

CHECK AGAINST DELIVERY

Statement by Ms. Hala Bugaighis
UN Security Council Briefing on Libya
9 October 2024

President, Excellencies,

Thank you for the opportunity to brief you today. My name is Hala Bugaighis. I am a lawyer and a proud Libyan woman whose life was in Libya until I was compelled to leave to seek a peaceful life elsewhere.

Today, I address you on behalf of the Libyan Women, Peace and Security Advisory Group, a group of prominent Libyan women civil society leaders working to strengthen the role of women in peace and security processes.

I joined the civil society movement in 2015, during a challenging time for activism, similar to what we face today. Then, as now, I worked alongside thousands of women across Libya advocating for women's equal opportunities and sharing in a collective dream for a better future. Despite the political instability we have faced, one thing has been constant: our unwavering determination to build a peaceful and prosperous future for Libya.

Excellencies, I want to begin with a reminder: there can be no peace in Libya without justice, particularly for the women who were killed while standing up for their rights. Justice for Salwa Bugaighis, and for all the other women leaders and human rights defenders who raised their voices, who sought to end the conflict, and who deserved a better life. Justice for the women who continue to suffer because of this conflict. This cannot be done without addressing the impact on their rights, women's meaningful participation in the peace process, particularly in light of the current political stalemate, and the important role of the United Nations Support Mission in Libya (UNSMIL).

Despite numerous promises from political actors to uphold human rights principles as outlined in the Political Roadmap,¹ little progress has been made. Women continue to face significant challenges, including restrictions on their movement imposed by both governments,² the issuance of restrictive decrees to limit the operations of women civil society organizations working for gender equality,³ and the systematic targeting of women human rights defenders,⁴ particularly through online hate crimes and reprisals.

As this month marks the 24th anniversary of the Women, Peace, and Security (WPS) agenda, it is crucial to highlight the continued lack of women's participation in the political and peace process in Libya, including in the peace talks governed by the Berlin Process tracks, and the subsequent failure to incorporate women's rights into peace talks.

Although women face the brunt of the consequences of militarization in Libya, they were notably absent from the ceasefire agreement negotiations,⁵ and thus excluded from key discussions regarding protection of human rights and security sector reform. UNSMIL must do much more to ensure women's full and meaningful participation in all decision-making processes related to the ceasefire arrangements, particularly within the sub-committee addressing hate speech and cybercrimes, especially against women.⁶

Libya is a country grappling with multiple economic crises that have not only played a major role in the conflict, but that have disproportionately affected women. For instance, women are generally more reliant on social protection schemes⁷ and thus are more vulnerable to payment delays caused by divisions in monetary and financial policies. Recent currency devaluation policies have also had a severe impact on women in the informal sector, leaving them with limited means to support their families amidst rising inflation.⁸ And of course, women in both formal and informal sectors were also deeply affected by the COVID-19 pandemic.⁹

Despite this, women's involvement in the economic track has largely been tokenistic.¹⁰ I recently participated in the economic track of the peace talks, including to support UNSMIL in facilitating consultations with women before Libyan Political Dialogue Forum (LPDF) sessions. When the economic roadmap was presented to the

LPDF, only 3 women (6%) were members of the track. Although women's participation was later increased to 22%, this occurred when the track was inactive. As a result, the roadmap adopted in January 2020¹¹ failed to incorporate women's perspectives. Further, no women occupy official positions overseeing the country's monetary, financial, or trade policies.

Even though the peace dialogue roadmap committed to allocating at least 30% of leadership positions to women in the government,¹² women occupy only about 15% of these roles.¹³ Women remain marginalized by political actors in Libya—not only are women excluded from the 6+6 negotiating committee,¹⁴ no women's groups were even consulted on the committee's outcomes. Although electoral laws were revised in 2023, they still did not meet women's aspirations for political inclusion. While the election law incorporates the zebra system in candidate lists to promote women's representation in the House of Representatives,¹⁵ the quota is not clearly defined.¹⁶ Furthermore, only six seats, equally distributed across the three regions, are reserved for women in the congressional elections—representing just 6.5% of the total members.¹⁷ The law also failed to address violence against women during the electoral process and did not include appropriate legal penalties for such crimes. This was a missed opportunity to ensure women's protection and participation in the upcoming election.

