THE ECONOMIC AND SOCIAL IMPACT OF CONFLICT ON LIBYAN WOMEN

RECOMMENDATIONS FOR ECONOMIC RECOVERY, LEGAL REFORM AND GOVERNANCE FOR GENDER-RESPONSIVE PEACEBUILDING

UN WOMEN
United Nations Entity for Gender Equality and the Empowerment of Women

THE ECONOMIC AND SOCIAL IMPACT OF CONFLICT ON LIBYAN WOMEN

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This report was commissioned by UN Women Libya and the UN Women Regional Office for Arab States: Editors: Rachel Dore-Weeks - Advisor, Peace, Security and Humanitarian Action, UN Women Regional Office for Arab States, Yllka Gerdovci - Regional Program and Policy Specialist, UN Women Regional Office for Arab States, Saskia Binet – Programme Analyst, UN Women Libya.

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ACRONYMS

CATI	Computer-assisted telephone interview
CAPI	Computer-assisted personal interview
CDA	Constitution Drafting Assembly
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CSO	Civil society organizations
DQA	Data quality assurance
HNEC	High National Elections Commission
HoR	House of Representatives
HRW	Human Rights Watch
IDP	Internally displaced person
IFES	International Foundation for Electoral Systems
LMIS	Labour market information system
LNA	Libyan National Army
LYD	Libyan dinar
SME	Small- and medium-sized enterprises
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
WB	World Bank
WEU	Women's Empowerment Unit

EXECUTIVE SUMMARY

In the years since the fall of the Gaddafi regime, Libya has descended into war, its citizens witnessing the emergence of two rival governments, the spread of violent extremism, and the seemingly uncontrollable spread of criminal activities and networks. In addition to causing untold human suffering, political instability has significantly impacted the overall economy: inflation has caused food prices to spike while reduced food and medical imports have led to shortages of basic commodities and the expansion of the black market. In tandem, a wartime economy has developed, characterised by the reallocation of resources and the rearrangement of power relations away from citizens and towards criminal networks and military actors. This study aims to shed light on the economic and social impact of the crisis on women and girls and their prospects for employment, economic recovery, participation and empowerment. In this examination, the study also looks more broadly at the impact of conflict on women living in Libya and the current gender stereotypes and patriarchal social norms that shape their roles and opportunities. Within the context of the United Nations and internationally-supported dialogues on the future of Libya, the study highlights and identifies opportunities for developing a gender-responsive recovery framework that creates the basis for an inclusive society and proposes recommendations on economic recovery, legal reform and governance for gender-responsive peacebuilding.

METHODOLOGY

This report is based on qualitative and quantitative investigations conducted by Altai Consulting in eight locations across Libya: Tripoli, Benghazi, Misrata, Sabha, Sabratha, Ajdabiya, Sirte, and Zuwara. This research included a survey of 986 Libyans conducted by Al-Istishari for Research and Consulting between early July and early August 2018. The sample included 699 women and 287 men randomly selected from the eight locations. Sample respondents tended to be highly educated (55 percent held a university degree), of Arab ethnicity (93 percent), and were slightly more likely to be married than single (52 percent and 42 percent, respectively). The qualitative portion of the study included 37 key informant interviews, four focus group discussions and 16 in-depth interviews with key stakeholders and members of the general public.

FINDINGS

The study finds that roles and opportunities for men and women in Libya continue to be defined and structured by conservative, patriarchal social norms. This includes economic opportunities, as Libyan women face challenges to active participation in the labour market. During his rule, Gaddafi had encouraged the participation of women in jobs, though in those roles "better suited to women's nature" (Al-Qadhafi, 1979), and this perspective has prevailed. Men are perceived as breadwinners while women are viewed as the educators of Libya's future generations. As might be expected in a society in which men are considered the primary providers, the men in the sample were more likely than the women to have been employed, both in the past and at the time of the study. Women in the sample were 12 times more likely to be unemployed than the men

(five percent of men were unemployed; 61 percent of women were unemployed), and close to half of women in the sample were unemployed and actively seeking employment (41 percent). Most of the male sample reported being underemployed, ranging from a low of 72 percent to a high of 85 percent across locations. Importantly, 60 to 70 percent of all respondents agree that seeking employment is more difficult post-revolution than it had previously been.

Men and women had different perceptions of women's challenges to entering and remaining in the labour market. While women tended to blame the lack of vacancies, cultural difficulties/barriers and the lack of security in nearly equal measure, men were more likely to blame a lack of security—without acknowledging that sociocultural factors or discrimination can impact women's access to economic opportunities. The study also indicates that women mostly rely on family networks to find employment, while men have greater access to social capital and networks beyond the family, which may be linked to issues around women's freedom of movement.

The study found that the crisis has caused households to restructure and has pushed more women into the workforce as a means of helping support their households economically. 40 percent of the women sampled in the study reported serving as their head of household, an extraordinarily high number not only for the region but globally[1]. 35 percent of the women in the sample reported being employed, with employment rates in Benghazi being the highest (26 percent of the sample reporting employment). Among those currently seeking employment, women were 25 percent less likely to report having held employment in the past, suggesting a large number of women have entered the labour market as a result of the crisis. The study also found that of the employed respondents, more men than women reported working out of financial necessity (as opposed to personal fulfilment)—67 percent and 51 percent, respectively. Women working in areas experiencing heightened insecurity—mainly Sabha and Sirte—were the most likely to report that they work out of financial necessity.

However, the findings from Benghazi told a slightly different story. Of the total number of unemployed women who had previously held employment, 23 percent were from Benghazi, suggesting that security risks and fear of violence may cause women to withdraw from work.

The study also revealed that working women (fully employed and underemployed) earned nearly three times less than working men. While men in the sample reported average monthly earnings of 1,783 LYD (US$1,292), women reported earning an average monthly income of 722 LYD ($523). After removing outliers in the men's sample, the mean income for men dropped to 1,500 LYD ($1,071), which was three times higher than the mean income of the employed women in the study. The combined monthly incomes of women in the sample were consistently lower than those of the men across levels of education and employment (part-time/full-time employment and underemployed/fully employed). Despite receiving higher average monthly earnings, men were 70 percent more likely than women to report themselves to be underemployed, and women were more likely than men to report that part-time work provides them with income for a comfortable living. The study indicated that men and women were nearly equally likely to allocate their income to daily costs associated with running the household, with women spending slightly more (about one percent)

[1] According to the United Nations Household Size and Composition around the World Survey (2017), 27 percent of households in Africa and 19 percent of households in Asia are headed by women.

than men on education and health costs.

