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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 \(2021\)](#) and [2599 \(2021\)](#), covers political, security and economic developments in Libya. It provides an overview of the human rights and humanitarian situation in the country and of the activities of the United Nations Support Mission in Libya (UNSMIL) since the issuance of the previous report ([S/2021/752](#)) on 25 August 2021.

II. Political, security-related and economic developments

2. During the reporting period, legislative and technical preparations continued for the national elections initially scheduled to be held on 24 December. However, persistent disagreements over the legal framework for elections passed by the House of Representatives, political and legal disputes related to the eligibility of several presidential candidates, and reported security threats against the High National Election Commission resulted in the Commission delaying the release of the final list of eligible presidential candidates, effectively postponing the elections.

3. On 17 November, the Special Envoy of the Secretary-General on Libya, Ján Kubiš, tendered his resignation, which the Secretary-General accepted effective 10 December. On 6 December, he appointed Stephanie Williams as his Special Adviser on Libya. He asked her to work closely with UNSMIL in cooperation with Libyan, regional and international actors. She took up her functions on 10 December.

4. From 12 to 23 December, the Special Adviser held meetings with political, security, economic and civil society representatives in Tripoli, Misratah, Sirte and Benghazi, including members of the Presidency Council, the Government of National Unity, the High National Election Commission, the House of Representatives, the High State Council and the Supreme Judicial Council, and candidates for the presidential and parliamentary elections. She focused her consultations on the challenges affecting the electoral process and explored ways to address them while sustaining the momentum towards holding the elections.

5. On 19 December, the Special Adviser hosted a meeting with the Chair of the High National Election Commission, the Minister of Interior and the acting head of parliament to take stock of the situation and identify a way forward. She subsequently



encouraged the House of Representatives to focus its efforts on holding the national elections, noting that, in amending the electoral framework, the House should adhere strictly to the provisions of the 2015 Libyan Political Agreement and comply with its own rules of procedures and act transparently.

6. On 22 December, the High National Election Commission informed the House of Representatives of the inability of the Commission to organize elections in line with the road map of the Libyan Political Dialogue Forum and relevant Security Council resolutions and asked the House to set a new date for the elections. On 23 December, the Secretary-General issued a statement in which he commended the 2.8 million Libyans who had registered to vote and stated that presidential and parliamentary elections must be held in Libya in the appropriate conditions to peacefully end the political transition and transfer power to democratically elected institutions.

7. On 27 and 28 December, the House of Representatives convened a session in Tobruk to discuss the most recent developments concerning the electoral process and the way forward, including a report of the committee established by the House on the electoral process. As a result, the House established a new committee to develop recommendations on the way forward for the electoral process.

8. On 3 January, the Chair of the High National Election Commission briefed the House of Representatives on why it was unable to conduct elections on 24 December. He cited inconsistencies in the legal framework and irregularities in the judicial appeal process for the selection of candidates to the presidential elections. He also reported that the Commission had received threats warning against the names of certain individuals appearing on the final list of candidates for the presidential elections.

9. Meanwhile, efforts towards the full implementation of the Agreement for a complete and permanent ceasefire in Libya between the Libyan Army of the Government of National Accord and the Libyan National Army of the General Command of the Armed Forces (S/2020/1043, annex), which was signed on 23 October 2020, continued throughout the reporting period, with a specific focus on the withdrawal of foreign forces, foreign fighters and mercenaries from Libya. On 8 October, the 5+5 Joint Military Commission, with the support of the United Nations, adopted an action plan for a gradual, balanced and sequenced process of withdrawal of mercenaries, foreign fighters and foreign forces from Libyan territory. The plan specifically references the role of United Nations ceasefire monitors in supporting its implementation. On 10 October, the first team of United Nations monitors was deployed as part of the UNSMIL ceasefire monitoring component. The action plan was formally endorsed during the Libya Stabilization Conference held in Tripoli on 21 October.

Implementation of the intra-Libyan dialogue tracks

10. The Special Envoy visited Libya from 18 to 27 October and from 15 November to 3 December to engage with key political actors on the implementation of the political road map, including the holding of presidential and parliamentary elections. He discussed the legal framework for the elections as adopted by the House of Representatives. He also discussed the Presidency Council dialogue initiative as a means to bridge differences and create an environment conducive for elections.

11. On 22 September, the Commander of the Libyan National Army, General Khalifa Haftar, temporarily stepped down from his functions in order to register as a candidate in the presidential elections. On 21 September, the Speaker of the House of Representatives, Agila Saleh Gwaider, stepped down to run for the presidential elections, a day after overseeing a contested House of Representatives vote to withdraw confidence in the Government of National Unity. The High State Council rejected the vote of no-confidence as “null and void”.

12. On 30 September and 1 October, six representatives each from the House of Representatives and the High State Council met in Rabat to discuss the electoral laws. UNSMIL participated in a technical advisory capacity. The delegation from the House declined to discuss proposals and amendments put forward by the Council, noting that the laws had already been issued and transmitted to the High National Election Commission for implementation. In a joint press statement following the meeting, the House and the Council delegations called for the holding of elections on 24 December and for the deployment of international observers.

13. On 10 October in Benghazi, the First Deputy Prime Minister, Hussein Attiya, convened a meeting of 5 of 11 ministers and several deputy ministers from eastern Libya to express discontent with the reported marginalization of the east by the Government of National Unity. A statement that was critical of the Government for not adhering to the Libyan Political Dialogue Forum political road map and failing to unify the country's institutions was issued at the end of the meeting. In parallel, UNSMIL issued a statement in which it called upon all parties to avoid escalation and engage in dialogue to resolve their differences, in accordance with the road map.

