



# Security Council

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## United Nations Support Mission in Libya

### Report of the Secretary-General

#### I. Introduction

1. The present report, submitted pursuant to Security Council resolutions [2510 \(2020\)](#), [2542 \(2020\)](#), [2570 \(2021\)](#), [2647 \(2022\)](#) and [2656 \(2022\)](#), covers political, security and economic developments in Libya. It provides an overview of the human rights and humanitarian situation in the country and the activities of the United Nations Support Mission in Libya (UNSMIL) since the issuance of the previous report ([S/2022/632](#)) on 19 August 2022.

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

2. During the reporting period, the impasse over the leadership of the executive branch persisted between the Prime Minister of the Government of National Unity, Abdulhamid Al Dabiba, and Fathi Bashagha, the Prime Minister-designate nominated by the House of Representatives. In addition, little progress was achieved on agreeing on a pathway to elections and overcoming remaining outstanding issues, despite the resumption of talks between the Speaker of the House of Representatives, Aguila Saleh, and the President of the High State Council, Khaled Mishri.

3. Meanwhile, the overall security situation in Tripoli and the western region remained tense, with several incidents of violence among armed groups, including clashes in August, localized armed confrontations among organized criminal groups over control of illicit activities, and protests over the provision of basic services. The situation in the east was characterized by sporadic incidents, including arrests and kidnappings, while the situation in southern Libya remained challenging, mainly due to organized criminal activity, armed clashes between criminal groups and the Libyan National Army and clashes on the southern border.

4. On 25 September, the new Special Representative of the Secretary-General for Libya and Head of UNSMIL, Abdoulaye Bathily, took up his duties. He travelled to New York for induction meetings with United Nations senior officials and representatives of Member States and regional organizations. On 14 October, the Special Representative travelled to Libya. He embarked on a wide range of consultations with Libyan stakeholders across the country, including civil society and women's and youth groups, to hear their views on the political, security and economic situation. The Special Representative engaged with Libyan and international



interlocutors to identify a consensual pathway towards the holding of inclusive and credible national elections, which should be held as soon as possible based on a solid constitutional framework.

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

5. Following renewed tensions as a result of clashes in Tripoli (see para. 27), the United Nations continued to call for the de-escalation of tensions related to the dispute over executive power. On 27 August, the Secretary-General issued a statement in which he urged the Libyan parties to engage in a genuine dialogue to address the ongoing political impasse. He called on the parties to protect civilians and refrain from taking any action that could escalate tensions and deepen divisions. On 19 September in New York, on the margins of the seventy-seventh session of General Assembly, the Secretary-General met with the President of the Presidential Council, Mohamed Younis Menfi. They discussed the latest developments in Libya, including the political impasse that had negatively affected the fragile security situation. They also exchanged views on the importance of de-escalation and genuine dialogue to finding a consensual pathway to elections.

6. Meanwhile, in Tripoli from 26 September to 2 October, the High State Council met to deliberate on the draft constitutional framework emanating from the United Nations-facilitated talks between representatives of the House of Representatives and the High State Council. Representatives of the High State Council confirmed that the chamber had voted to endorse 93 per cent of the articles in the draft framework, but that the remaining articles required further dialogue among its members.

7. In addition, on 1 October, 32 members of the House of Representatives from eastern Libya signed a petition calling on the Speaker of the House to convene a session to discuss the 1951 Constitution of Libya in its non-amended version and to consider a return to a federalist system of governance. On 11 October, a delegation from the High State Council travelled to Bayda' to discuss political issues with members of the House of Representatives.

8. Following meetings held on 1 August in Ankara and on 14 August in Alamayn, Egypt, regarding the constitutional framework for elections and the impasse over the executive,, the Speaker of the House of Representatives and the President of the High State Council met in Rabat on 21 October. They discussed the implementation of the agreement previously reached in Bouznika, Morocco, during a meeting held from 6 to 10 September 2020, as well as appointments to sovereign positions and the unification of the executive in Libya, in accordance with the understandings and modalities agreed by the two bodies. They agreed to resume dialogue on holding presidential and parliamentary elections based on consensual legislation.

9. On 23 October, the Special Representative met with the President and the Vice-President of the Presidential Council, Mr. Menfi and Abdullah al-Lafi, in Tripoli. He stressed that the solution to the Libyan crisis must come from Libyans themselves. He also met with the Chairperson of the High National Elections Commission, Emad al-Sayeh, in Tripoli, to discuss how to strengthen efforts to hold elections. On the same day, the Special Representative travelled to Qubba to meet with the Speaker of the House of Representatives and discussed options for addressing the political situation. He also met with the President of the High State Council on 26 October in Tripoli. They discussed ways to address the current political impasse, including efforts to establish a solid constitutional framework for holding inclusive national elections and the outcomes of the meetings in Morocco.

10. On 3 December, the Special Representative issued a statement announcing the cancellation due to logistical reasons of the meeting between the Speaker of the House

of Representatives and the President of the High State Council scheduled to be held under United Nations auspices in Zintan on 4 December. The planned meeting was aimed at setting in motion a process towards the holding of elections, including the finalization of the constitutional basis.

