba on 8 March, calling for parliamentary elections and for the House of Representatives and the High State Council to be disbanded.

45. On 27 February, 26 Chadian fighters were reported to have been killed and 14 others captured in clashes with the Libyan National Army near Tazirbu, south-east of Kufrah.

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

46. The security situation in southern Libya remained challenging owing to fragmentation and contestation among security actors and the presence of organized criminal groups and violent extremist organizations. The Libyan National Army conducted security operations, targeting smuggling networks in Awbari and Sabha as well as in areas near the border with Algeria. On 17 January, the Army reportedly withdrew from Ghat following protests against its presence. On 29 January in Sabha, the head of a petroleum services company was killed and three other people were injured in an attack reportedly linked to disputes over fuel smuggling.

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

47. Since January 2022, southern Libya has witnessed an increase in asymmetric attacks, as Libyan National Army operations have targeted violent extremist organizations. On 24 January, two Army personnel were killed in an attack between Qatrun and Taraghin claimed by Da'esh, which also claimed responsibility for killing another two Army personnel in a separate ambush between Umm al-Aranib and Qatrun on 24 January.

48. On 26 January, 19 Da'esh fighters were reportedly killed during counter-terrorism operations by the Libyan National Army in the Asidah mountains east of Qatrun, while a separate ambush by Da'esh south of Traghin reportedly left three Army personnel dead. On the same day, the Council of Fazzan Municipalities called

on both the Government of National Unity and the international community to do more to prevent violent extremist organizations from growing in strength in southern Libya.

49. On 2 February, the Libyan National Army conducted counter-terrorism operations in the Haruj mountain area, near Zillah and Fuqaha', to deter possible Da'esh attacks on local oil fields. On 7 February, the Misratan Counter-Terrorism Force reportedly launched large-scale security patrols in desert areas suspected of being used by Da'esh, at the request of the President of the Presidency Council, Mohamed Al-Menfi, in his capacity as Supreme Commander of the Army. On 19 February, the security forces in western Libya, including the Misratan Counter-Terrorism Force, arrested four alleged Da'esh fighters.

## **H. Economic situation**

50. In the absence of an approved national budget for 2021, the Central Bank continued to use the last approved budget to issue payments of salaries and subsidies, in accordance with Libyan law. These payments were increasingly supplemented by extraordinary measures by which the Bank disbursed funds to the Government of National Unity in the absence of a national budget. Meanwhile, the economic impact faced by Libyans as a result of the COVID-19 pandemic was further compounded by increases in the price of basic commodities following the outbreak of war in Ukraine.

51. On 25 January, the Speaker of the House of Representatives instructed the Central Bank to end extrabudgetary expenditure by the Government of National Unity. On 10 March, he instructed the National Oil Corporation to hold all oil revenues in a separate account until the House approved the national budget for 2022 or issued a decision allowing expenditure. He also instructed the Bank and relevant ministries to release public funds to pay salaries and subsidies. Subsequent data published by the Bank indicate that the instruction to fund only salaries and subsidies was implemented.

52. The Government of National Unity nevertheless committed to release 50,000 plots of land and 100,000 apartments to young Libyans and disburse 1 billion Libyan dinars for those wounded in the war, as well as provide salary increases for the security forces of the Ministry of the Interior, marriage allowances and an expanded health insurance programme.

53. Contestations over salary and operational payments continued to inhibit the functioning of the National Oil Corporation. On 9 January, negotiations between the Government of National Unity and the Petroleum Facilities Guard averted a shutdown of production in western Libya. Libyan oil production in January was just under 1.1 million barrels per day. However, protests by dissident Zintani elements led to the shutdown of oil flows from the Shararah and Fil oil fields on 3 March, leading to a reduction in oil production by 330,000 barrels per day, with the National Oil Corporation declaring force majeure from 6 to 8 March. From 16 April, national oil production was reduced progressively to an estimated 550,000 barrels per day following the closure of the Fil, Shararah and other oil fields and all but three oil export ports.

54. Following the transfer of around \$2 billion in early April and an agreement announced by the Government of National Unity on 13 April, the National Oil Corporation released \$6 billion accumulated in its escrow account to the Central Bank, while the Government committed to providing funding for the Corporation's operations and investments, aiming to expand oil production from a capacity of 1.2 million barrels per day to 1.4 million by the end of the year.