The study found that women and men both perceive that women participate more frequently in family decision-making than before the revolution, though this does not include decisions related to family finances. 46 percent of men stated that they alone decide financial matters, compared to 27 percent of women (who correlate with female heads of households). The highest numbers of women reporting that they contribute much more or slightly more often to decisions regarding the family were in Sirte, Sabha and Benghazi, all of which have been hard-hit by post-revolutionary conflict and instability

As confirmed by literature on the Libyan labour market (Abuhadra & Ajaali, 2014), the study found that women are more likely than men to be employed in the public sector, for example in education and health (40 percent and 15 percent of employed women, respectively), which may account for women's lower earnings. Women's tendency to seek work in the public sector is ultimately a result of the unpaid care and domestic burden they have within the home—the public sector offers more flexible working hours (government functions close at 3 p.m. in Libya) and more stable contracts and benefits, allowing women to carry out their familial and social responsibilities. Very few women in the sample were employed in the private sector—of the 35 percent of women that were employed, only four percent indicated that they are self-employed or employers. In addition, women were more likely than men to be employed in their field of study (63 percent and 33 percent, respectively).

Also related to women's ability to join the labour market is the finding that one's gender is a significant factor in determining an individual's sense of freedom of movement, which is linked to cultural norms as well as security considerations. Women in the study were four times more likely than men to have never left their homes alone, approximately four times more likely to have never travelled between cities or neighbourhoods alone, and approximately three times more likely to have never travelled outside of Libya alone. Women from Benghazi are, by a significant percentage, the most likely to have travelled alone outside of their home and between neighbourhoods, with women from Sabratha being the least likely to have done so. Despite the gap between men and women travelling alone, the women interviewed were more likely than men to find travelling by themselves socially acceptable. In fact, women were twice as likely as men to find travelling between cities unaccompanied socially acceptable and were nearly three times more likely to find travelling outside of Libya unaccompanied acceptable. Questions around social norms also factor into women's decisions to join the labour market—52 percent of women working stated that their families either approved of or were neutral on their decision to work, while 86 percent of men stated the same.

Security concerns were consistently cited in the study as key obstacles to women's greater participation, particularly in activism and engagement at the community level. However, gender differences were clear—men appeared to be more optimistic about developments in the security situation in their area[2], with 48 percent saying it had improved compared to 31 percent of women. The majority of women (66 percent) felt that the security situation had either stayed the same or worsened, highlighting the potential differences in the security risks and threats faced by men and women. Study respondents' general perception was that assaults against

[2] This study was conducted before the current dramatic increases in violence and insecurity across Libya.

women were most likely to occur in public at the hands of a local criminal group, but that they are also frequently perpetrated by family members or friends within domestic spaces. While ascertaining perceptions on domestic violence and sexual violence is challenging due to the private nature of, and taboos surrounding, these topics, the study results indicated that the regions with higher reported incidents of sexual assault were those that had experienced some form of conflict, such as Sabha and Sirte. When discussing specific incidents that they were aware of involving assaults against women, 18 percent of women said that it was sexual in nature. While this may not seem particularly high at first glance, the reticence to discuss incidents of assault—especially sexual assault—makes this figure alarming as the real numbers are likely much higher. Aside from sexual assault, Sabha, Sirte and Ajdabiya had the highest reported rates of kidnapping and murder, and Zuwara had, by far, the highest reported rate of physical assault not involving a weapon.

Women from across all eight surveyed locations reported turning to family members to resolve violent and non-violent disputes more frequently than men, signalling a lack of suitable options for dispute resolution for Libyan women. Conversely, men were more likely to turn to a local security body to resolve a violent dispute and to turn to the judiciary and local notables to resolve a non-violent dispute.
The study also examined perceptions of and access to social institutions and services. Women's overall engagement with security providers remains very low across the country, with almost two thirds of women having never engaged with security providers and women generally being 25 percent less likely than men to do so. However, women across seven of eight locations reported engaging more frequently with security providers than before the revolution[3] (with Zuwara being the only municipality where engagement with security providers had decreased). Crimes committed against women outside the home were more likely to be reported to local security bodies than before the revolution, while crimes perpetrated by family members inside the home were more likely to be kept private and resolved within the family.

The study gauged respondents' perceptions of various local and national political institutions in which women have gained representation since the 2012 elections. Approximately half of both genders feel that women were represented by these bodies, with men being slightly more likely to report that to be the case. On the other hand, between 53 and 61 percent of women surveyed feel not very, or not at all, represented by local and national institutions. That said, women across all eight locations are more likely to feel represented in both local and national government bodies today as compared to before the revolution, with younger women and women from Benghazi feeling slightly more positive about levels of representation than other demographics.

The study found low levels of community engagement and civil society participation among women. Between 57 and 73 percent of female respondents reported that they had never attended community meetings. Despite the lack of engagement exhibited by the women in the study sample, respondents' perception was that activism among women had increased since 2014. For instance, 38 percent of Tripoli's residents and 45 percent of Benghazi's residents sampled felt that there are more women activists today than compared to July 2014. Younger Libyan women from the eight surveyed locations were more likely

[3] The question was posed as "compared to before July 2014, how often would you say you...interact with the local security provider? «

to report this (66 percent of those aged 18 to 25 and 67 percent of those age 26 to 35), than older Libyan women (51 percent of those aged 36 to 45 and 44 percent of those age 46 and over). Women respondents from Zuwara more commonly reported an increase in female activists than women from the other seven locations (figure 48). Their engagement and participations was also low in comparison to men, with women being 18 percent more likely not to have attended civil society meetings, 15 percent less likely to have contributed to community decisions, and 20 percent less likely to have attended community meetings. While nearly half of all study respondents—irrespective of gender—felt that the proposed types of civic engagement were acceptable activities for women to engage in, nearly as many felt they were not.

KEY FINDINGS

EMPLOYMENT

KEY FINDING 1 :

THE MAJORITY OF WOMEN RESPONDENTS WERE UNEMPLOYED (61 PERCENT)

KEY FINDING 2 :

RESPONDENTS' EMPLOYMENT CHOICES ARE HIGHLY SEGREGATED BY GENDER : OVER 50 PERCENT OF THE EMPLOYED WOMEN IN THE SAMPLE WORKED IN EDUCATION AND HEALTH, COMPARED TO SEVEN PERCENT OF MEN

KEY FINDING 3 :

40 PERCENT OF WOMEN RESPONDENTS REPORTED BEING HEADS OF HOUSEHOLD AND 51 PERCENT OF EMPLOYED WOMEN REPORTED WORKING OUT OF FINANCIAL NECESSITY

KEY FINDING 4 :

LOW LEVELS OF SELF-EMPLOYMENT AMONG EMPLOYED RESPONDENTS (TWO PERCENT OF EMPLOYED WOMEN AND 29 PERCENT OF EMPLOYED MEN)

LEGAL REFORM AND ACCESS TO JUSTICE

KEY FINDING :

WOMEN ARE TWICE AS LIKELY AS MEN TO RELY ON INFORMAL JUSTICE MECHANISMS TO RESOLVE VIOLENT CRIMES

SOCIAL NORMS AND GENDER STEREOTYPES

KEY FINDING :

NEGATIVE GENDER STEREOTYPES AND SOCIAL NORMS THAT CURTAIL WOMEN'S RIGHTS AND FREEDOM OF MOVEMENT CONTINUE TO PERSIST, RESULTING IN WOMEN'S FREEDOM OF MOVEMENT BEING SIGNIFICANTLY LOWER THAN MEN'S