11. On the security track, UNSMIL continued to support the work of the 5+5 Joint Military Commission, including implementation of the 2020 ceasefire agreement. UNSMIL also continued to work with the Chiefs of General Staff of the Libyan Army and of the Libyan National Army, Lieutenant General Mohammed al-Haddad and General Abdul Razek Al-Nadori, respectively, on the reunification of military institutions.

12. On 22 October, the Special Representative met with the Commander of the Libyan National Army, General Khalifa Haftar, and the eastern delegation to the 5+5 Joint Military Commission, in Benghazi. The next day, he met with the western delegation of the Commission, in Tripoli. He stressed the need to find a peaceful and sustainable solution for the crisis in Libya and to continue efforts to preserve the ceasefire agreement. The Special Representative also met separately with Mr. Bashagha, and underscored the need for Libyans to come together to find a consensual and peaceful solution.

13. In his first briefing to the Security Council, on 24 October, the Special Representative highlighted the need to revitalize the security track, following a pause in the activities of the 5+5 Joint Military Commission. On 27 October, the Special Representative convened a meeting of the Commission in Sirte to encourage a de-escalation of tensions and advance the implementation of the ceasefire agreement. As a result, the Commission decided to establish a subcommittee on disarmament, demobilization and reintegration.

14. On the economic track, efforts to implement reform and reunification measures for the Central Bank of Libya, recommended by the United Nations-facilitated international audit, remained stalled since May due to ongoing divisions within the Central Bank.

15. On 3 October, the Deputy Governor and head of the eastern Libyan branch of the Central Bank announced that the eastern Libya-based Board of Directors had decided to adjust the exchange rate of the Libyan dinar against the United States dollar from 4.48 to 4.26 dinars, effective 16 October. The Governor of the Central Bank in Tripoli rejected the adjustment, as it had been made without the involvement of the Chairman of the Board or other Board members from western Libya. On 18 October, the Special Representative met with the Chair of the National Oil Corporation, Farhat Bengdara, to discuss means of strengthening the Corporation's independence as a sovereign institution. During his meeting with the Governor of the Central Bank of Libya, Saddek Elkaber, on 24 October, they discussed progress made in the reform and reunification of the Bank in line with the recommendations of the international audit review facilitated by the United Nations. The Special Representative underscored the need to fulfil the expectations of the Libyan people for equitable, transparent and accountable management of the country's resources.

16. The Special Representative met with members of civil society to hear their views on possible solutions to the political, security and economic situation. On 22 and 23 October in Benghazi and Tripoli, he met with a wide range of civil society actors and women activists and academics, including women candidates for the parliamentary elections scheduled in 2021, from across the country. In Sirte, he met with a group of Libyan notables and elders from all regions. His interlocutors called for expediting the elections and restoring stability and security in Libya. On 14 November, he travelled to Sabha and met with local officials, tribal notables, academics, civil society actors, women and youth to listen to their views about the

situation in the country and discuss United Nations stabilization and peacebuilding support.

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

17. 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.

18. On 12 October, the international humanitarian law and human rights working group, co-chaired by the United Nations, the Netherlands and Switzerland, organized an expert briefing on rights-based national reconciliation in collaboration with the Presidential Council and the African Union. Participants shared best practices and experience from other national reconciliation processes. The briefing highlighted the importance of placing victims at the centre of effective reconciliation processes, the need to rebuild trust in State institutions and the importance of ensuring inclusivity and the meaningful representation and participation of women. The experts stressed the importance of ensuring that reconciliation efforts were effectively linked to the political process. The Presidential Council affirmed its determination to address the root causes of conflict.

19. The co-chairs of the economic working group, the United Nations, Egypt, the United States of America and the European Union, continued consultations on supporting Libyan efforts to arrive at a mechanism to ensure sound distribution of oil revenues, designed to support and enable Libyan stakeholders to build confidence, increase transparency and ensure that the country's wealth is used for the benefit of the Libyan people.

20. On 8 December, the security working group, co-chaired by the United Nations, France, Italy, Türkiye, the United Kingdom of Great Britain and the African Union, met in Tunis.

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

21. Ahead of his arrival in Tripoli, on 14 October, the Special Representative met with the Minister for Foreign Affairs of Tunisia, Othman Jerandi, in Tunis to discuss the situation in Libya. The Foreign Minister expressed support for United Nations efforts to advance intra-Libyan talks and respond to the legitimate aspirations of the Libyan people for peace and stability.

22. In Tripoli on 18 October, the Special Representative met a visiting delegation of the African Union and the Minister for Foreign Affairs of the Congo, Jean-Claude Gakosso, in his capacity as representative of the Chairperson of the African Union High-level Committee on Libya. The delegation provided information about the joint efforts of the African Union and Libya to prepare for a national reconciliation conference.

23. From 31 October to 2 November, on the margins of the Summit of the League of Arab States, the Special Representative met separately with the Chairperson of the African Union Commission and the Secretary-General of the League to discuss the situation in Libya and ways to enhance cooperation between the United Nations, the League and the African Union on supporting political progress in Libya. He also met with Libyan interlocutors and representatives of concerned member States, including ministers for foreign affairs from the region and other special envoys. He highlighted the need for the international community to speak with one voice on Libya.

24. From 14 November to 1 December, the Special Representative travelled to Egypt, Qatar, Türkiye and the United Arab Emirates to solicit further support in resolving the political crisis in Libya and pave the way for the holding of elections. The interlocutors expressed support to United Nations efforts to advance consultations on the constitutional track, a necessary condition for the holding of elections.