### **III. Other Mission activities**

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

55. The UNSMIL-led integrated electoral team continued to provide technical support and advice to the High National Elections Commission. In anticipation of a new political road map and electoral legal framework, the Commission, with the support of the United Nations, began an analysis of the conduct of the 2021 electoral preparation process to identify possible procedural adjustments and enhance coordination with other entities, including on voter registration and electoral dispute resolution mechanisms.

56. On 6 February, in a letter to the Speaker of the House of Representatives, the Board of the High National Elections Commission conveyed the findings of its special committee established to review the judicial rulings related to the process of candidate vetting for the presidential election. It set out the legal obstacles encountered by the Commission during the process, including limited access to relevant court hearings.

57. On 27 February, UNSMIL conducted a workshop to provide recommendations on implementing the electoral security plan prepared by the Ministry of the Interior, including the role of the main operations room and policing in the election process as well as the relationships between the police and other relevant entities supporting elections.

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

58. Following the postponement of the elections scheduled for 24 December 2021, individuals connected with the pre-2011 authorities, among others, engaged more publicly in political debates on national reconciliation and restorative justice. Subsequent political dynamics, however, stalled further engagement with these actors on national reconciliation.

59. Since January 2022, UNSMIL has observed a rapid shrinking of civic space, noting increased attacks on freedom of religion, opinion and expression in Libya. Journalists, human rights defenders, women's rights advocates and others were physically and verbally targeted, including online, for peacefully exercising their fundamental right to free expression. UNSMIL also documented unlawful killings, enforced disappearances, arbitrary arrests and detentions, conflict-related sexual violence, human trafficking and arbitrary and collective expulsions of migrants and asylum seekers, in violation of international humanitarian, human rights and refugee law.

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

60. A disagreement between the new President of the Supreme Judicial Council and his predecessor regarding the validity of Law No. 11 of 2021, in which the restructuring of the Council was set out, was resolved. UNSMIL continued to provide technical advice to the Council for the establishment of specialized courts to prosecute perpetrators of violence against women and children.

61. A new United Nations-led international coordination mechanism was launched on 6 February, bringing together United Nations agencies and international partners working on the rule of law in Libya to support and strengthen the coordination of support related to the Libyan justice system, relevant capacity-building programmes, institutional reform and transitional justice. The second meeting of the coordination mechanism was held on 2 March.

62. On 13 February, the Rapporteur of the High State Council submitted a complaint to the Public Prosecution that he and other Council members had received threats after signing a letter in support of the nomination of Mr. Bashagha as Prime Minister-designate. An investigation was launched.

63. On 22 February, the Supreme Court extended the suspension of the constitutional chamber, closed since 2014, despite local and international appeals to reactivate it, including to improve access to justice for people in Libya. The Court stated that the suspension was based on the risk of further political division and the possible impact of the political crisis on the independence of the judiciary.

64. UNSMIL documented a sharp increase in online hate speech campaigns, defamation and threats, including incitement to violence, against human rights defenders, journalists and other individuals, as well as threats of gender-based violence towards women. In January, smear campaigns and online hate speech targeted at least eight men and women human rights defenders, journalists and members of civil society organizations, as well as women members of the municipal councils of Sirte and Misratah. In February, a female journalist was physically attacked while reporting in Benghazi. Another journalist was assaulted in Tripoli while covering the anniversary of the 2011 revolution.

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

65. UNSMIL documented cases involving six men who were detained by the Internal Security Agency and the deterrence agency to combat terrorism and organized crime in Tripoli. After their arbitrary arrest and detention, the Internal Security Agency published videos online of what were described as confessions of apostasy by the individuals.

66. After five prisoners escaped from Gernada prison in Benghazi, the Libyan National Army and the Internal Security Agency arrested dozens of relatives of the escapees in mid-January. Some of the relatives were later released, while others remain in detention. On 4 February, eight prisoners escaped from Kuwayfiah prison in Benghazi. Four of the escapees had reportedly been sentenced to death, while the others were under investigation. Separately, some ex-detainees released from Gernada prison in recent months were rearrested and arbitrarily detained.

67. In March and April, three people who had been detained for several months were released: the former head of the Post, Telecommunications and Information Technology Company and the head of the General Union of Libyan Students, who were held by the Special Deterrence Force in separate incidents in Tripoli in January; and the head of the Libyan Red Crescent office in Ajdabiya.