WOMEN'S POLITICAL PARTICIPATION AND WOMEN'S PEACE AND SECURITY

KEY FINDING 1 :

NATIONAL INSTITUTIONS REGARDED NEGATIVELY IN RELATION TO WOMEN'S REPRESENTATION

KEY FINDING 2 :

COMMUNITY AND POLITICAL ENGAGEMENT IS SIGNIFICANTLY LOWER AMONG WOMEN THAN AMONG MEN

1

INTRODUCTION

1.0

INTRODUCTION

Eight years after the removal of the Gaddafi regime, Libya's political landscape is marked by fragmentation, sharply competing political and economic interests and escalating conflict. Insecurity and a governance vacuum have decreased state capacity to deliver services or manage its borders and undermine the rule of law, serving as a breeding ground for continued national fragmentation, conflict and violent extremism. Violent conflict and its aftermath, as well as the threat of violent conflict itself, continue to shape the lives of many, causing continued insecurity, internal displacement and economic and infrastructural disruption.

Over the last 40 years, women in Libya have made significant gains towards gender equality, securing a number of rights through legislation and benefitting from increased investments in national education structures. However, it has become apparent that women who participated in demands for democracy—including during the revolution in 2011—have found themselves largely excluded from political and economic decision-making at the national level, despite the fact that women play a critical role in Libyan society, continuing to hold families and communities together in the face of an ongoing conflict and economic decline. Women's ability to attain their economic, social, political and cultural rights is strongly shaped by gender stereotypes and social norms.

The impact of conflict on the lives of women and girls in Libya has been severe, disproportionate and varied, particularly in vulnerable populations and communities. The potential effects of conflict on women include poverty, particularly among widows and divorcees, or the development of risky coping mechanisms involving work in the informal sector. At the same time, wartime economies may lead to a shift in gender roles within the household as well as to greater engagement of women in society as they are often first responders in times of crisis. The economic and social impact of conflict on Libyan women is therefore multi-faceted, affecting their prospects for employment, economic recovery, participation and empowerment.

Altai Consulting was commissioned by the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) in May 2018 to conduct a study examining women's integration in Libya's economy and labour force[4]. Through primary and secondary quantitative and qualitative data collection including interviews with 986 people (699 women and 287 men), the research supports knowledge generation on the effects of the conflict on women in Libya and their engagement in the paid economy. It also examines opportunities for supporting women's political and civic engagement as well as for their participation in the recovery and transition process.

The report begins with the findings on women's economic engagement, touching on labour market dynamics and socio-economic trends. As women's economic empowerment requires an enabling environment and a holistic package of rights and support, the report also provides an analysis of women's legal rights in Libya and outlines study findings on issues of physical freedom, security, community participation and justice. Underlying all of the above, the study examines the current status of gender stereotypes and patriarchal social norms in Libya and how they impact the roles and opportunities available to women. The report concludes with recommendations for economic recovery, legal reform and governance for gender-responsive peacebuilding.

2 METHODOLOGY

KEY TAKEAWAYS

- Quantitative data was collected through a 986-respondent survey, primarily targeting women, in eight locations across Libya. 75 percent of the respondents were women (ranging from age 18 to 95).
- Qualitative data was also collected through 37 key informant interviews, 14 in-depth interviews and four focus groups discussions.

2.0

METHODOLOGY

2.1. OBJECTIVES AND OVERALL APPROACH

The study sought to provide a comprehensive understanding of women's integration into Libya's economy and labour force, as well as their relationship to physical freedom, security, community participation and justice. The study included the challenges and opportunities for women's economic empowerment and sought to better understand the impact of the current crisis on women's labour market opportunities and participation.

To achieve these objectives, the research team executed a series of quantitative and qualitative research activities across eight locations in Libya: Tripoli, Benghazi, Misrata, Sabha, Sabratha, Ajdabiya, Sirte, and Zuwara. All data collection took place between July and October 2018 and included a 986-respondent survey specifically targeting women, 37 key informant interviews with central and local-level officials, civil society organizations (CSOs), community leaders and representatives from the private sector, as well as 10 in-depth interviews with Libyan citizens, four focus groups and four in-depth interviews with migrant women.

2.1. QUALITATIVE RESEARCH

2.2.1. KEY INFORMANT INTERVIEWS

A total of 37 key informant interviews were conducted with members of CSOs, community leaders, and members of local and national institutions as well as Libyan women and girls selected from the eight targeted locations. Interviewees were selected based on their gender, age, occupations (e.g. civil society actors, business people, local government employees and students) and sectors of employment (private, public). Interviews with migrant women were also conducted. A list of key informants interviewed can be found in Section 11.

2.2.2. FOCUS GROUP DISCUSSIONS

Four focus group discussions were organized—one each in Tripoli, Benghazi and Sabha—with female community members who were selected to reflect a diversity of socio-economic and demographic profiles. The fourth focus group discussion was held in Tripoli with male respondents.

2.2.3. IN-DEPTH INTERVIEWS

A total of 14 in-depth interviews were conducted during this study. Eight in-depth interviews were conducted with Libyan women and girls from the targeted locations, two were conducted with Libyan men, and four in-depth interviews were conducted with migrant women living in Libya.

2.3. QUANTITATIVE RESEARCH

The research team completed interviews with 986 respondents living throughout the eight targeted locations (over 100 interviews per location) between 11 July 2018 and 5 August 2018. While the target sample group was 800 respondents, the research team was able to achieve a significant oversample due to a smooth collection process in several locations[5]. The survey was conducted through Istishari and Altai's Tripoli call centre, with 75 percent of interviews per location conducted with women and 25 percent conducted with men as a control group (illustrated in figure 1). The sample group was randomly selected and is representative of the Libyan population.

[5] For the purpose of analysis, data has been weighted to reflect a balance between age groups and locations.

The proposed approach initially involved a female-only survey with a split methodology between a computer assisted telephone interview (CATI) methodology through the Altai call centre and a computer assisted personal interview (CAPI) methodology with respondents face-to-face.

However, UN Women and Altai decided during the inception phase that including a male subgroup of the sample would be beneficial as it would provide a comparison group for the analysis. As this involved further splitting the sample group, Altai proposed a full call centre methodology for the survey in order to ensure methodological rigor and comparison, despite the increased resources required to complete the survey quota in municipalities such as Sirte and Sabratha compared to a mixed methodology approach.