25. On 3 December, the Special Representative briefed the diplomatic community on his regional tour, as well as the cancelled meeting in Zintan.

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

26. The security situation in Tripoli and surrounding areas deteriorated in late August. On 20 August, Mr. Bashagha reiterated his intention to enter the capital, and on 24 August he called on Mr. Al Dabiba to peacefully transfer power. In response, the Government of National Unity declared a state of emergency in Tripoli and mobilized armed forces to defend the city. On 27 August, violent clashes erupted in the centre of Tripoli and spread to other areas of the capital and its outskirts. Armed groups supportive of either Mr. Al Dabiba or Mr. Bashagha engaged in clashes, using medium and heavy weaponry, including in civilian areas. The clashes subsided by 27 August, with the retreat from the capital of armed groups supportive of Mr. Bashagha, but some clashes were also reported on 28 August. The Ministry of Health reported that 42 people had been killed and 159 people injured due to the fighting. Of the 42 killed, there were reportedly four civilians, including a 15-year-old boy. Of the 159 injured, there were at least seven children, including three boys and four children of unknown gender.

27. The clashes in Tripoli and its surroundings resulted in a significant shift in armed group dynamics in the area, with Government of National Unity-affiliated armed groups gaining control of areas previously under the control of groups supporting Mr. Bashagha. Despite concerns about increased risks of disputes over areas of control and potential attempts by the evicted armed groups to regain lost territory, relative stability prevailed in Tripoli in the ensuing weeks, although the situation on the western outskirts of Tripoli remained tense. Mr. Al Dabiba had declared his intention to develop a comprehensive plan to remove the military camps and ammunition depots from residential areas of Tripoli, although no steps to achieve this were witnessed so far. Meanwhile, on 19 September, Mr. Bashagha announced that his “government” would be operating from Sirte and Benghazi.

28. The western coastal towns, in particular Zawiyah and Ujaylat and extending to the Warshafanah area, continued to experience localized armed confrontations among organized criminal groups over the control of illicit activities. Armed clashes erupted in Zawiyah on 19 and 25 September, resulting in the reported killing of at least five people, including a 10-year-old child. Due to the proximity of the clashes to the western coastal road, the impact of the clashes on traffic along that road, the involvement of groups supporting pro-Al Dabiba or pro-Bashagha camps and the risk of a spillover of tensions involving other armed groups remained a concern.

29. From 3 to 9 October, demonstrators blocked roads in Tajura’ in eastern Tripoli to protest against the Government of National Unity, demanding improved basic service delivery and infrastructure and the cancellation of a recent decision by the Government to allocate land to foreign embassies in the area. The protests ended and roads reopened following negotiations between the residents and Government representatives.

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

30. On 22 August, air defence systems near the headquarters of the Libyan National Army in Rajmah brought down an uncrewed aerial vehicle. On 24 August, the United States Africa Command issued a statement claiming ownership of the vehicle and stated that the device had been deployed in coordination with Libyan authorities to support a visit by the United States Ambassador.

31. On 21 September, armed residents in the Tazirbu area north-west of Kufrah reportedly confronted a group of Chadian mercenaries and successfully freed one Libyan and six Egyptian nationals, who had reportedly been abducted and held by the Chadian group. On 5 and 6 October, one person was killed and seven injured when unidentified armed assailants attacked local security forces near Kufrah. The attackers were repelled with the aid of Libyan National Army units.

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

32. The security situation in southern Libya remained challenging due to organized criminal activity and armed clashes between criminal groups and the Libyan National Army. On 24 September, a Libyan National Army checkpoint in Awbari was targeted by unidentified attackers. The attack was repelled, and one assailant was killed.

33. In statements during visits to Ghat and Birak al-Shati' on 19 and 26 September, General Haftar criticized the country's political class over alleged incompetence and inability to address the problems of the Libyan people. He called on the population to revolt against the political class, promising the support of the Libyan National Army. On 17 October, General Haftar attended an Libyan National Army military parade in Sabha, where he further criticized the Government of National Unity for alleged corruption and reiterated his call for a popular uprising. On 31 October, General Haftar travelled to Hun, the capital of Jufra district, where he was received by a delegation of notables, including the sheikhs of Hun, Waddan and Suknah and the commanders of Libyan National Army units operating in the area. In his public remarks, General Haftar reiterated his call for a popular uprising against the Government and reportedly referred to an imminent battle led by the Libyan National Army to liberate Libya. He also called for the withdrawal of foreign fighters and mercenaries from Libya.

34. In early October, affiliates of the Chadian armed group Front pour l'alternance et la concorde au Tchad (FACT) claimed that several Chadian soldiers had defected and crossed into Libya from Tibesti in northern Chad, bringing military assets, weapons and sensitive documents. FACT called on other Chadian soldiers and police to join its fight against the Transitional Military Council of Chad. On 13 October, media outlets reported that the acting president of FACT, General Abdrahman Salah, had survived an "assassination attempt" by unknown assailants in Umm al-Aranib (Murzuq). FACT accused the Libyan National Army of being behind the attack. On the same day, Libyan National Army forces arrested eight Chadian nationals in Umm al-Aranib.