14. On 6 November in Tripoli, a group of 30 of 100 registered political parties signed a charter, which included commitments to continuing discussions on a constitutional basis for elections and to accepting the election results.

15. On 8 November, the High National Election Commission announced the start of a three-week process of issuance of voter cards in 1,906 locations across Libya; a two-week registration process for presidential candidates at the Commission's offices in Tripoli, Benghazi and Sabha; and a one-month registration process for parliamentary candidates at the Commission's 25 field offices.

16. Following the registration period, several appeals were filed in favour or against various presidential candidates based on the provisions of Law 9/2021, including against the Prime Minister, Abdul Hamid Mohammed Al Dabiba, Saif al-Islam Qadhafi and General Haftar. On 8 December, the House of Representatives established a committee tasked with monitoring the electoral process in collaboration with the High National Election Commission and the Supreme Judiciary Council, including with respect to the handling of legal challenges against various presidential candidacies. The Commission subsequently disputed rulings that had overturned its decisions and issued a statement in which it asserted that it would pursue further litigation.

17. With regard to the security track, UNSMIL continued to facilitate the implementation of the ceasefire agreement signed on 23 October 2020 (S/2020/1043). In that regard, the Mission facilitated the organization of a meeting of the 5+5 Joint Military Commission from 5 to 8 October at the United Nations Office at Geneva. As a result, the Commission adopted an action plan that provides for a gradual, balanced and sequenced process of withdrawal of mercenaries, foreign fighters and foreign forces from Libyan territory. It is noted in the action plan that its implementation will be "under the full supervision of the 5+5 Joint Military Commission local monitors and UNSMIL international monitors", in coordination with the relevant subcommittees of the 5 Commission.

18. In addition, UNSMIL facilitated a series of consultations of the 5+5 Joint Military Commission with relevant stakeholders on the action plan. On 1 November, the Commission concluded a three-day meeting held in Cairo with representatives of Chad, the Niger and the Sudan, during which they agreed to establish a communication and coordination mechanism to support the implementation of the action plan. On 11 November, the eastern delegation of the Commission announced the repatriation of 300 foreign fighters from Libya. On 23 November in Tunis, the Commission met with a delegation of the African Union led by the Minister for

Foreign Affairs of the Congo, representing the Chair of the African Union High-Level Committee on Libya. The Commission sought the African Union's support for collecting data regarding the number of foreign forces, foreign fighters and mercenaries in Libya. It also requested the African Union to facilitate communication and information-sharing among Chad, Libya, the Niger and the Sudan related to the departure and disarmament, demobilization and reintegration of foreign fighters in their countries of return.

19. From 3 to 8 December, the 5+5 Joint Military Commission conducted meetings in Ankara and Moscow, during which it sought the support of Turkey and Russia to establish a communication mechanism for the withdrawal of mercenaries, foreign forces and foreign fighters from Libya. On 16 December, the Commission held a meeting with the Special Adviser in Sirte to update her on progress made to date on the implementation of the ceasefire agreement and proposed next steps.

International Follow-up Committee on Libya

20. 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 to the intra-Libyan dialogue tracks.

21. On 16 and 24 November, the co-Chairs of the political working group, namely, the United Nations, Algeria, Germany and the League of Arab States, met to assess political and electoral developments and mitigating measures to ensure the holding of elections in accordance with the Libyan Political Dialogue Forum road map.

22. Throughout the reporting period, the economic working group, co-chaired by the United Nations, Egypt, the United States of America and the European Union, worked closely to support the Central Bank of Libya in moving forward with reunification of the bank pursuant to the recommendations of the audit report finalized in July 2021 (S/2021/752, para. 9). On 9 September, the economic working group held a plenary session focused on the reunification of the Central Bank. On 12 October, UNSMIL facilitated a meeting of the Prime Minister's newly established Economic Advisory Commission with the economic working group co-Chairs and the leadership of the Libyan Expert Economic Commission to identify economic reform priorities. The group met again on 15 December with the Governor of the Central Bank and his Deputy and addressed plans for the unification of the Central Bank in more detail. On 6 December, the Governor and Deputy Governor of the Central Bank, with support from UNSMIL and the co-Chairs of the economic working group, held talks to implement the recommendations of the international financial audit of the Central Bank, focusing on the reunification of the Libyan banking system.

23. 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, held meetings on 14 and 30 September and 27 October to discuss progress in the implementation of the ceasefire agreement. On 24 November, the security working group held a plenary meeting in Tunis, with the participation of the 5+5 Joint Military Commission, to discuss progress, challenges and coordination in the implementation of the action plan for the withdrawal of foreign forces, foreign fighters and mercenaries. On 16 December, the security working group co-Chairs held a meeting, during which the Commission reported on its recent meetings with neighbouring countries, the African Union, Turkey and Russia, including on the establishment of a coordination and communication mechanism with Chad, the Niger and the Sudan.

24. On 28 October, the international humanitarian law and human rights working group, co-chaired by the United Nations, the Netherlands and Switzerland, met to discuss violence against women. On 16 December, members convened in plenary to

initiate a national dialogue on human rights in Libya. Government and civil society actors in the field of human rights stressed the need for a dialogue on human rights between citizens and relevant State institutions, and to promote a culture of human rights in Libya.