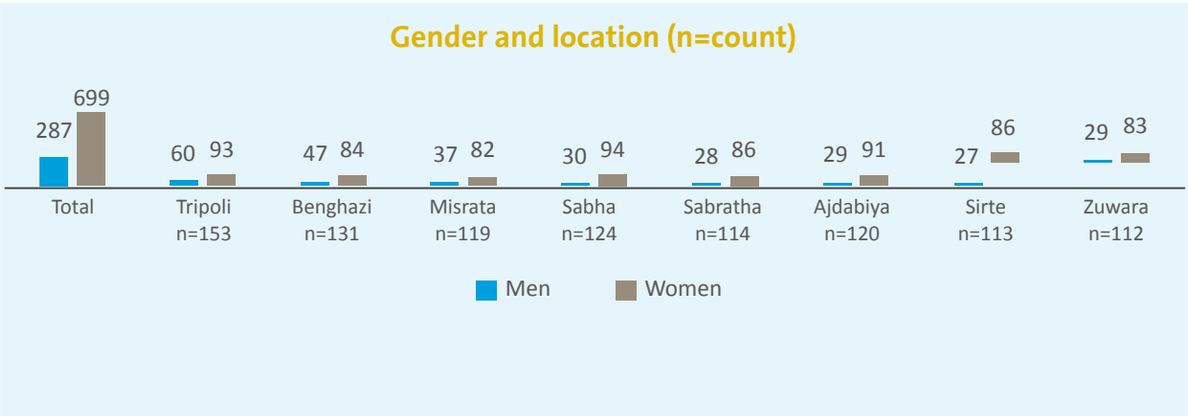
The call centre approach has been found to yield candid answers for the following reasons:

- Women can be reached at home, throughout the day, and at work (a face-to-face household survey will only be able to capture Libyans at home during the day, as evening survey work poses too great of a security risk).
- Women are more likely to answer the phone than the door, thus providing access to more respondents.
- Our call centre in Tripoli is fully staffed with female call centre operators, increasing the chances that a rapport is immediately established with female respondents.

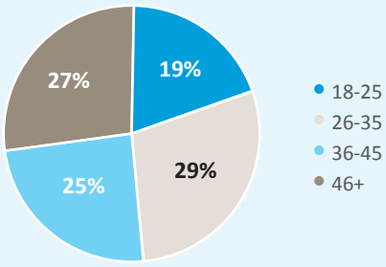
2.3.1. DEMOGRAPHICS

Figure 1

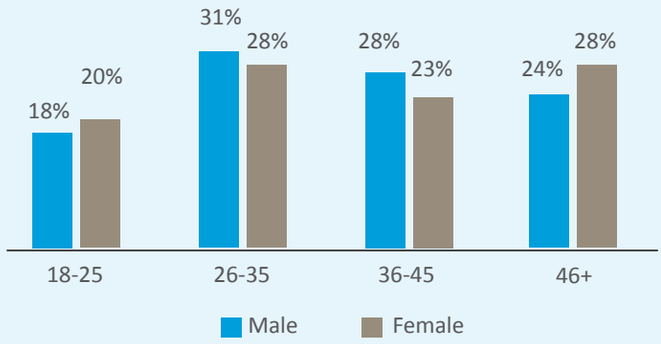
Gender and location, age, ethnicity, education and marital status