## **G. Violent extremist organizations**

35. On 7 September, the Libyan National Army reported that the leader of Islamic State in Iraq and the Levant – Libya, Mahdi Dango, suspected of being responsible for the kidnapping and beheading of 21 Egyptian nationals in Sirte in 2015, had been killed during one of its security operations in Qatrun, Murzuq district, along with two of his supporters, while another suspect had been arrested.

## H. Economic situation

36. Following its full resumption in July, Libyan oil production was sustained at around 1.2 million barrels per day, which ensured a constant transfer of export revenues to the Central Bank of Libya. Meanwhile, commodity prices declined to levels that were similar to or below those prior to February 2022, which tempered inflationary pressures in the marketplace and provided relief for Libyan households.

37. The Government of National Unity, with the National Oil Corporation, held meetings with international stakeholders who could support Libya in increasing its oil production. On 8 September, the Corporation's budget follow-up committee discussed a three-year plan to increase production to 2 million barrels per day, as reflected in its extraordinary budget for 2022 of over \$3 billion.

38. In southern Libya, public resentment over marginalization and socioeconomic challenges intensified, with continued protests and renewed threats to block access to oil fields in the south-west after several people died or were injured in a 1 August explosion of a fuel tanker in central Libya. On 21 August, local leaders threatened to form a parallel government in southern Libya if their demands for the provision of basic services and stronger representation in State institutions were not met. During the second half of August, the Government of National Unity and the National Oil Corporation held meetings with representatives from southern Libya, as well as members of the High State Council from the region, seeking to address their grievances. On 23 August, Mr. Al Dabiba reportedly instructed State institutions to develop an annual plan for the implementation of basic projects to address socioeconomic challenges in southern Libya.

39. On 20 September, the Libyan Audit Bureau submitted a financial audit review of the operation of public institutions in 2021. The review of the finances of the Government of National Unity and evaluation of its performance revealed 144 violations to be referred to the Public Prosecutor. The review also detailed deficiencies in the activities of the Central Bank of Libya, including due to the absence of a fully functioning and adequately staffed Board of Directors that should act as an internal oversight body. The review further noted concerns about the transparency of the National Oil Corporation's transactions and pricing, in particular when trading exported crude oil for imported refined products. The review was criticized by the Government of National Unity and the Central Bank. On 26 September, Mr. Al Dabiba issued a directive on spending restrictions for government officials.

40. On 5 October, the Libyan Audit Bureau issued a critical analysis of Libyan Investment Authority operations, qualifying the Authority's investment decisions as "poor and flimsy". In response, the Authority noted that it was undertaking a thorough audit, together with its subsidiaries, and provided a vision for a multi-year reform programme.

41. On 3 October, during a visit to Tripoli by a ministerial delegation from Türkiye, the Government of National Unity signed agreements with that country, including on cooperation in the hydrocarbon sector. Reports of the agreement were criticized by the Speaker of the House of Representatives and Mr. Bashagha. The spokesperson for the Speaker stated that any agreement entered into by the Government of National Unity was null and void, reiterating the view that the mandate of the Government had ended. On 26 October, during a visit by Mr. Al Dabiba to Türkiye, the Government of National Unity announced that Türkiye and Libya had signed two additional agreements: one on upgrading the capabilities of the Libyan Air Force and the other related to the implementation of agreements signed between Türkiye and the former Libyan Government of National Accord in 2019.

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

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

42. UNSMIL continued to provide technical assistance and advice to the High National Elections Commission to develop and sustain an optimal level of readiness to implement future electoral events. Efforts focused on enhancing its procedures for the management of the voter registry, results management systems and polling procedures.

43. UNSMIL provided technical support to upgrade procedures for the management of newly introduced voter cards and the conduct of an internal audit of the distribution of the cards, which was conducted in 2021 and resulted in the issuance of 2.5 million cards. The Audit Office also conducted an inspection of the voter registry as requested by the Attorney General. The results of the inspection, issued on 13 September, and the subsequent follow-up assessments of the Commission and the Civil Registry Authority, concluded that the voter registry was accurate.

44. The new results management system was tested through a two-week tally simulation exercise in October, including software adjustments, that activated the Commission's tally centre. From 3 to 5 October, UNSMIL also conducted a training session on drafting electoral procedures for members of the Commission.

45. On 28 September, the United Nations electoral assistance project board approved a revised 2022 workplan and the 2023 workplan. The board recommended extending the electoral assistance project for national elections in Libya through 31 December 2023.

46. The United Nations continued to provide technical assistance to the Central Committee for Local Elections in Tripoli and convened capacity-building workshops for electoral security staff at the Ministry of Interior and police in municipalities. On 22 October, after a pause of 18 months in organizing pending municipal council elections, the Central Committee organized elections in the municipality of Tarhunah. Further municipal council elections are scheduled for later, including in early 2023, with candidate registration for two municipal elections having concluded on 7 November. Separately, a parallel committee on local elections, established by Mr. Bashagha on 22 October, announced its intention to organize municipal council elections in eastern Libya.

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

47. Libyan security agencies and affiliated armed groups continued to target civil society actors with hate speech and incitement to violence. UNSMIL continued to receive reports of threats, hate speech and arbitrary arrests and detentions. Between 20 August and 12 September, Libyan National Army-affiliated elements encircled Qasr Abu Hadi, south of Sirte, limiting movement to and from the town. Civilians were affected, and hospitals, schools, petrol stations and other essential facilities were forced to close. Five people were arbitrarily detained, and human rights activists sought refuge outside Qasr Abu Hadi.