International and regional engagement

25. From 30 to 31 August, Algeria hosted a two-day ministerial meeting with the United Nations, Libya, neighbouring countries, the African Union and the League of Arab States. The meeting concluded with an agreement to activate political and security committees, headed by Egypt and Algeria, respectively, and called for the implementation of the Libyan Political Dialogue Forum political road map leading to elections and the withdrawal of foreign forces and mercenaries.

26. On 22 September, France, Germany and Italy co-chaired a ministerial meeting on Libya on the margins of the seventy-sixth session of the General Assembly, with the participation of States members of the Berlin Process and Libya's neighbouring countries, as well as the United Nations, the African Union and the European Union. Participants welcomed the adoption of Security Council resolution [2570 \(2021\)](#) and called for presidential and parliamentary elections to be held on 24 December.

27. From 18 to 21 October, the Under-Secretary-General for Political and Peacebuilding Affairs visited Libya to engage with key Libyan political and security actors and represent the United Nations at the Libya Stabilization Conference on 21 October. In her interactions, she highlighted the importance of holding elections in accordance with the political road map and relevant Security Council resolutions. She stressed the importance of dialogue and consensus among Libyan actors. She also reminded her interlocutors of the need to ensure the meaningful participation of women and young people in political processes, including elections, both as voters and candidates. She called for concrete and swift action by the authorities to help to alleviate the plight of migrants in Libya.

28. On 21 October, the Libyan Minister for Foreign Affairs hosted the Libya Stabilization Conference in Tripoli. The gathering was attended by representatives of 27 countries, the United Nations, the African Union, the League of Arab States and the European Union. Participants welcomed progress made to advance the implementation of the ceasefire agreement, including the reopening of the coastal road, and the adoption of the action plan on the withdrawal of mercenaries, foreign fighters and foreign forces. They called for upholding the commitment for elections on 24 December.

29. On 12 November, France, Germany, Italy, Libya and the United Nations convened an international conference on Libya in Paris. The final communiqué reaffirmed the need to uphold the Libyan Political Dialogue Forum road map, the full implementation of the 23 October 2020 Libyan ceasefire agreement, and respect for international humanitarian law and human rights, and for all actors to commit themselves to national reconciliation.

Situation in the western region

30. Competition among armed groups over territorial control continued to have an impact on security in Tripoli and towns in the north-west. On 1 October, a dispute in Zawiyah between members of the central investigations directorate and members of the counter-terrorism forces escalated, resulting in one member of the counter-terrorism forces being injured.

31. On 8 October, clashes in Tripoli were reported on the airport road between armed elements of the 301 Brigade affiliated with the Ministry of Defence and forces

affiliated with the Ministry of Interior. In response, Stability Support Apparatus forces mobilized in support of the Ministry, while the 444 Fighting Brigade reportedly mobilized to assist the 301 Brigade. Tensions subsided following the intervention of tribal elders and security officials from the Government of National Unity.

32. On 26 October, clashes between the central investigations directorate and Petroleum Facilities Guards in Zawiyah resulted in damage to the National Oil Corporation facilities. On 27 October and 2 November in Tripoli, the 444 Fighting Brigade reportedly invaded the residence of a military region commander and of the 4th Infantry Brigade commander, respectively. No casualties were reported. On 30 October, the Chair of the National Oil Corporation informed UNSMIL that a member of the Corporation's board of directors had been detained by an armed group at Mitiga airport. He was released on 12 December.

33. On 15 December, the President of the Presidency Council, Mohammad Younes Menfi, in his capacity as the Supreme Commander of the Libyan National Army, appointed a new commander of the Tripoli Military Zone. The decision prompted the mobilization of multiple Tripoli armed groups in a "show of force" around the office of the Presidency Council, the Office of the Prime Minister and the Ministry of Defence.

Situation in the eastern region

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

35. On 25 October, in Jabal al-Akhdar province in eastern Libya, the director of the Shahhat security directorate, appointed by the Minister of Interior, was forcefully expelled from the directorate by a person claiming to be the new director. On 29 October, the heads of the eastern police directorates announced that they would take orders only from the Deputy Minister of Interior, who hails from the east and has accused the Government of National Unity of neglecting the east of Libya.

36. On 27 October, a convoy of 150 vehicles led by the under-secretary of the Ministry of Interior, Major General Mahmoud Saeed, was stopped in al-Shwayrif area by an armed group affiliated with the Libyan National Army, citing lack of prior coordination with the 5+5 Joint Military Commission. Ministry elements were reportedly being deployed to provide security at polling stations in Sabha, Murzuq and other towns in southern Libya.

Situation in the southern region

37. The authority of the Government of National Unity continued to be challenged in southern Libya by the Libyan National Army and affiliated groups. On 12 and 16 October, Libyan National Army units prevented the Prime Minister from landing in Sabha, on his way to visit the towns of Ghat and Kufrah. On 13 September, the member of the House of Representatives representing Ghat and elders from Ghat issued a statement protesting against the incident.

38. On 12 September, the Libyan National Army reportedly ordered the 116th Brigade, based in southern Libya, to be disbanded and its members and equipment integrated into the Sabha Military Zone. The decision appeared to be a reaction to the Government of National Unity's decision to appoint the 116th Brigade, previously affiliated with the Libyan National Army, as the Government's counter-terrorism unit for southern Libya.