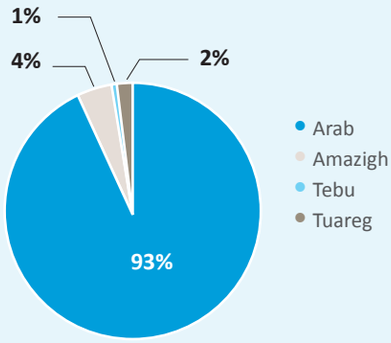
Age



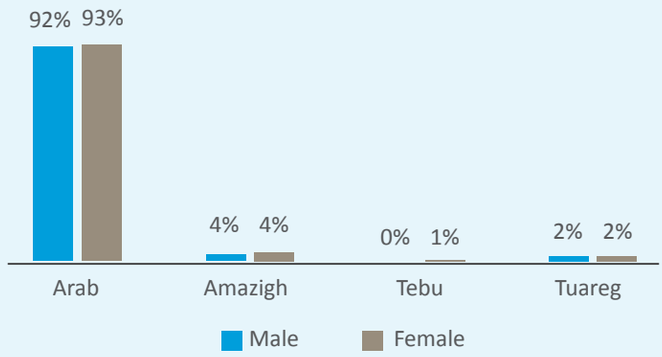
Age by gender



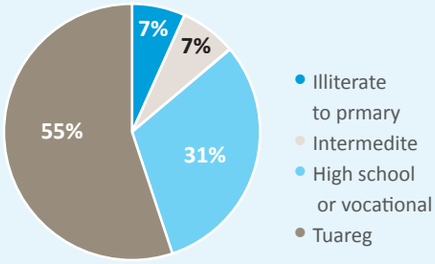
Ethnicity



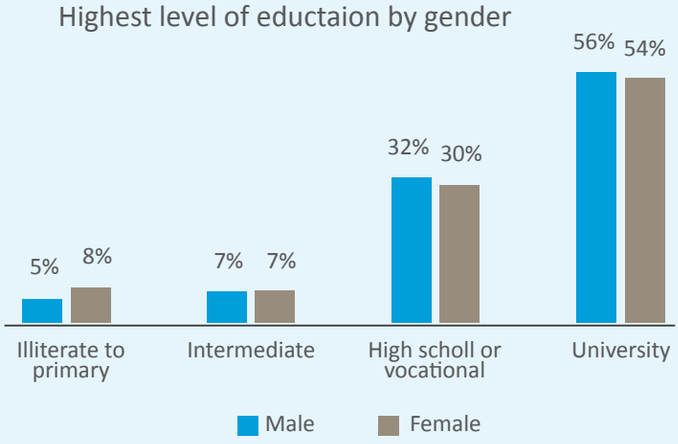
Ethnicity by gender

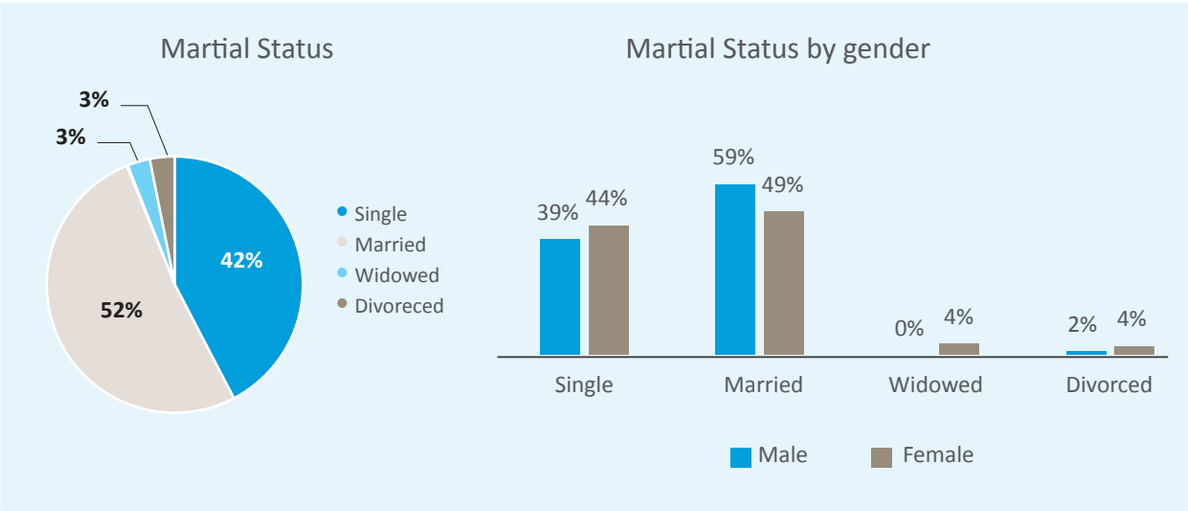


Highest level eductaion



Highest level of eductaion by gender



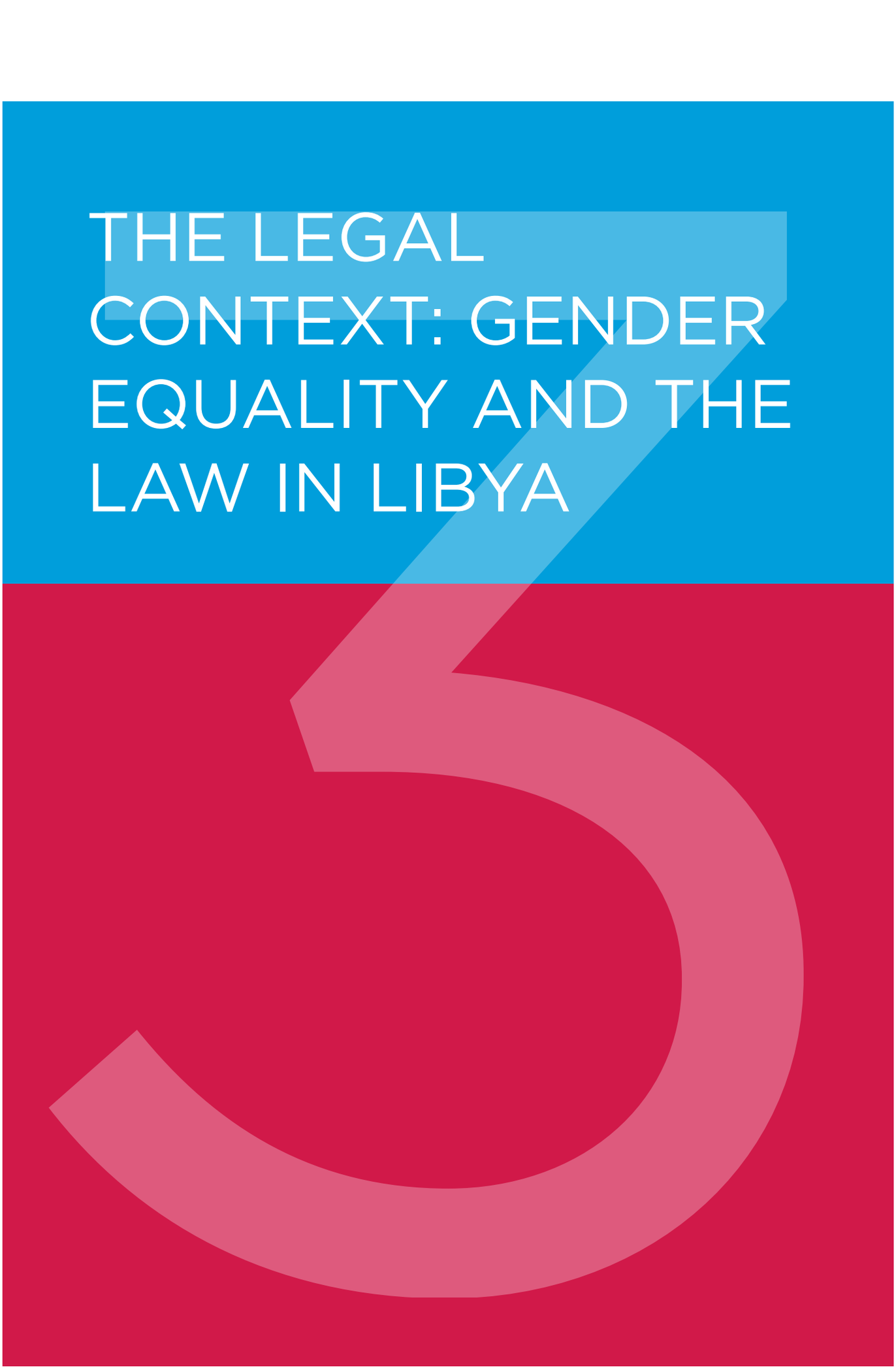


2.3.2. DATA QUALITY

The quality of collected data is high as data collection was undertaken in a controlled call centre environment. The following data quality assurance (DQA) mechanisms were applied:

- The call centre operates with over 30 female interviewers per project, so that no one agent is responsible for more than 10 percent of the dataset.
- Calling took place full-time from 8 a.m. to 5 p.m. to ensure that the data would be representative of the entire population and to maximize chances of individuals responding to the call.
- Contact with every sampled adult was attempted at least twice during fieldwork, with contact attempts spread over various times of the day and days of the week.
- Call centre software is error-minimizing as it only allows expected values to be entered.
- Call centre supervisors: there were two call centre supervisors who listened in at random to calls, answered queries, etc. Supervisors were overseen by a dedicated project manager.
- Candid response confirmation: all questionnaires concluded with questions for the enumerator, including one regarding their perceived candidness and comfort of the respondent. This question assisted in identifying people who may not have been answering the questions genuinely.
- Statistical checks: interviews that were shorter than average were queried, and statistical checks were performed every two days comparing each operator to identify any cheats.
- The DQA process also included a non-response analysis.

THE LEGAL CONTEXT: GENDER EQUALITY AND THE LAW IN LIBYA



3.0

THE LEGAL CONTEXT: GENDER EQUALITY AND THE LAW IN LIBYA

Libya is party to several international instruments that provide for gender equality under the law, including the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), which Libya ratified in 1989[6] (United Nations Development Programme, 2015). In practice, however, much of women's legal status is defined by Gaddafi-era family and personal status laws that are in part derived from the Maliki school and include provisions for marriage, divorce and inheritance.

In 2009, the CEDAW commission found that Libyan law failed to adequately protect women against discrimination and urged the State to implement institutional mechanisms to recognize the specific nature of discrimination against women and ensure effective implementation of the Convention. Currently, Libyan law follows the constitution and bill of rights of the Transitional Constitutional Declaration put forth by the National Transitional Council of 2011. In 2017, the 60-member Constitutional Drafting Assembly (CDA) approved a final Draft Constitution, which will be set to the Libyan people through a referendum[7]. Article 7 of the 2017 constitutional proposal represents a strong step forward for gender equality in Libya:

> Male and female citizens shall be equal in and before the law. There shall be no discrimination between them and all forms of discrimination for any reason such as ethnicity, colour, language, sex, birth, political opinion, disability, origin or geographical affiliation shall be prohibited in accordance with the provisions of this constitution.