48. During the 27 August clashes in Tripoli, armed groups engaged in indiscriminate shelling and use of heavy weaponry in areas that were densely populated with civilians, resulting in civilians being killed and injured, including children. Civilian infrastructure, including homes, mosques and cultural property, was destroyed. The Ministry of Health reported attacks on five health facilities in Tripoli. The



headquarters of the Directorate for Combating Illegal Migration was damaged, and hundreds of migrants escaped or were released.

## **1. Rule of law**

49. On 18 August, the General Assembly of the Supreme Court decided to reactivate the Constitutional Chamber, and 33 judges took their oath of office before the Court's General Assembly on 21 August. In a counteraction by the Speaker of the House of Representatives, on 22 August, 36 different judges took their oath before the Speaker to be appointed to the Supreme Court. In a session held on 15 September in Benghazi, the House of Representatives voted to appoint Abdallah Mohamed abo Ruziza as head of the Supreme Court and of the Constitutional Chamber, confirming his earlier selection by the Court's General Assembly on 29 April 2021. The handover from the outgoing head of the Supreme Court, Mohammed Al-Hafi, took place on 25 September in Tripoli.

50. On 28 August, building on two pilot courts established in Benghazi and Tripoli to adjudicate cases of violence against women and children, the Supreme Judicial Council established two family courts to adjudicate family-related cases in Benghazi and Tripoli. The Supreme Judicial Council planned to establish a dedicated appeals chamber in every court of first instance.

51. On 26 September, judges of the Supreme Court agreed on a new composition of the Constitutional Chamber and to resume deliberation on constitutional challenges submitted between 2016 and 2022.

52. On 19 October, in ongoing instances of the right to due process and fair trial being denied to defendants, the sixth court hearing in Tripoli of the case against four civil society actors from the Tripoli-based Tanweer Movement was again adjourned to 7 December for a sentencing session. Similar to the previous hearings to date, the four arbitrarily accused defendants were prevented from appearing before the court, their right to legal counsel was denied and a court order to transfer them from Mitiga prison to Al-Jadidah prison remained unimplemented.

53. Meanwhile, on 27 September, the House of Representatives issued legislation on cybercrime. Some Libyan civil society organizations expressed concern that the law limited the exercise of basic freedoms and criminalized a range of legitimate online activities.

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

54. On 30 August, the International Day of the Victims of Enforced Disappearances, UNSMIL called on Libyan authorities to address widespread enforced disappearances in Libya as part of a rights-based national reconciliation process. The Mission called on the authorities to adopt the 2010 International Convention for the Protection of All Persons from Enforced Disappearance and stressed the need to develop a comprehensive national strategy to address this scourge.

55. Meanwhile, enforced disappearances continued to be reported and documented. On 29 August, poet Muhammad al-Lafi was abducted; he was released on 1 September by an armed group in Bayda' after publishing a poem criticizing the Libyan National Army. On 30 August, a group of demonstrators in Tripoli called on the Government of National Unity to facilitate the return of their relatives who had been arrested by the Deterrence Apparatus for Combating Organized Crime and Terrorism after the August armed clashes in Tripoli.

56. UNSMIL continued to receive reports of sexual violence against women prisoners. On 4 September, prisoners at Tripoli's Al-Jadaida women's prison declared

a hunger strike to protest against inhumane conditions and the lack of due process. The strike was reportedly ended by force.

57. On 26 and 27 September, as part of efforts to end arbitrary detentions in Libya, UNSMIL organized a second meeting of the Libyan High Committee on Arbitrary Detention in Tunis. Fifteen participants from the Ministries of Defence and Justice, the judicial police, the Military Prosecution and the Internal Security Apparatus adopted a set of recommendations, including to form a national committee to coordinate the entities concerned with combating arbitrary detention.

58. According to official statistics provided by the Judicial Police on the number of detainees in all prisons it operates, as at 1 October, 10,943 individuals were serving sentences, including 55 women. In addition, 5,969 individuals were being held in pretrial detention, including 113 women. Of these 5,969 individuals, 135 were incarcerated juveniles. The total number of people held was 40 per cent higher than the numbers reported in August 2021. Many in pretrial detention remained in prolonged detention with limited and delayed access to justice. Notably, thousands detained in illegal facilities were not included in official statistics, including detained migrants and asylum-seekers.

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

59. As at the end of August, the International Organization for Migration (IOM) reported that there were 679,974 migrants in Libya. Many migrants and refugees continued to endure widespread human rights violations and faced serious humanitarian and protection concerns in Libya. As at 27 November, 4,001 migrants were being held in government-operated detention centres.

60. In Kufrah on 15 August, authorities conducted an operation against an illegal detention centre where 300 migrants, including 7 women and 153 children, had been arbitrarily detained in inhumane conditions without food for more than four days. Humanitarian agencies provided assistance. Separately, on 4 September, the Tubruq Security Directorate raided a location where 287 Egyptian migrants, including 90 children, were being detained in deplorable conditions. Security forces transferred the individuals to a departure centre in Tubruq in preparation for return to Egypt.