The absence of women's meaningful participation in reconciliation efforts—from consultations and the development of a comprehensive vision to the formulation of relevant laws—is deeply concerning, as it undermines the inclusivity and therefore, the effectiveness of the process.¹⁸

Excellencies,

Do not let the false sense of political stability in Libya deceive you. Beneath it, institutions are weakening, wealth is being scattered, unity is crumbling, and the social fabric of the nation is unravelling. The dream of a democratic and prosperous Libya is fading, and will continue to do so unless the mistakes of past interventions are addressed.

Different interpretations of the Libyan Political Agreement have been exploited by various actors and significantly undermined its legitimacy. For instance, the recent dispute surrounding the dismissal of the management of Libya's Central Bank has deepened divisions in the country, severely impacting the livelihoods of Libyans through widespread insecurity, economic inflation, and the decline of public services.¹⁹

UNSMIL's efforts to advance negotiations towards a new Libyan political dialogue may represent a feasible path to stability. However, basing peace mediation efforts on a concept of power-sharing, rather than responsibility-sharing, will only enable the spoilers of peace rather than lead to meaningful results. Hence, accountability should be at the heart of the process. This means that responsibility for human rights violations should not be negotiated away in the name of political expediency.

Excellencies,

Efforts to activate the national reconciliation process remain constrained by the narrow political interests of both national actors, and international actors, which as a result, reflect neither the concerns and realities of ordinary Libyans, nor how such a process would realistically be implemented.

The national reconciliation process will only succeed if it safeguards the rights of victims throughout Libya's history, including their rights to justice, accountability and reparations. This will require ensuring their meaningful participation in transition processes in order to foster trust among all Libyans, and serve as a cornerstone for establishing the unified state to which we aspire.

Excellencies, I would like to conclude by calling on the Security Council to take the following actions:

- Urgently appoint a new SRSG of UNSMIL, who is able to facilitate Libya's transition to a democratic state through free and fair elections.
- Renew UNSMIL's current mandate for a full 12 months.
- Demand that all national actors end all intimidation, attacks, and reprisals against women human rights defenders, peacebuilders, civil society, and politically active women. This includes lifting all repressive measures currently imposed on civil society and enacting laws that protect and safeguard civic space. In

addition, in light of these repressive conditions, UNSMIL must be equipped with a specific mandate not only to monitor and report on such violations, but to provide support to those at risk. UNSMIL must also work closely with various national actors to address the overall human rights situation in the country.

- UNSMIL must further be tasked with prioritizing the WPS components of its mandate, including ensuring the full, equal, meaningful, and safe participation of women in all activities and decision-making processes related to Libya's transition and integrating a gender perspective into all discussions regarding the political process, security, the economy and the impact of climate change, which adversely affects women. Excellencies, peace in Libya is not possible without its women.
- Under the supervision of UNSMIL, establish an independent team of national experts to review and provide advice on problematic provisions in the political agreement, particularly those concerning the appointment or dismissal of senior officials, the government, and the Central Bank of Libya. This team should also offer legal guidance on holding independent parliamentary and presidential elections, concluding transitional phases, and restoring legitimacy. The team must include representation of women and youth.
- Urge all parties to immediately revive the national reconciliation track and establish a comprehensive, inclusive process focused on justice and human rights that ensures non-recurrence and accountability for past violations. This process must guarantee the meaningful participation of women, marginalized groups, victims, survivors, and civil society.

Justice for women in Libya—both those who have fallen and those who continue to carry the weight of our nation's struggles on their shoulders—must be served. It is time to act, for them, and for the future of Libya.

Thank you.

¹ Berlin Process Working Group on International Humanitarian Law and Human Rights, “Key Principles for a Rights-based Roadmap Towards Sustainable Peace in Libya,” 6 November 2020,

https://unsmil.unmissions.org/sites/default/files/civil_society_principles_doc_for_lpdf_eng_-_7_nov_2020_0.pdf.