The 2017 Draft Constitution includes additional provisions that explicitly outline the principle of equality between the genders (specifically Articles 7[8], 16[9] and 185[10]). Despite the introduction of these provisions, gender-inclusive language is not universally applied in all articles, and when women's rights are addressed, specific rights are often reworded without a full reconsideration of a comprehensive rights-based approach (American Bar Association, 2018). For example, Article 10, which relates to nationality, does not explicitly address the current issues of discrimination against women present in the current nationality law (United Nations Development Programme, 2018b).

[6] CEDAW optional protocol adopted in 2004

[7] The status of the transitional Constitutional Declaration continues to remain unclear. The Transitional Constitutional Declaration was intended to be amended by the adoption of the Libyan Political Agreement (LPA), however, the lack of formal adoption of the LPA by the House of Representatives (HoR) has created some legal uncertainty. A new draft constitution was drafted by a popularly elected CDA and must be approved by the Libyan people in a referendum vote. In November 2018 the HoR approved the Referendum Law for the Permanent Constitution, thus fulfilling one of the body's duties as enumerated in the amended Transitional Constitutional Declaration, which has been serving as Libya's temporary constitution (Zaptia, 2019).

[8] Article 7 of the Draft Constitution guarantees women's right to equality and non-discrimination (UNDP, 2018b).

[9] Article 16 of the Draft Constitution guarantees equal opportunities for male and female citizens (UNDP, 2018b).

[10] Article 185 of the Draft Constitution guarantees the representation of women in electoral systems, with 25% of seats in the HoR and local councils reserved for women (UNDP, 2018b).

[11] In 2013, Libya's Grand Mufti, Sheikh Sadiq Al-Ghariani, issued a fatwa against a report by the United Nations Commission on the Status of Women because it urged governments to protect women and girls against violence. Demonstrations took place against the report and in defence of shariah law; the General National Congress's Islamic Affairs committee issued a statement saying that the report does not take cultural or religious particularities of Arab peoples into consideration. Some demonstrations were also held at the cabinet office in support of the report.

[12] Voice of Libyan Women, a Libyan CSO, notably expressed "concerns about the issue of domestic violence is considered a 'western' value in Libya and is therefore viewed with suspicion."

Violence Against Women

Domestic violence is a difficult and taboo topic in Libya. Conservative religious views and Bedouin traditions place honour at the centre of social relations, and the current penal code regards violence against women as a violation of a woman's honour rather than of her physical integrity. A focus on the victim's honour is rooted in the notion that a survivor of sexual violence has lost her worth, leading courts often to investigate a woman's sexual history rather than investigating the actions of the accused. Hard-line figures such as the Grand Mufti[11] have qualified attempts at addressing such issues in public as anti-Islamic and as part of a broad western agenda for Libyan society[12]. Law No. 70 (1973)—known also as the Zina laws—criminalizes extramarital sex and overlooks the difference between consensual and non-consensual intercourse.

Should a woman seek to press charges against an assailant, the Zina laws place the burden of proof on her to provide evidence that sexual relations were non-consensual. As a result, the possibility of being prosecuted for fornication or adultery deters victims of sexual violence from pursuing justice through formal avenues. Instead, to avoid public humiliation, families often resort to their own arrangements, which can include consenting to coerced marriage between the rapist and his victim. Perpetrators of rape can thus avoid prosecution by marrying their victim with the family's consent[13] (Human Rights Watch, 2013). Moreover, under current laws, rape within marriage is not considered a crime.

Article 375 of Law No. 10 of the Personal Status Law (1984), which prohibits a male guardian from refusing permission for a woman to marry, also calls for less severe punishments for perpetrators of "honour crimes". While the punishment for a non-premeditated murder of a family member is life imprisonment, the maximum penalty for a man who kills a female family member after witnessing her engaging in extramarital sex is unspecified. Under Article 375, a man who "limits himself" to beating his wife, sister, daughter or mother after catching her in the act of adultery or fornication is not to be punished (Human Rights Watch, 2013).

Marriage & Divorce

Responsibilities during marriage and marriage dissolution are dictated by Article 17 of Law No. 10. During marriage, women are tasked with ensuring the physical and psychological comfort of their husbands and with domestic and child-related responsibilities. In return, women can expect their husband to keep them free from physical and psychological violence and provide financial support while keeping control over her own income and assets. Law No. 10 also states that a woman "has the right to expect her husband to ... refrain from causing her physical or psychological harm" (Human Rights Watch, 2013). However, enforcement mechanisms are noticeably absent.

Conditions for divorce differ for men and women. While a man may seek divorce for any reason, a woman who seeks a divorce for reasons other than a husband's desertion or failure to provide financial support can do so only by forfeiting her dowry and losing some of her financial autonomy.

Similar gender gaps exist in parental custody. Islamic law recognizes the father as the legal custodian of a child and the mother as the physical guardian. Additionally, Libyan women do not currently enjoy the same rights to travel abroad with their children as men. In cases of divorce, custody of daughters is generally awarded to mothers until the daughters marry, whereas custody of sons is granted to mothers until the boy reaches puberty.

Libya's family law has permitted the practice of polygamy since 2013. This is largely facilitated by Article 1 of the interim Libyan Constitution issued in 2011, which declares Islamic Sharia as the primary source of legislation, and by Supreme Court judgment No. 30/59 of 2013 which repealed a clause in the Libyan Family Code, allowing for polygamy (United Nations Development Programme, 2018).

While early marriages (under age 20) can still be authorised by a judge, available data from before the conflict suggested that early marriages were actually in decline: in 2006, less than three percent of women under the age of 20 were married, divorced or widowed, compared to nearly 40 percent in 1973 (Foreign and Commonwealth Office, 2014). However, it has been reported that with the rise of conflict, ensuing insecurity and conflict-related poverty, forced and early marriages have once again been on the rise (United Nations Development Programme, 2018)[14]. Early marriage may be increasing because it serves as a financial coping mechanism, particularly within IDP and migrant communities, and is seen by families as a way to ensure protection in times of instability. It is important to note that physical assault is reported as common or very common in 34 percent of cases of young marriages (United Nations Population Fund, 2017).

Nationality Rights

Law No. 18 of 1980[15] states that Libyan nationality is passed through the father. When a Libyan woman is married to a non-Libyan man, her ability to transfer her Libyan nationality to her children is judicially ambiguous. Article 3 of the Nationality Law (2010) states that a Libyan mother may pass her nationality to her child if she is married to a man who is stateless or of unknown nationality, and Article 11 defines a Libyan citizen as an individual born to a Libyan father or to a Libyan woman married to a stateless man or a man with no known citizenship. Article 10 of the 2017 Draft Constitution states: "The law that regulates granting and withdrawing nationality shall take into account the public interest, national security, maintaining of demographic composition, and the ease of integration in Libyan society," which fails to address the discriminatory nature of the Libyan nationality law.