61. In Tazirbu, 231 migrants, including 3 women and 100 children, were reportedly detained at an unofficial camp operated by a Ministry of Interior official and five unknown foreign nationals. Many were reportedly subjected to extortion. Survivors reported the death of seven men in the camp due to torture, lack of access to health care and starvation. Some who had spent three years in the camp recounted at least 39 deaths.

62. Attempts by migrants and refugees to cross the Mediterranean from Libya continued. As at 29 October, a total of 19,308 individuals, including 1,076 women and 657 minors, had been intercepted and returned to Libya by the Libyan Coast Guard since the beginning of the year. An additional 1,286 people had been reported dead or missing. As at 30 October, the number of migrants and refugees arbitrarily held in government-operated detention centres stood at 3,817 individuals, of whom 1,366 (36 per cent) were classified as potential persons of concern by the Office of the United Nations High Commissioner for Refugees (UNHCR). Most of the detainees (2,132 individuals) were held in the Tripoli area, with the majority in the Ayn Zarah detention centre. Another 103 detainees were held elsewhere in western Libya, 827 in eastern Libya and 8 in the south.

63. As at 15 October, 413 individuals had departed from Libya for direct resettlement in third countries. UNHCR evacuated 101 persons of concern to the emergency transit mechanism in Rwanda on 31 August and transported 179

individuals on a humanitarian evacuation flight to the emergency transit mechanism in the Niger on 29 September. Separately, IOM assisted 1,255 migrants and refugees in returning to their countries of origin.

64. In October, Libyan authorities transferred 377 migrant and refugee women and children from the Ayn Zarah detention centre to the Abu Salim centre (300 women and children) and the Zawiyah centre (77 unaccompanied male minors).

65. On 7 October, at least 15 migrants were killed in connection with clashes in Sabratah between two human trafficking groups. Eleven charred bodies were found in a docked boat and four more bodies were found nearby. Lack of approval by the Ministry of Foreign Affairs led to the cancellation of a planned mission by UNSMIL to Sabratah to visit the crime scene on 16 October. The Ministry of Interior later announced an investigation into this incident.

66. On 12 October, security forces in Tubruq reportedly arrested 87 migrants after a raid on a human trafficking group. The migrants, who reportedly included dozens of minors, were transferred to the Tubruq Security Directorate.

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

67. Threats of eviction from sites housing internally displaced persons continued. In September, the Ministry of Interior, through the Tawurghah local council, issued an eviction notice to the Sidi al-Sayeh site hosting 32 households displaced from Tawurghah. Most persons who wished to return to Tawurghah were hindered by a lack of financial means and basic services in the area.

68. As at the end of August, 134,787 internally displaced persons in Libya were recorded, down from 168,011 such persons recorded at the start of 2022, according to IOM. With United Nations support, the Government made progress towards finalizing a national strategy on durable solutions for internally displaced persons, in line with government priorities, international frameworks and the United Nations Sustainable Development Cooperation Framework, to ensure targeted assistance and programming on durable solutions for remaining internally displaced persons in Libya.

69. On 27 August, due to the clashes in civilian-populated areas of Tripoli, 65 households were reportedly evacuated. Two detention centres, housing 560 migrants and refugees, were damaged.

70. UNSMIL observed an increase in the number of violations against children, attributed mainly to the significant surge in verified cases of killing, maiming, sexual violence and abduction from no cases during the first half of 2022 to three reported cases (all girls) during the third quarter. Attacks on schools and hospitals also increased. Crossfire, violent clashes between armed groups, and explosive remnants of war remained the leading causes of killing and maiming.

71. On 19 August, a 6-year-old boy was killed and two boys (10 and 12 years old) maimed by a shell explosion and a stray shell that fell on a house in Sabha. The shell originated from military graduates at their graduation ceremony at Sabha's military college, highlighting issues related to the irresponsible use of weaponry and indiscriminate fire.

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

72. Following the launch of the strategic vision for national reconciliation by the Presidential Council on 23 June, the National Planning Council, together with Benghazi University, held a seminar on the draft law on national reconciliation on 29 August, with the participation of Vice-President al-Lafi; the Minister of Justice,

Abdel-Rahman; the then-President of the Supreme Court, Mr. al-Hafi; civil society actors; and law experts. The legal committee of the Presidential Council's national reconciliation project briefed the participants on the vision of the draft law and discussed interlinkages between transitional justice and national reconciliation.

73. UNSMIL continued to support the Presidential Council and its legal committee, comprised of the National Planning Council and Benghazi University, on rights-based national reconciliation, including by facilitating the exchange of best practices and by providing technical advice and assistance. On 8 September, the Presidential Council and its legal committee published a draft law on reconciliation, which would replace the Law No. 29 of 2013 on transitional justice.

74. During a meeting on 18 October in Tripoli, with the participation of the African Union, the Presidential Council agreed to convene a preparatory meeting to discuss an inter-Libyan conference on national reconciliation. On 21 November, the Presidential Council shared a revised version of the proposed law on reconciliation and a draft concept note for the launch of a preparatory forum to organize the national reconciliation conference with UNSMIL, which is planned for the second week of December.

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

75. The United Nations system 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), to prevent and mitigate 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**

76. Talks between the two Chiefs of Staff about the reunification of military institutions continued but were held less frequently due to the impasse on the executive and the violent clashes in Tripoli in late August.