39. The presence of mercenaries continued to play a destabilizing role in the south. On 14 September in the vicinity of Tarbu, Murzuq province, an armed confrontation erupted between elements affiliated with the Libyan National Army, supported by

Sudanese mercenaries, and a Chadian armed opposition group, Front pour l'alternance et la concorde au Tchad. Subsequently, the Libyan National Army conducted air strikes targeting Front pour l'alternance et la concorde au Tchad positions. On 17 September, following three days of clashes, the parties agreed to a cessation of hostilities. On 7 November, the Front pour l'alternance et la concorde au Tchad announced the graduation of its fourteenth cohort of fighters in Libya, estimated at 200 cadets, reportedly stationed in the vicinity of the Tibesti mountains along the Libya-Chad border. On 8 November, confrontations were reported between Chadian elements from the Zaghawa tribe and Chadians from the Tebu tribe at the El Salvador triangle along the Libya, Niger and Algeria borders. On 21 November, a group of Chadian and Sudanese mercenaries reportedly attempted to take control of Sidra checkpoint, east of Umm al-Aranib, but were repelled by the Libyan National Army.

40. On 14 December, clashes were reported between forces affiliated with the Ministry of Interior and elements affiliated with the Libyan National Army in Sabha, reportedly resulting in two people killed and five injured. Clashes reportedly erupted following the Libyan National Army's seizure of 11 Ministry vehicles on 13 December at the Birak al-Shati' checkpoint; the vehicles had reportedly been deployed to provide security at polling stations in the south. On 16 December, after mediation with local tribal leaders and military leaders in Sabha, Ministry forces agreed to hand over all heavy weapons and military assets to the Libyan National Army southern command.

Violent extremist organizations

41. On 18 October, Islamic State in Iraq and the Levant – Libya released photos through the Shura Media Foundation of the “graduation” of a new unit of jihadist operatives indicating training locations in southern Libya near the Haruj mountains, Ghadduwah and southern Sabha.

42. The Government of National Unity pursued counter-terrorism operations in western Libya, while the Libyan National Army continued counter-terrorism operations in southern Libya. On 23 October, the western military forces reportedly arrested an alleged member of a sleeper cell linked to Islamic State in Iraq and the Levant – Libya in Msallata. Subsequently, one member of the western military forces was killed and three others injured when an unidentified armed group attacked a security checkpoint in the Hayrah/Espiaa area. On 27 November, elements affiliated with the Libyan National Army, supported by an unmanned aerial vehicle, conducted an operation in Sabha capturing three Islamic State in Iraq and the Levant – Libya militants. One Libyan National Army sergeant was reportedly killed during the operation.

43. On 5 November, the Sirte security directorate reported the arrest of two individuals allegedly affiliated with Islamic State in Iraq and the Levant – Libya in Khums. According to preliminary reports, the individuals were transferred to Benghazi for questioning.

Economic situation

44. Libyan oil revenue increased from \$1.8 billion in September to \$1.9 billion in October and \$2.1 billion in November owing to a rise in global oil prices. As a result of the failure by the House of Representatives to adopt a national budget, the Government of National Unity continued to acquire funds from the Central Bank of Libya through special arrangements to fund development projects and social benefit programmes.

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

A. Electoral support

45. On 9 September and 5 October, the House of Representatives issued Laws 1/2021 and 2/2021 setting out the legal framework for presidential and parliamentary elections, respectively, and subsequently transmitted them to the High National Election Commission. The laws stipulate the eligibility criteria and prerogatives of the President and the timeline of the elections. The presidential election law requires candidates who hold public office to temporarily recuse themselves from their positions at least three months prior to the election date. According to the law, the House has the right to set the date of the presidential poll on the basis of a proposal from the Commission.

46. The two laws were issued following a disputed process, resulting in questions over their legality. On 25 October, the President of the High State Council, supported by mayors, representatives of civil society and some armed groups, submitted a challenge against Law 1/2021 before the Supreme Court of Libya in Tripoli, arguing that the Council had not been consulted in the drafting of the law, in violation of the Libyan Political Agreement of 2015. On 26 October, two members of the Council submitted a challenge to Law 2/2021 before the Constitutional Chamber of the Supreme Court.

47. On 5 October, the High National Election Commission began to accredit domestic and international observers and media for the elections. To date, more than 5,000 domestic observers, 450 national and 150 international media representatives and 40 international observers have been accredited. Civil society groups wishing to operate as election observers were reportedly required to re-register with the civil society regulatory body, presenting an additional hurdle to their participation.

48. On 24 November, the High National Election Commission published a preliminary list of presidential candidates following verification by relevant Libyan institutions of all the candidacies submitted. A total of 25 of 98 registered candidates were initially disqualified by the Commission for failure to meet the required eligibility criteria. Challenges and appeals to the eligibility of several presidential candidates were submitted in the appeals courts, including against Prime Minister Al Dabiba, Saif al-Islam Qadhafi and General Haftar. The relevant appeals courts ruled in favour of all said candidates. More than 5,366 candidates registered to run in the parliamentary elections, including 760 women candidates.

49. On 1 December, the High National Election Commission completed the distribution of 2.5 million voter cards at 1,906 electoral centres across the country, including approximately 1 million to women voters, accounting for 87 per cent of the total number of registered voters (more than 2.8 million). In cooperation with the Commission, the Ministry of Interior rolled out an election security plan. Security incidents were recorded at a few electoral centres in the western and southern parts of the country.