Legislation on women in the workplace

Although there is a discrepancy between the law and its application, Libyan labour legislation guarantees women certain rights in the workplace including freedom from discrimination, the right to maternity leave and the right to employment. Article 31 of the Labour Code Act No. 58 (1970) guarantees women compensation for discrimination in employment, and the Wage Scales for National Workers Act No. 15 (1981) is designed to protect women from wage discrimination. While Article 43 of the Labour Code offered 50 days of maternity leave to women while guaranteeing women 50 percent of their monthly wage during this period, maternity leave was increased to three months with full salary under 1980 Article 25 of the Social Security Act.

Article 2 of the Order of the General's People Committee No 1964 (1988) on Employment of Arab Libyan Women asserted that "work is an able woman's duty to society; a woman is entitled to work in the various posts of economic & social activity in the field and is entitled to access all vocational and professional training opportunities called for by these occupations and jobs." Furthermore, the Order of the General's People Committee No. 258 (1989) on the

[14] According to the UN Libya Joint Country Assessment 2018, local associations and judges are lately reporting an increase of child marriage even though it is legally forbidden.
[15] See also Law No. 24 of 2010 on Libyan Nationality; Law No. 15 of 1984 on the Rules of Marrying Non-Libyans

Rehabilitation and Training of Libyan Women allowed women to pursue job opportunities in fields that had formerly been open only to men, including policing and education (Al-Hadad, 2015, Breslin, 2010). In 1989, the Rights of Women to Assume Posts in the Judiciary Act No. 8 opened the legal profession to women as well.

A lack of enforcement, Libya's conservative society, and Gaddafi's authoritarianism limited the degree to which Libya's labour laws were able to ensure women's equality in the workplace. It is worth noting that discrimination is compounded by other factors as well, such as Libyan women's access to employment being limited—as is often the case in countries around the world—by the "glass ceiling" effect that confines them to low-level positions (Breslin, 2010).

LIBYAN WOMEN'S ECONOMIC STATUS AND ROLE IN THE LABOUR MARKET

4

4.0

LIBYAN WOMEN'S ECONOMIC STATUS AND ROLE IN THE LABOUR MARKET

Summary of study findings : 40 percent of female respondents reported serving as the heads of their households. The majority of women respondents (65 percent) were not employed, with close to half (41 percent) unemployed but seeking employment—demonstrating a need and desire by Libyan women to find paid work. 23 percent of the women in the sample identified as economically inactive at the time of data collection. 35 percent were employed, with more than 50 percent of those women reported working out of financial necessity rather than personal choice. The monthly earnings of the women in the sample were three times lower than those of the men. The study also indicated that women are experiencing occupational segregation: 45 percent of women respondents reported working in the education and health sectors as compared to only seven percent for male respondents. The study also revealed that men and women have little recourse regarding coping mechanisms when faced with unemployment.

4.1. EMPLOYMENT, UNEMPLOYMENT AND UNDER EMPLOYMENT

The study revealed that women were less likely to be employed than men, with 90 percent of men and 35 percent of women in the sample employed or self-employed. As illustrated in figure 2, only five percent of male respondents indicated being unemployed as compared to 61 percent of women respondents. Of the unemployed women respondents, 41 percent are actively seeking employment and 23 percent are no longer seeking employment. The study findings around this gender gap echo the literature, which indicates that in 2015, 61 percent of men and 34 percent of women in Libya were economically active (OECD, 2016).

Figure 2

Employment situation, employment status and contract type (by gender)

Women's employment remains low across regions, ranging from 56 to 68 percent of respondents. Benghazi appears to have the highest female employment rate, with 26 percent of that sample reporting being fully employed. While men tend to be employed significantly more than women, men were more likely to report being underemployed, ranging from 72 percent to 85 percent across locations.

As the traditional breadwinners in Libyan society, men were more likely than women to be employed, both before and after the crisis. The study indicates that male respondents were 25 percent more likely than women to have held employment in the past (figure 4), suggesting that securing employment for women was more difficult and/or less common before the crisis. More surprising is the fact that 51 percent of employed women respondents indicated working out of necessity (as compared to 67 percent of men), with those in areas that have experienced heightened violence in recent years (i.e. Sirte and Sabha) most likely to do so (figure 3). This finding indicates that the crisis has pushed women into the labour force.

However, the findings from Benghazi—a higher income region—tell a slightly different story. Of the unemployed women who had previously held employment, 23 percent were from Benghazi, suggesting that security risks and fear of violence may have led previously employed women to withdraw from work in the face of perceived threats. The fact that employed women in Benghazi were also among the least likely to work out of financial necessity might suggest that economic and security conditions are such that women are able to work for personal fulfilment rather than financial necessity.

Figure 3
Motivation for employment (by gender, female responses disaggregated by location)

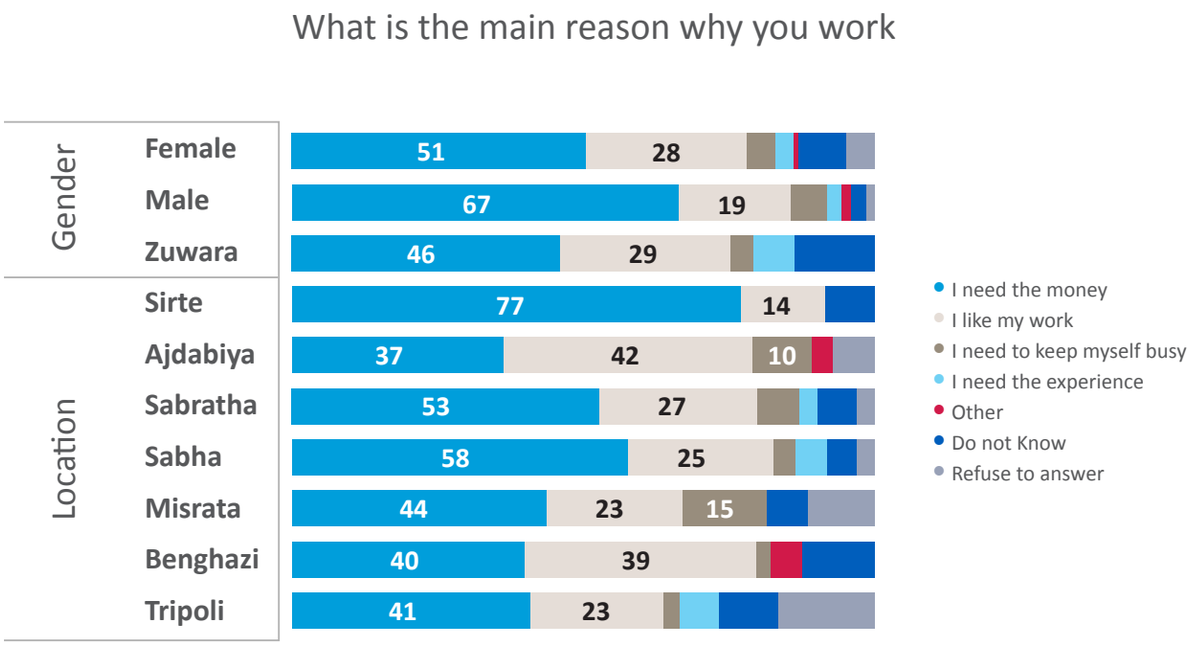
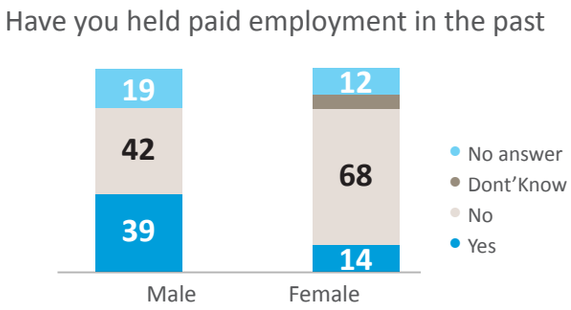