77. Until August 2022, UNSMIL and the United Nations Development Programme had delivered a joint policing and security programme that included projects and training activities on human resources, facilities and operations procedures to representatives of the Ministries of Interior and Justice. The second phase of the joint programme is scheduled to be implemented in 2023 and includes needs assessments on case management and human resources.

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

78. In August, the Mine Action Service of UNSMIL and the Libyan Mine Action Centre conducted a workshop to enhance coordination regarding the Information Management System for Mine Action for 35 participants (9 women and 26 men) from implementing partners. On 27 September, the Mine Action Service convened a meeting, chaired by the Director of the Libyan Mine Action Centre and attended by implementing partners and donor representatives, to improve the prioritization and implementation of mine action tasks.

79. The Mine Action Service further liaised with the Libyan Mine Action Centre and coordinated the emergency response to two explosions at munition sites in, respectively, Misratah on 19 September and Malahat on 27 September. These two incidents highlight the continuing threat of proliferation of uncontrolled ammunition

and the risks of ammunition storage in populated areas in Libya. On 3 October, in Zlitan, three male civilians were seriously injured when an explosive remnant of war detonated. On 4 October, two men were injured and one killed when an explosive remnant of war detonated in a farm in Ayn Zarah in Tripoli. On 15 October, a landmine exploded in Ayn Zarah, injuring two children: a 13-year-old girl and a 14-year-old boy.

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

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

81. Eight United Nations ceasefire monitors arrived in Tripoli between 18 August and 26 September. The chief and deputy head of the UNSMIL ceasefire monitoring component also deployed. They will continue to support the work of Libyan ceasefire monitors in establishing a monitoring mechanism based in Sirte, conditions permitting.

## **D. Empowerment of women**

82. Women's rights activists continued to be targets of hate speech and online harassment. On 14 September, the administrative appeal court in Tripoli upheld the decision to annul an agreement between the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the Minister of State for Women's Affairs on developing a national action plan on the implementation of Security Council resolution [1325 \(2000\)](#) on women and peace and security, signed on 8 October 2021.

83. Between August and October, the Ministry of Interior announced the establishment of three specialized family and child protection units in Taghren, Ghat and Janzoor, respectively, to handle cases of violence against women and children at local security directorates. Since the establishment in 2018 of a Family and Child Protection Office within the Ministry, 27 family and child protection units have been established across the country. However, progress has been hampered by the lack of legislation to protect women from violence, understaffed units and limited resources. To address this, the United Nations Children's Fund (UNICEF) offered support to the Ministry of Interior to strengthen relevant capacity.

84. Existing services for survivors of violence against women remained very limited and reliant on the support of humanitarian agencies rather than being institutionalized within government services. The United Nations Population Fund (UNFPA) continued supporting social and health service providers of the Ministry of Social Affairs and the Ministry of Health on the prevention and mitigation of and response to gender-based violence. UNFPA also continued to support the national hotline and four safe spaces across Libya providing social and vocational services for women. UNICEF continued providing support to women and girls in six safe spaces, gender-based violence awareness and life skills to girls and boys and gender-based violence case management to vulnerable women and girls.

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

85. UNSMIL continued to observe hate speech, smear campaigns and incitement to violence against young people in Libya, including those who are politically active.

86. UNFPA, in collaboration with a local non-governmental organization, expanded a training programme on robotics and programming, which was delivered to 34 boys and girls from Sabha, and an entrepreneurship training programme, which was delivered to 33 boys and girls from Benghazi and Darnah. The training sessions were aimed at youth from conflict-affected areas to increase their employability skills and civic engagement.

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

87. As at 11 October, \$90 million (79.1 per cent of the total of \$113.8 million) had been received for the 2022 humanitarian response plan, and an additional \$29.7 million had been transferred for activities outside of the plan. By the end of August, humanitarian organizations had reached 204,000 people (51 per cent of 400,000 people targeted) through 42 partners operating in 88 municipalities across Libya. An additional 551,000 people in need had benefited from humanitarian assistance outside of the plan.

88. As at 30 October, there had 507,051 confirmed cases of coronavirus disease (COVID-19), including 6,437 deaths, reported since the start of the pandemic. Vaccination rates remained relatively low, with a total of 2.3 million people having received one dose, 1.23 million people with two doses and 177,468 people with a booster dose. Also as at 22 October, a vaccination campaign by the National Centre for Disease Control and IOM had reached 23,510 migrants and refugees (including in detention centres), of whom 4,186 had received two doses and 990 had received three doses. The National Centre for Disease Control expressed increasing concern about the low stock of essential vaccines throughout the country, in particular for children.

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

89. On 29 September, UNSMIL conducted a three-day visit to Benghazi and Ajdabiya to familiarize eastern local authorities with the United Nations Sustainable Development Cooperation Framework for the period 2023–2025 and discuss humanitarian and development challenges. Stakeholders agreed that, while international assistance was required to support immediate solutions in some areas, the Government of Libya should allocate and deliver appropriate resources to municipalities, including under five reconstruction funds announced by the Government of National Unity in April 2021. Interlocutors stressed the need to transfer allocated funds in a transparent and scheduled manner to meet the needs of the people.

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

90. The United Nations maintained an average presence of around 130 international staff members in Libya. International staff in Tripoli continued to be accommodated at the Oea compound, protected by the United Nations Guard Unit with a troop strength of 234. In Benghazi, staff continued to operate from the United Nations hub. All movement of staff between locations in Libya was conducted in compliance with security risk management measures.