68. On 26 February, a Libyan staff member of an international non-governmental organization (NGO) and human rights defender for migrant rights was arbitrarily arrested and detained by the Internal Security Agency at Mitiga airport. He was held incommunicado for five days before being transferred to a detention facility of the deterrence agency to combat terrorism and organized crime. He is facing charges of apostasy and contempt of Islam. In addition, UNSMIL followed the case of a man detained by the Special Deterrence Force in Tripoli in February 2021 after he criticized the Force.

69. UNSMIL continued to advocate access to justice, including the provision of free legal assistance to 14 women and 25 children detained in Judaydah prison in Tripoli and 6 women and 11 children in Kuwayfiah military prison in Benghazi, all arbitrarily held for their alleged association with Da'esh. They were subsequently prosecuted and sentenced by military courts without due process.

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

70. As at 31 January, the International Organization for Migration reported 635,051 migrants of more than 44 nationalities located in 100 municipalities in Libya. As at 7 May, 4,715 individuals (87 per cent men, 9 per cent women and 4 per cent children) had been recorded as being intercepted by the Libyan Coast Guard while attempting to cross the central Mediterranean so far in 2022, with an additional 552 people reported dead or missing. Thousands of intercepted migrants were brought to and held in detention facilities, including the Maya detention centre in Tripoli, where there have been reports that deaths in custody, torture, starvation, sexual violence and extortion have been rampant.

71. Humanitarian agencies continued their outreach to national authorities to stress the need for regular and unimpeded access to migrants and refugees arbitrarily held in detention centres managed by the Department for Combating Illegal Migration as a fundamental prerequisite for ensuring the provision of humanitarian assistance and protection services. As at 1 May, the number of individuals held in the Department's detention centres was 2,412. In addition, thousands of migrants and refugees were estimated to be held in detention facilities operated by other State authorities with unclear official mandates and in facilities operated by non-State armed groups. According to former detainees, conditions in the detention centres, to which the international humanitarian community has had no access, were extremely alarming owing to violence, malnourishment and other forms of abuse.

72. Humanitarian flights since mid-January have resulted in 302 individuals being evacuated to or resettled in European countries, Canada and Rwanda, including 8 who received humanitarian visas.

73. Female and male migrants as well as refugees continued to be faced with a high risk of rape, sexual harassment and trafficking by armed groups, transnational smugglers and traffickers. Amid continued reports of torture and extortion of migrants in southern Libya, UNSMIL received information from an Eritrean boy who reported that he and 25 others had been abducted by traffickers in the Sudan and brought to Libya, where he was subjected to torture. Among the victims were 20 children aged between 14 and 17 years who were reportedly kept in detention by the Libyan National Army.

74. The collective expulsion of migrants without legal review and in violation of international human rights and refugee law continued. According to the International Organization for Migration, over 4,400 migrants and asylum seekers faced pushback or expulsion from Libya between January and March 2022, including 2,475 individuals (some of whom were children) expelled to the Niger, 1,650 Egyptian nationals expelled to Egypt and 300 individuals expelled to the Sudan.

75. In late February, 53 Bangladeshi men were documented by UNSMIL as having been trafficked and tortured by a non-State armed group in Tripoli. One of them died in detention as a result of torture.

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

76. The number of internally displaced persons in Libya had decreased from 179,000 in November 2021 to 168,000 by 31 January 2022. The pace of returns slowed owing to systemic impediments, including a lack of housing, limited basic services and personal security and social cohesion concerns. Internally displaced persons remained exposed to the risk of repeated displacement. On 3 May, around 2,000 were evicted from two camps hosting internally displaced persons from Tawurghah in Tripoli following an instruction from the Attorney General dated 6 March and a final notice dated 2 May, without alternative support or housing being

provided This was reportedly the fourth time in five years that some families had been displaced.

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

77. On 21 January, the authorities announced that a total of 278 bodies had been exhumed from mass graves in Tarhunah and neighbourhoods in and around Tripoli since June 2020. Of the bodies recovered, 109 have been identified. Separately, the authorities identified an additional 222 bodies recovered across Libya as those of individuals missing since the conflict that lasted from 2019 to 2020.