50. The UNSMIL-led integrated electoral team continued to provide technical support and advice to the High National Election Commission, including on the electoral legal framework, voter awareness and promotion of gender equality.

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

51. During the reporting period, UNSMIL documented killings, enforced disappearances, conflict-related sexual violence, including rape, and arbitrary arrests and detention. UNSMIL observed a sharp increase in the targeting of journalists, civil

society activists and individuals expressing political views, with abductions and disappearances perpetrated on a weekly basis across the country. UNSMIL also documented an upward trend in election-related violence and attacks based on political affiliation or support for specific candidates, and threats of violence against members of the judiciary involved in ruling on the eligibility of various presidential candidates.

Rule of law

52. On 26 October, the House of Representatives adopted new legislation on cybercrimes, which includes provisions for prohibiting speech that may “contribute to the weakening of the State and State institutions”. Libyan human rights lawyers and civil society representatives expressed fears that some of the new provisions would unduly restrict freedom of expression.

53. Legal measures to curtail the activities of civil society organizations continued to be imposed, including denying the registration of civil society organizations, allowing the executive authority to suspend and/or cease their activities on overly broad grounds, and requiring them to report any interaction with United Nations officials.

Unlawful deprivation of liberty, detention and torture

54. UNSMIL continued to document cases of arbitrary detention in facilities operated by State and non-State actors across the country, as well as incidents in which detainees were subjected to torture, sexual violence and other serious violations of international law. In western Libya, thousands of detainees continued to be held in prolonged, arbitrary detention, many without a legal basis, including in Mitiga prison controlled by the deterrence agency to combat terrorism and organized crime. In eastern Libya, individuals, including children, were detained without legal basis in military detention facilities, including the Tariq Ibn Ziyad, Kuwayfayah and Gernada facilities.

55. According to statistics provided by Libyan authorities, more than 12,000 detainees are held in 27 prisons and places of detention across Libya. Thousands of additional detainees do not appear in official statistics and are held illegally and often in inhumane conditions in facilities controlled by armed groups, or “secret” facilities, unable to challenge the legal basis for their continued detention.

56. On 26 September, the president and a member of the National Youth League were abducted from their office in Tripoli by unidentified perpetrators, reportedly after the National Youth League had called for a demonstration in support of the upcoming elections. Their whereabouts remain unknown. On 22 November, a journalist was abducted from the offices of *Al-Hayat* newspaper in Benghazi by unidentified perpetrators. His whereabouts also remain unknown. UNSMIL also documented the continued arbitrary and incommunicado detention and alleged torture of the head of the Libyan Red Crescent branch at Tarik Ibn Ziyad detention facility in Ajdabiya.

Migrants and refugees

57. Female and male migrants and refugees continued to face heightened risks of rape, sexual harassment and trafficking by armed groups, transnational smugglers and traffickers, and officials from the Directorate for Combating Illegal Migration, which operates under the Ministry of Interior. UNSMIL documented threats and incidents of conflict-related sexual violence and rape in detention facilities. Cases were documented in Mitiga prison facility, as well as several official detention centres run by the Directorate in Zawiyah and in and around Tripoli. UNSMIL also received

credible information on trafficking and sexual abuse of approximately 30 Nigerian women and children. The widespread arbitrary detention of migrants and refugees continued, including of those intercepted or rescued at sea and returned to Libya by the Libyan Coast Guard.

58. On 1 October, Libyan authorities conducted widespread operations in which excessive and disproportionate force was used, purportedly for security reasons. The operations targeted more than 5,150 migrants and refugees, including at least 1,000 women and children. Families were separated as a result and children remain missing. At least one migrant was killed and scores of others injured as raids continued in Abu Salim, Janzur and Suq al-Jum'ah in Tripoli. The Resident and Humanitarian Coordinator for Libya, the Office of the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM) released statements urging the Libyan authorities to cease the raids and refrain from excessive use of force and arbitrary detention. Most of the migrants and refugees arbitrarily detained during the operations were transferred to detention centres run by the Directorate for Combatting Illegal Migration, increasing the overall number of detainees from 4,531 on 26 September to more than 10,000 by 3 October.

59. On 8 October, deteriorating conditions and rising tensions at the Mabani detention centre led to the mass escape of some 2,000 people and the subsequent excessive use of force by Libyan authorities, who shot and killed 5 people and injured several others. Dozens of migrants and refugees were rearrested and returned to the detention centre.

60. Between 2,000 and 3,000 refugees and migrants, many of whom were left homeless following the October security operations, regularly congregated at the Community Day Centre managed by UNHCR and partners in Janzur municipality. Owing to increasing crowds, which included violent elements, UNHCR was forced to suspend activities at the Centre in November. Distribution of emergency cash and other assistance continued in alternative locations, with many migrants remaining in hiding following the security operations.

61. Beginning on 1 December, groups of individuals blocked the entrance of the UNHCR registration centre in Tripoli, preventing refugees from gaining access to UNHCR premises for resettlement and evacuation processing. My former Special Envoy, the Resident and Humanitarian Coordinator for Libya, heads of United Nations agencies, funds and programmes, Member States and regional organizations urged the Ministry of Interior to ensure the security of UNHCR premises to enable safe access to humanitarian and protection assistance. On 10 January, UNHCR received reports that the Libyan security forces were undertaking operations to clear protesters, including asylum seekers and migrants who had been camping outside the UNHCR office and former Community Day Centre in Sarraj, supported by UNHCR. Reports indicate that individuals were given the option to leave the area or face arrest. Those who refused to leave were taken to the Ayn Zarah detention centre.