91. 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 advice from the World Health Organization and UNSMIL medical staff, to ensure alignment with measures put in place by the Libyan and Tunisian authorities. As at 4 December, under the COVID-19 vaccination programme for United Nations personnel in Libya and international non-governmental organization partners, 1,359 individuals had been fully vaccinated and 240 had received a third dose. Additional booster doses are expected to arrive later in December.

92. UNSMIL also initiated preparations for the next rotation of the United Nations Guard Unit, scheduled for February 2023.

## **V. Implementation of the recommendations of the Independent Strategic Review**

93. The report on the independent strategic review of UNSMIL (see [S/2021/716](#), annex) included recommendations in five focus areas: (a) the role of UNSMIL; (b) the structure of UNSMIL; (c) the priorities and capacities of the United Nations in Libya; (d) United Nations integration; and (e) the footprint of the United Nations presence in Libya. The first step in the implementation of the review was to deploy a Special Representative for Libya and Head of UNSMIL, based in Tripoli. The other aspects of the review recommendations will be implemented with the support of United Nations Headquarters.

## **VI. Observations and recommendations**

94. The continued divide over the executive power and intermittent clashes in Tripoli and elsewhere in the country are deeply concerning. All Libyan leaders and actors are urged to categorically reject violence, including for political ends. It is critical that all actors preserve calm and protect the lives and livelihoods of all Libyans.

95. The finalization of a consensual constitutional basis to lead the country to elections is urgently needed. The Libyan people have the right to determine their own future through national, transparent and inclusive elections. All relevant Libyan actors must work in a coordinated manner towards overcoming the remaining hurdles for the holding of fair and inclusive elections that guarantee the full participation of all sectors of society, in particular women and youth. In this regard, the resumption of talks between the Speaker of the House of Representatives and the President of the High State Council is welcome. The preparatory work of the High National Elections Commission that, among other things, is aimed at ensuring the robustness of the Libyan electoral systems, should continue.

96. Although the ceasefire agreement signed in October 2020 continues to hold, the intra-Libyan security dialogue track has been adversely impacted by the protracted political impasse. I therefore welcome the resumption of the work of the 5+5 Joint Military Commission following its meeting with my Special Representative in Sirte on 27 October. The Commission decided to establish a subcommittee on disarmament, demobilization and reintegration to categorize armed groups, which is a key enabler of the ceasefire agreement and a step forward towards implementing article 4 of the ceasefire agreement. The goodwill and additional steps taken towards the unification of the military displayed by the Chiefs of General Staff of the Libyan Army and of the Libyan National Army remain crucial to guarantee long-term stability in the country.

97. While oil production has been sustained, some Libyan communities continue to feel excluded from an equitable distribution of the country's wealth. Libyan actors should intensify efforts to ensure that oil and other revenues are utilized in a transparent, fair and accountable manner to improve the living conditions of all Libyans. Notwithstanding the reservations voiced by some Libyan stakeholders, the financial audit reviews of the Libyan Audit Bureau, published on 20 September and 5 October, remain a positive building block towards enhancing the transparency and accountability of Libyan institutions. Relevant public institutions should carefully study the audit reviews and ensure proper follow-up in addressing existing challenges.

98. I remain concerned about the erosion of civic space. Arbitrary detentions and enforced disappearances must come to an end. I call on Libyan authorities to guarantee basic principles underpinning the right to a fair trial and due process for all those detained and to unconditionally release all persons arbitrarily detained.

99. The humanitarian and human rights situation of migrants and refugees remains of grave concern. I condemn the brutal killing of at least 15 migrants and asylum-seekers in Sabratah on 7 October. Perpetrators of this act and other human rights violations and abuses must be brought to justice. The widespread human rights violations undertaken by unlawful networks need to be stopped and prosecuted. At the same time, migrants and refugees continue to be arbitrarily detained in inhumane and degrading conditions in both official and unofficial centres managed by State and non-State actors. Libyan authorities should provide unimpeded humanitarian access to these detention facilities.

100. I welcome efforts to advance durable solutions for internally displaced persons, including the finalization of a national strategy for durable solutions in line with international frameworks and the United Nations Sustainable Development Cooperation Framework for Libya for the period 2023–2025. I call on Libyan authorities to further support and deliver funds allocated for reconstruction and durable solutions for the 143,419 persons who remain internally displaced.

101. I commend the Presidential Council for its leadership in furthering its vision for national reconciliation. The constructive engagement and support of the African Union in this process is also welcome. The United Nations continues to support an inclusive, victim-centred and rights-based national reconciliation process, based on the principles of transitional justice.

102. The solution to the crisis in Libya must be Libyan-led and Libyan-owned. The United Nations, through my Special Representative, will continue to engage with Libyan actors to facilitate dialogue and ensure a path to sustainable peace and stability. The continued support of regional and other organizations, including the African Union, the League of Arab States and the European Union, and of concerned Member States to the activities and mediation efforts of the United Nations remains critical to enable coherent support to the Libyans. It is essential that the international community speak with one voice. The unity of the Security Council, as demonstrated on 28 October with the unanimous adoption of resolution [2656 \(2022\)](#), is essential to manifest the international community's support to the democratic aspirations of the Libyan people.

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