78. On 9 February, the Presidency Council discussed the preparation of draft legislation on national reconciliation aimed at addressing the shortcomings of Law No. 29 of 2013 on transitional justice. An ad hoc committee including ministers, figures linked to the pre-2011 authorities and Libyan experts was established in February to draft a new law. The United Nations continued to provide technical support in line with international standards, best practices and principles of transitional justice.

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

79. The United Nations system in Libya continued to implement the human rights due diligence policy on United Nations support for 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 by Libyan security forces receiving United Nations support.

# **C. Security sector**

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

80. On 25 January, the Special Adviser held a meeting in Sirte with the committee on disarmament, demobilization and reintegration operating under the auspices of the chiefs of general staff of western and eastern military institutions. The committee agreed to expand its membership to include other relevant authorities in eastern Libya, as encouraged by the United Nations, to enhance broader coordination.

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

81. Following the recent clearance of explosive ordnance along approximately 100 km of road between Abu Qurayn and Jufrah by a Libyan mine action NGO, coordination continued for the surveying and clearance of the remaining 200 km of the road. Further clearance operations depended on coordination in the mine action subcommittee of the 5+5 Joint Military Commission, supported by the United Nations, in line with the Commission's plans for clearing the area south of Sirte.

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

82. The nationwide ceasefire continued to hold and the coastal road linking eastern and western Libya remained open. The 5+5 Joint Military Commission continued to advance the implementation of the ceasefire agreement.

83. The UNSMIL ceasefire monitoring component established in accordance with Security Council resolutions [2570 \(2021\)](#), [2595 \(2021\)](#) and [2599 \(2021\)](#) conducted missions to Sirte from Tripoli, pending the establishment of operational, security and logistical arrangements to establish a United Nations presence in Sirte. The Ministry of Foreign Affairs approved the allocation of office space for the ceasefire monitoring

component at the Ouagadougou complex in Sirte. However, confirmation by the Libyan National Army in Sirte of the use of the offices and the renovation of facilities identified as accommodation space for the UNSMIL ceasefire monitors remained pending.

84. The UNSMIL ceasefire monitoring component continued to work closely with the Libyan-led and Libyan-owned ceasefire monitoring mechanism, including the eight Libyan monitors nominated from the west and the east, and the 5+5 Joint Military Commission subcommittees to assist with the implementation of the Commission's action plan and mechanism for the withdrawal of mercenaries, foreign fighters and foreign forces, the establishment of a United Nations hub in Sirte and modalities of joint planning and capacity development. The component met with the Commission and local monitors to finalize strategic and tactical action plans in line with Security Council resolution [2570 \(2021\)](#) and the priorities identified by the Commission.

85. The ongoing political impasse in the country prevented meetings of the 5+5 Joint Military Commission from being held, but the United Nations proceeded with separate working sessions with Commission delegations and local monitors and developed a timeline for capacity-building for the Commission and the Libyan ceasefire monitoring mechanism.

#### **D. Empowerment of women**

86. Women activists and officials, including the Minister of Women's Affairs and two of her senior advisers, continued to be subjected to hate speech and the spread of vilifying propaganda on social media platforms. Activists and members of civil society organizations who advocate for the meaningful participation of women in the political process and the implementation of the women and peace and security agenda were also targeted. Several women activists resorted to exile as a result of attacks and the resulting social stigma.

87. In line with the UNSMIL gender inclusion strategy, the Special Adviser held three consultative sessions in February and March with various women representatives of women's groups, human rights defenders, young people, academics, trade union representatives, women with disabilities, peacebuilders and candidates for the parliamentary elections. Participants stressed the importance of advancing gender equality and the empowerment of women, including by enhancing the participation of Libyan women in public processes and fulfilling a 30 per cent quota for the representation of women in decision-making positions.

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

88. The shrinking of civic space and the online defamation of members of social movements and other civil society actors in Libya heavily affected young people. Young people actively engaged in social movements were reportedly monitored and targeted for exercising their fundamental right to freedom of expression by the security agencies, including the Internal Security Agency and the deterrence agency to combat terrorism and organized crime. After being targeted by defamation campaigns, young activists, human rights defenders and members of social movements were detained on arbitrary charges of apostasy and debauchery, including four men aged between 19 and 24 years.