62. During the reporting period, hundreds of nationals from Chad, Egypt, Eritrea, Ethiopia, Somalia and the Sudan were expelled from the eastern and southern borders of Libya to Chad and the Sudan without due process. The expulsions did not respect the prohibition of collective expulsion and the principle of non-refoulement and placed many asylum seekers and migrants in extremely vulnerable situations.

Transitional justice and rights-based reconciliation

63. UNSMIL continued discussions with the Decision Support Unit of the Office of the Prime Minister to launch a national centre for transitional justice, which would focus on training national actors, strengthening capacities within national institutions

and preparing laws on transitional justice. UNSMIL was requested to provide assistance to further develop the proposal.

64. UNSMIL also continued to monitor developments regarding case no. 630 (2012) involving senior officials of the former Qadhafi regime. During the reporting period, the newly assigned court of appeals held three sessions, although the defendants were not present for reasons related to coronavirus disease (COVID-19) mitigation measures and security conditions.

Support and capacity-building for national non-governmental organizations

65. On 28 September, with technical support from UNSMIL, the council of the Libyan Bar Association established a committee composed of 20 experienced women lawyers, with the aim of strengthening its focus on women's rights.

66. From 2 to 4 November, UNSMIL conducted a high-level seminar to address arbitrary detention with senior officials from the east and the west. Officials representing the Ministries of Justice and Interior, the Office of the Attorney General, the Office of the Military Prosecutor and the Office of the First Deputy Prime Minister agreed that arbitrary detention remained widespread and that critical preventive measures were urgently needed.

67. On 8 and 9 November, UNSMIL, the United Nations Population Fund and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), under the auspices of the Ministry of State for Women's Affairs, organized a meeting in Istanbul, Turkey, to facilitate discussions among key Libyan stakeholders on a draft law on violence against women. The meeting was attended by 19 women members of parliament, the Minister of State for Women Affairs, the Chief Justice, the President of the Libyan Supreme Court, the head of the Libyan Bar Association and the Committee of Libyan Experts on Combating Violence against Women.

68. On 8 and 9 November, UNSMIL organized a seminar for members of the Civil Society Commission, as well as a wide range of civil society organizations. Participants reviewed Libyan national legislation regulating the role of civil society organizations and discussed a protection strategy for human rights defenders, in particular women. The Special Rapporteur on the rights to freedom of peaceful assembly and of association and experts participated virtually.

Human rights due diligence policy

69. 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

Support for Libyan planning for interim security arrangements and the unification of security forces

70. From 11 to 13 October, the United Kingdom hosted a Wilton Park dialogue to consider possible support for disarmament, demobilization and reintegration, as well as security sector reform, in Libya. Participants included the Libyan Minister for Foreign Affairs, the Deputy Minister of Interior, the Chief of General Staff, the 5+5 Joint Military Commission, as well as United Nations, non-governmental and governmental experts.

71. The Commander of the Government of National Unity army and the acting General Commander of the Libyan National Army met in Sirte on 11 December and 8 January to discuss the unification of the national security forces, as well as the disarmament, demobilization and reintegration of armed groups.

Arms and ammunition management

72. While no significant new contamination from mines and explosive devices was reported, existing contamination continued to pose constraints to returning populations. From 22 May 2020 to 26 December 2021, 298 victims (278 men and 20 women) were reported in 152 incidents, of whom 174 people were injured and 124 killed. Of the 298 victims, 220 were civilian and 78 were national specialists in the field of removal. The death and injury of 78 Libyan clearance personnel had an impact on national capacity to address the threat.

Implementation of the ceasefire agreement

73. The nationwide ceasefire continued to hold and the road between Sirte and Misratah remained open. The 5+5 Joint Military Commission continued to take steps to advance the implementation of the ceasefire agreement. Following the opening of the coastal road in July (S/2021/752, paras. 16–20), the Commission turned to the withdrawal of foreign forces, foreign fighters and mercenaries from Libya as the next priority for the implementation of the ceasefire. UNSMIL assisted in the development of the Commission's action plan on the withdrawal of foreign forces, foreign fighters and mercenaries, and in relevant consultations with Member States and the African Union.

74. In accordance with Security Council resolutions 2570 (2021), 2595 (2021) and 2599 (2021), the United Nations deployed a first team of ceasefire monitors on 10 October to establish the UNSMIL ceasefire monitoring component. The first team of 10 monitors, composed of existing United Nations civilian, military and police personnel, rotated in two teams of 5 monitors, who are currently based in Tripoli. The monitors were supported by security, logistical and operational personnel who also started deploying to Libya on 10 October as part of the UNSMIL ceasefire monitoring component.

75. Upon their arrival, the UNSMIL ceasefire monitors began consultations with the 5+5 Joint Military Commission to operationalize their support for the Libyan Ceasefire Monitoring Mechanism. They initiated the development of an internal operational plan to assist in the implementation of the Commission's action plan on the withdrawal of mercenaries, foreign fighters and foreign forces. They also started to identify and design capacity building initiatives for the Mechanism.

76. The Mission also continued preparations to establish a United Nations presence in Sirte for its ceasefire monitoring component, in cooperation with the Libyan authorities.