² OHCHR, “Libya: Experts troubled by discriminatory policy restricting movement of women and girls travelling abroad,” 20 July 2023, <https://www.ohchr.org/en/press-releases/2023/07/libya-experts-troubled-discriminatory-policy-restricting-movement-women-and>.

³ Lawyers for Justice in Libya, “Suppressed and Marginalised: Systematic Violence Against Civil Society in Libya,” 25 March 2024, <https://www.libyanjustice.org/news/suppressed-and-marginalised-systematic-violence-against-civil-society-in-libya>.

⁴ Ibid; “Visit to Libya - Report of the Special Rapporteur on violence against women and girls, its causes and consequences,” ¶47-51, 4 May 2023, A/HRC/53/36/Add.2, <https://undocs.org/A/HRC/53/36/Add.2>.

⁵ “Agreement for a Complete and Permanent Ceasefire in Libya,” 23 October 2020, https://unsmil.unmissions.org/sites/default/files/ceasefire_agreement_between_libyan_parties_english.pdf.

⁶ Security Council Resolution 2702 (2023), [https://undocs.org/s/res/2702\(2023\)](https://undocs.org/s/res/2702(2023)).

⁷ Abeir Imneina and Omelez Alfarsi, “Social Security Laws in Libya: A Gender-Based Perspective,” 2020, <https://library.fes.de/pdf-files/bueros/libya-office/16680.pdf>.

⁸ “DSRSG Koury’s Remarks on Libya to the UN Security Council,” 19 June 2024, <https://unsmil.unmissions.org/dsrsg-kourys-remarks-libya-un-security-council-19-june-2024>.

⁹ For example, see Peaceful Change Initiative, “COVID-19 and Gender in Libya Assessment,” December 2020, https://peacefulchange.org/wp-content/uploads/2021/04/Gender-and-COVID-19-in-Libya-Assessment_PCi_2020-1.pdf.

¹⁰ UN Women, “Gender Mainstreaming in the Economic Track for Libya,” September 2022, <https://arabstates.unwomen.org/en/digital-library/publications/2022/09/gender-mainstreaming-in-the-economic-track-for-libya>.

¹¹ “The Berlin Conference on Libya - Conference Conclusions,” 19 January 2020, https://unsmil.unmissions.org/sites/default/files/berlin_conference_communique.pdf.

¹² Libyan Political Dialogue Forum, “Roadmap ‘For the Preparatory Phase of a Comprehensive Solution’,” Article 5.6, 2021, https://unsmil.unmissions.org/sites/default/files/lpdf_-_roadmap_final_eng_0.pdf.

¹³ UNSMIL, “Women of the High Council of State and House of Representatives Join to Advocate for More Representation in Libya’s Future Parliament,” 2 May 2023, <https://unsmil.unmissions.org/women-high-council-state-and-house-representatives-join-advocate-more-representation-libya%E2%80%99s-future>.

¹⁴ “Statement by SRSR Abdoulaye Bathily to the Security Council,” 18 April 2023, https://unsmil.unmissions.org/sites/default/files/20230418-unsr_delivered_eng.pdf#page=3.

¹⁵ “Law No. (4) of 2012 On Electing The General National Congress,” Article 15, Geneva Centre for Security Sector Governance, accessed 3 October 2024, <https://security-legislation.ly/latest-laws/law-no-4-of-2012-on-electing-the-general-national-congress/>.

¹⁶ UN Women, “Women’s Political Participation in Libya: A Review of Electoral Legislation to Date,” pp. 28-29, July 2024, <https://arabstates.unwomen.org/en/digital-library/publications/2024/07/womens-political-participation-in-libya-a-review-of-electoral-legislation-to-date-2023>.

¹⁷ Ibid, pp. 33-34.

¹⁸ International Commission of Jurists, “Towards Gender-Responsive Transitional Justice in Libya: Addressing Sexual and Gender-Based Crimes against Women,” March 2022, <https://www.icj.org/resource/libya-transitional-justice-must-be-inclusive-and-gender-responsive/>

¹⁹ “DSRSG Koury’s Remarks to the UN Security Council,” 20 August 2024, https://unsmil.unmissions.org/sites/default/files/dsrsg_koury_remarks_aug_2024.pdf.