89. Young migrant rights defenders continued to be at risk when advocating for their rights and against arbitrary arrest and detention, torture and sexual exploitation and

abuse by State actors, including the Department for Combating Illegal Migration. UNSMIL received information about at least two young asylum seekers and migrant rights defenders who were in danger for having criticized Libyan migration authorities.

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

90. The humanitarian needs of migrants, refugees and asylum seekers remained high, with access to shelter the top priority. Barriers, including the risk of detention and the reluctance of landlords in Tripoli to rent to non-Libyans, increased the risk of homelessness and led many to attempt to leave Libya through irregular routes. The Resident and Humanitarian Coordinator, United Nations agencies and humanitarian partners continued to work with Libyan authorities to identify alternatives to detention and reverse the Attorney General's decision of 29 August 2021 on the eviction, detention and eventual deportation of persons in the country without official legal status.

91. The World Health Organization reported a significant increase in the number of confirmed coronavirus disease (COVID-19) cases, with a 164 per cent increase from 15,524 cases in December 2021 to 40,932 in January 2022. As at 5 May, the National Centre for Disease Control had reported a cumulative total of 501,919 cases, 6,430 deaths and 4,439 active cases. Although the availability of vaccine supplies was adequate, uptake was below 50 per cent and the overall vaccination rate increased slowly. Around 2.21 million people have received a first dose, 1.14 million two doses and 97,764 three doses.

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

92. In addition to delivering life-saving education on explosive ordnance to at-risk communities, national and international mine action organizations surveyed and cleared explosive remnants of war in Tripoli, Gharyan, Mizdah, Tarhunah, Sirte and Benghazi. Between January and March, mine action partners safely destroyed over 32 tonnes of previously collected explosive remnants of war.

93. As at the end of March, humanitarian organizations had assisted more than 103,000 people, representing 48.8 per cent of the target group identified in the 2022 Humanitarian Response Plan, with current programming covering the period from 1 January to 31 May. In the Plan, 803,000 people were identified as being in need, of whom 211,000 with the most severe needs required targeted assistance. Of the \$75.3 million requested in the Plan, \$33.9 million (45 per cent) was secured, with an additional \$11.2 million received outside the Plan.

94. The United Nations in Libya began work on the United Nations Sustainable Development Cooperation Framework for 2023–2025 to strengthen the humanitarian-development-peacebuilding nexus approach and implement the Sustainable Development Goals in consultation with government counterparts and a broad range of stakeholders, including women, young people, civil society organizations, vulnerable groups and international partners.

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

95. The United Nations maintained an average presence of 120 to 130 international staff members in Libya, allowing for continued engagement with Libyan interlocutors across the Mission's areas of responsibility, including on the political, security,

economic and international human rights law and humanitarian law tracks, as well as on the provision of humanitarian and development assistance. International staff in Tripoli continued to be accommodated at the Oea compound, protected by the United Nations Guard Unit with a troop strength of 234, while staff in Benghazi continued to operate from the United Nations hub. National staff continued to report to work at the compound on a rotational basis or, alternatively, work remotely. All movements of staff between locations in Libya were conducted in compliance with security risk management measures.

96. The United Nations in Libya regularly reviewed and adjusted applicable COVID-19 protection and prevention measures, including on all United Nations flights, on the basis of evolving advice from the World Health Organization and UNSMIL medical staff and to ensure alignment with measures put in place by the Libyan and Tunisian authorities. As at 17 March, under the COVID-19 vaccination programme for United Nations personnel in Libya and international NGO partners, 1,359 individuals had been fully vaccinated and 240 had received a booster dose. The booster administration campaign continued, and the vaccination plan for 2022 was submitted to the Global COVID-19 Vaccine Deployment Coordinator.

97. Between 12 February and 19 March, UNSMIL conducted the rotation of the 234-strong United Nations Guard Unit. The rotation was conducted in three groups on the basis of a request by Libyan authorities to limit the number of troops rotating at one time to around 70. To adhere to the two-week quarantine period as a COVID-19 preventive measure for formed units, the rotation flights were spaced at two-week intervals, ensuring continued operational capability.