D. Women's empowerment

77. Women activists and officials continued to be subjected to hate speech and the spread of vilifying propaganda on social media platforms. In October, UNSMIL documented propaganda and hate speech against the Minister of Women's Affairs and two of her senior advisers posted on several social media pages. The Minister's senior advisers were also targeted with vilification, including manipulated photographic material.

78. On 17 November, UNSMIL held a series of webinars, hosting former women candidates and politicians, in support of women's electoral participation and to address issues of electoral violence. On 30 November, the women and children unit of the House of Representatives launched an initiative aimed at unifying various women's groups and establishing a "Supreme Council of Women in Libya".

79. On 13 and 20 November, UNSMIL, in coordination with Libyan women in academia, held a series of meetings to establish an academic hub to address issues of women's empowerment and gender equality.

E. Youth and peace and security

80. The United Nations Development Programme (UNDP) Stabilization Facility for Libya continued to support projects in the education, water, sanitation and hygiene, health and public services sectors in addressing and/or targeting youth, peace and security concerns. These included a project to establish a training centre for young people and women in Sabha, projected to train 2,000 women and young people annually, and an initiative to support Bani Walid, Darnah and Ghat municipalities in preparing five-year development plans. In addition, an initiative bringing together municipalities and service providers to support election security, the unification of national services and municipal dialogue was launched, in coordination with the local election project.

F. Coordination of international assistance

81. According to IOM, the number of internally displaced persons decreased from 278,000 at the start of 2021 to 199,949 as of September 2021, with the majority of displaced persons located in Benghazi, Tripoli and Misratah. However, systemic impediments to returns remained for those still displaced and for whom durable solutions and an increased allocation of resources from national authorities are required.

82. Planned and often forced evictions targeting internally displaced persons also remained of critical concern. Forced evictions of individuals and families living in collective and informal settlements increased significantly in 2021, leading to a heightened risk of multiple displacement and tenure insecurity. United Nations agencies are supporting the Ministry of Displaced Persons and Human Rights in developing and implementing a national strategy on durable solutions for internally displaced persons, as part of the Centrality of Protection Framework to ensure the voluntary, safe and sustainable return of displaced communities, as appropriate.

83. On 9 October, the Ministry of Interior called upon relevant international organizations to assist in the voluntary return of migrants as soon as possible. Since the Government's approval of the resumption of humanitarian flights in October, more than 1,300 asylum seekers and refugees departed for resettlement or evacuation out of Libya. UNHCR evacuated 571 refugees to Italy and to the emergency transit mechanism the Niger and Rwanda, with another 780 people resettled to Canada, Norway and Sweden, in partnership with IOM. The IOM Voluntary Humanitarian Return programme also resumed. A total of 2,931 migrants from 17 countries, mainly Bangladesh, Ghana, Mali, the Niger and Nigeria, were assisted in returning to their home countries. The number of migrants assisted through the programme in 2021 stood at 4,246.

84. The number of migrants and refugees attempting to cross the Mediterranean Sea continued to increase. As of 14 December, the Libyan Coast Guard had intercepted 30,990 migrants and refugees and returned them to Libya, almost three times the total number of people returned in 2020 (12,000 people). An increased number of children

were reportedly rescued at sea. The Libyan Coast Guard reportedly undertook several interceptions that put the lives and well-being of migrants and refugees attempting the journey at grave risk. More than 1,300 people have died or disappeared since the beginning of the year. On 17 November, IOM reported that 75 migrants had drowned off the Libyan coast. IOM, UNHCR and the International Rescue Committee continued to provide emergency and life-saving assistance to people upon disembarkation.

85. The World Health Organization reported that, while the number of confirmed cases of COVID-19 decreased, community transmission remained high across Libya. The lack of sufficient funding affected the ability of health-care facilities to remain fully operational, with isolation centres and case management facilities overwhelmed and facing shortages in medical personnel and supplies. As of 16 December, the National Centre for Disease Control reported 381,023 cumulative COVID-19 cases, including 5,589 deaths, and 6,580 active cases. Although vaccine supplies were adequate and no vaccination centre reported shortages, the utilization rate of available vaccines was only 49 per cent. Overall vaccination rates remained low, with 24 per cent of the population inoculated with the first dose and only 11 per cent fully vaccinated.

G. Humanitarian, stabilization and development assistance

86. By mid-December, humanitarian organizations assisted more than 446,000 people, representing 99 per cent of the target group identified in the 2021 Humanitarian Response Plan. Of the \$189 million requested in the Plan, \$138 million (73 per cent) was secured, with an additional \$36.3 million received outside the Plan. The United Nations country team sought an extension of the current Plan from January to May 2022 in order to support 803,000 people in need and ensure targeted humanitarian assistance for 211,000 people with the most severe needs, requiring \$75.3 million.

87. On 18 October, the Government of National Unity formally endorsed the United Nations-European Union-World Bank recovery and peacebuilding assessment. The assessment is intended to assist the Government in identifying and implementing longer-term recovery, development and peacebuilding priorities.

88. From 29 November to 1 December, the United Nations country team convened a workshop to finalize the common country analysis and the process to take forward a United Nations Sustainable Development Cooperation Framework.

89. As part of the “Re-Start-Up” marathon, which is intended to address local economic recovery and development of communities that were affected by the conflict or COVID-19, UNDP supported 26 start-ups and micro-, small and medium-sized enterprises in re-establishing their businesses through grants in Tripoli, Benghazi and Tawurgha.