## V. Observations and recommendations

98. After over a decade of political instability, conflict, divisions and severe hardship, the aspiration of the people of Libya to choose their leaders through fair, credible and inclusive democratic elections and to live in a united, peaceful and stable country must be met. Libyan institutions and political leaders have the responsibility to resume the electoral process as soon as possible and enable the aspirations of the more than 2.8 million registered Libyan voters who were expecting to vote on 24 December 2021 to be realized. Libyan political leaders and institutions should prioritize defining a path to elections that will resolve the current crisis and meet the wishes of the Libyan people. They should also exercise responsible leadership that would preserve the achievements made since the ceasefire agreement of October 2020.

99. A clear, consensual path to elections is a political necessity, now more than ever. All actors should refrain from unilateral actions that could deepen existing divisions, trigger conflict and threaten the hard-won progress towards stability and unity achieved over the past two years. The support of regional and international partners, including the African Union, the European Union and the League of Arab States, remains critical to fostering an environment conducive to advancing a Libyan-led and Libyan-owned political process facilitated by the United Nations.

100. I call on the House of Representatives and the High State Council to resume the spirit of cooperation demonstrated earlier in 2022 and to swiftly agree on a path to national elections and move away from the political polarization that will serve only to delay elections and further deepen the divide between the political class and the people of Libya. Libyan institutions and political actors are encouraged to work together and commit themselves unequivocally to holding free, fair, inclusive and credible presidential and parliamentary elections as soon as possible, on the basis of an agreed constitutional and legal framework. The High National Elections

Commission is also encouraged to maintain its readiness to deliver elections, in close cooperation and consultation with the relevant Libyan institutions.

101. The ongoing political impasse must not be allowed to obstruct progress on the security and economic tracks. Continued cooperation and collaboration between the Libyan authorities and Member States and regional organizations concerned, including the African Union, towards achieving the full withdrawal of mercenaries, foreign fighters and foreign forces in accordance with the action plan agreed by the 5+5 Joint Military Commission and in line with Security Council resolutions [2570 \(2021\)](#) and [2571 \(2021\)](#) is critical to guarantee long-term stability in the country. The United Nations stands ready to continue to support these efforts, including through the UNSMIL ceasefire monitoring component.

102. With regard to the economic track, Libyan institutions are encouraged to prioritize establishing arrangements to ensure reliable funding of the priority needs of the Libyan people and to facilitate transparency in public expenditure. Economic and financial institutions, including the National Oil Corporation and the Central Bank, should be free from political interference. I welcome the progress made so far towards the reunification and reform of the Bank and encourage further steps necessary to continue this process. Visible progress in these areas is vital for the strength of the economy and would facilitate progress on the political and security tracks. All stakeholders should avoid actions that disrupt oil production, on which the livelihoods of all Libyans depend. Similarly, all efforts should be made to ensure the disbursement of public salaries in a timely and equitable manner throughout the country.

103. The deepening crackdown on civil society and the targeting of people peacefully exercising their right to freedom of expression and defending their human rights is extremely concerning. All people in Libya, women and men, young and old, must be able to express themselves freely without fear of reprisal. Libyan authorities should immediately put an end to this and release all those arbitrarily detained for having exercised their fundamental right to freedom of expression.

104. Greater collaboration is critically needed between government ministries, municipal leaders, the humanitarian community and development actors to advance a strategy encompassing physical, material and legal support for the 168,000 people who remain displaced as well as returnees.

105. I remain gravely concerned by continuing violations of the human rights of migrants, refugees and asylum seekers in Libya. The situation is compounded by the range of State and non-State actors with unclear mandates that are operating detention facilities, to which United Nations agencies have limited or no access.

106. Libyan authorities should ensure unimpeded humanitarian access to all refugees and migrants, in particular those arbitrarily detained, and to release them and provide them with safe shelter. Meanwhile, Libya remains an unsafe port for disembarkation, and relevant Member States should re-examine their policies that allow the interception of refugees and migrants at sea and their return to Libya.

107. I would like to express my gratitude for the strong support that regional organizations and Member States have provided for the efforts of the United Nations in Libya. I wish to extend my sincere appreciation to the staff of UNSMIL, including the Mission leadership, and the United Nations system for their efforts in this critical phase. I commend the Special Adviser, Stephanie Williams, for her tireless efforts in leading United Nations good offices and mediation efforts. I reiterate my sincere appreciation to the Government of Nepal for providing vital personnel for the United Nations Guard Unit in Libya.