90. The UNDP “Strengthening local capacities for resilience and recovery” project continued to operate in 52 municipalities (almost 52 per cent of the country) to strengthen the responsiveness of local institutions in delivering basic services, enhancing social cohesion and community security, and promoting local economic recovery across Libya.

IV. Deployment of the Mission and security arrangements

91. UNSMIL maintained, on average, an international staff presence of some 120 staff members, allowing for continued engagement with Libyan interlocutors across the Mission’s area of responsibility, including the political, security, economic and international human rights law and humanitarian law tracks, as well on the provision

of humanitarian and development assistance. All international staff in Tripoli continued to be accommodated at the Oea compound, protected by the United Nations Guard Unit. National staff continued to report to work in the compound on a rotational basis or, alternatively, work remotely. Road movements in Libya were conducted in compliance with security risk management measures.

92. 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 by World Health Organization and UNSMIL medical staff, and to ensure alignment with measures put in place by the Libyan and Tunisian authorities. As of 14 December, under the COVID-19 vaccination programme for personnel of the United Nations in Libya and of international non-governmental organization partners, 1,359 staff members had been fully vaccinated, 322 were scheduled to receive their second dose and 453 were registered and awaiting scheduling of their first dose.

93. As of 3 January, preparations were under way to conduct the rotation of the United Nations Guard Unit between Kathmandu and Tripoli.

V. Observations and recommendations

94. The Libya Stabilization Conference was the first high-level international meeting held in Tripoli since 2011. The Conference demonstrated that a Libyan-led and Libyan-owned dialogue process remained the only way to achieve a united, stable and peaceful Libya. It provided international endorsement of the work of the 5+5 Joint Military Commission. The United Nations remains committed to assisting the Libyan people on their path to lasting peace and stability.

95. The 2.8 million Libyans who have registered to vote must be commended and their will respected. It is critical for all Libyan stakeholders to commit themselves unequivocally to and continue to focus on the holding of free, fair, inclusive and credible presidential and parliamentary elections as soon as possible, as stipulated in the Libyan Political Dialogue Forum road map and endorsed in Security Council resolutions [2570 \(2021\)](#) and [2571 \(2021\)](#), as well as in the conclusions of the second Berlin conference, of 2021.

96. I commend the High National Election Commission for its work to implement the electoral process in a challenging political and security context. This includes the distribution of some 2.5 million voter cards – more than 1 million of them to women – across the country.

97. Relevant Libyan authorities and institutions must now work together to address the fundamental issues that have resulted in the postponement and create the political and security conditions necessary for holding the presidential and parliamentary elections without further delay. I call upon them to work together, in compliance with applicable laws and rules and procedures of their relevant institutions, and to provide the High National Election Commission with the support required to deliver free, fair, inclusive and credible elections in a safe and peaceful environment and with the full, equal and meaningful participation of women and young people.

98. I also call upon Libyan actors to respect the rights of their political opponents before, during and after the elections, to accept the results, to commit to the code of conduct prepared by the High National Election Commission, and to respect and support the independence and unity of the judiciary. To enhance the credibility and acceptance of the result of the ballot, I encourage regional and international organizations to send observers for the elections.

99. The implementation of the ceasefire agreement must continue, including 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 resolutions [2570 \(2021\)](#) and [2571 \(2021\)](#). UNSMIL ceasefire monitors are ready to provide support in close coordination with all countries concerned, including countries of return, and the African Union. I am encouraged by the initial consultations held in Cairo, Tunis, Ankara and Moscow towards establishing coordination and communication mechanisms.

100. The unification of the Central Bank of Libya is an important step towards restoring the integrity of the banking system. I call upon all actors to continue efforts in this regard and to achieve other much-needed economic and financial sector reforms.

101. I remain gravely concerned by the continuing violations of the human rights of migrants, refugees and asylum seekers in Libya, including restrictions by the Libyan authorities of humanitarian and protection assistance for several thousand migrants and refugees arbitrarily detained in detention centres and those who remain homeless following October's security operations. I urge the Ministry of Interior to ensure the security of all United Nations offices in Libya, including the UNHCR premises in Tripoli, while guaranteeing unhindered access of people to humanitarian and protection assistance.

102. The establishment, on 4 November, of a high-level committee to end arbitrary detention in Libya is a welcome development. I encourage Libyan authorities to do more to prevent sexual violence, torture and extortion of migrants and refugees in detention. However, Libya is not a safe port of disembarkation for refugees and migrants. I reiterate my call upon relevant Member States to re-examine policies that support interception at sea and return of refugees and migrants to Libya.

103. Further steps are needed to protect human rights defenders, journalists and civil society representatives, in particular women, from violence and intimidation, including online violence and hate speech. Libyan authorities also need to adequately protect members of the judiciary and judicial institutions and preserve their independence, including to enhance the acceptance of electoral results. Armed actors must also be prevented from influencing judicial decisions by threatening or using force, including in the context of the adjudication of electoral disputes.

104. I extend my thanks to my former Special Envoy on Libya, Ján Kubiš, for his service. I also thank my Special Adviser on Libya, Stephanie Williams, and all United Nations personnel working in Libya for their dedication and efforts to support Libyans on the path to peace and stability. I reiterate my sincere appreciation to the Government of Nepal for providing the vital personnel for the United Nations Guard Unit in Libya.