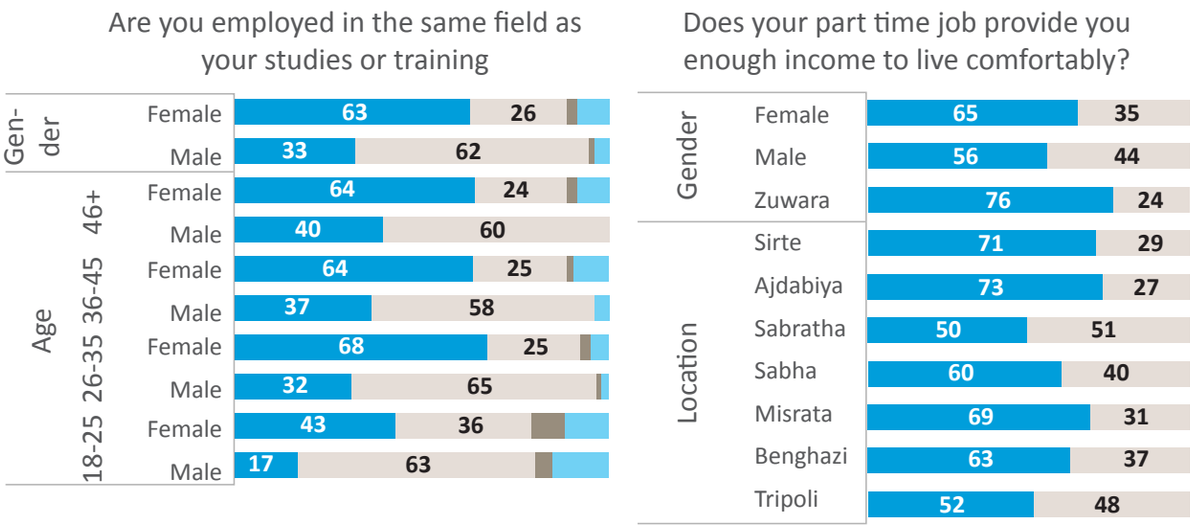
Figure 4
Unemployment situation and past employment (by gender)



Men were 70 percent more likely than women to report themselves to be underemployed and 30 percent less likely to be employed in their field of study (with 63 percent of women reporting being employed in their field of study as compared to only 33 percent of men). The youngest men and women in the sample (ages 18–25) were the least likely to be employed in the field of their study. Of note is that these respondents would have joined the labour market right after the revolution when there were fewer new employment opportunities. Figure 5 also indicates that women were more likely than men to find part-time work to provide them with income for a comfortable life.

Figure 5

Underemployment based on education/training and income (by gender and age, female responses disaggregated by location)



4.2.
LABOUR MARKET

According to the literature, most of Libya's labour force is employed in government institutions or state-owned enterprises. A 2014 study by the European Training Foundation found that as many as 70 percent of all salaried employees in Libya are employed in the public sector (Abuhadra & Ajaali, 2014). The sizable public sector is a remnant of the state-led redistribution model of the late 1960s and 1970s, which led the state to become the main employer, guaranteeing a large swath of the Libyan labour force unprecedented job security, social security benefits, higher wages, family allowances, tightly regulated dismissals and reduced work hours.

In the public sector you are more likely to find women working as either teachers, doctors, or nurses. The same goes for the private sector. I think this is because the jobs that I mentioned fit a woman's social life. - Salem N., 34, Businessman, Benghazi

The wages and benefits of public sector employment have heavily influenced generations of Libyans' educational preferences, leading many to develop negative attitudes toward manual labour. The Libyan public sector is also heavily characterised by "welfare employment", whereby a large portion of employees on government payrolls are inactive but continue to receive government salaries. Many Libyans combine a government job, offering greater benefits, with a private sector activity, which is increasingly the case with the growth of the informal sector.

During the Ghaddafi era, women were encouraged to work in certain occupations such as education and health, which were deemed to be more in line with a "woman's nature" (Mukhtar et al., 2010). Reforms in the 1990s designed to support women's economic participation resulted in significant recruitment by private health and education providers, as well as in the growth of home-based informal businesses in traditionally female sectors (e.g. fashion and beauty products, food and catering). The study findings suggest that this occupational segregation has continued after the revolution. As illustrated in figure 6, findings indicate that of the women who reported being employed, more than 40 percent work in education and 15 percent work in the health sector (public and private). This corresponds with the finding that women were 24 percent more likely to hold an indefinite or fixed-term contract than men (as they tend toward the public sector for its greater job stability, albeit lower pay), and that men were nine percent more likely to work informally than women (figure 2).

The Organisation for Economic Co-operation and Development (OECD) estimates that the private sector represents only 14 percent of employment in Libya (2.5 percent of women and 11 percent of men), including nine percent of the self-employed. Small and medium enterprise (SME) development has also been impeded by strong limitations on access to capital and financing, as well as by persistent administrative burdens unresolved by the introduction of a single-window system[16] in 2013[17]. Additional challenges to entrepreneurial development include lack of education and technical support, lack of opportunities for growth, complications in work-life balance, and that private enterprise operates within the framework of a militia-led patronage system. While the wartime economy may have increased demand for private sector-provided services, it has not been conducive to the growth of the formal economy. As

[16] The single-window system is a trade facilitation concept. In theory, a single window system enables international (cross-border) traders to submit regulatory documents at a single location and/or single entity. Such documents are typically customs declarations, applications for import/export permits, and other supporting documents such as certificates of origin and trading invoices.
[17] These offices are responsible for licences & residency, customs, tax exemptions, registration; inoperative.

a result, if the private sector has grown due to the vacuum left by the State, it has likely occurred in the informal economy and would be difficult to measure.

Women were significantly less likely to work in the private sector than men. Of the 35 percent of women respondents who reported being employed, only four percent were either self-employed or employers, and employed women were 15 percent less likely than men to hold managerial-level jobs. By contrast, 33 percent of employed male respondents indicated being self-employed or employers (figure 2). The literature on the Libyan labour market indicates that women are 10 times less likely to be entrepreneurs than men—in 2012, only about one percent of employed women were entrepreneurs, as compared to 10.5 percent of employed men (Elgazzar et al., 2015).

Box 1

Mothers, Teachers & Nurses: The perceived role of women in Libya (stakeholder interviews)

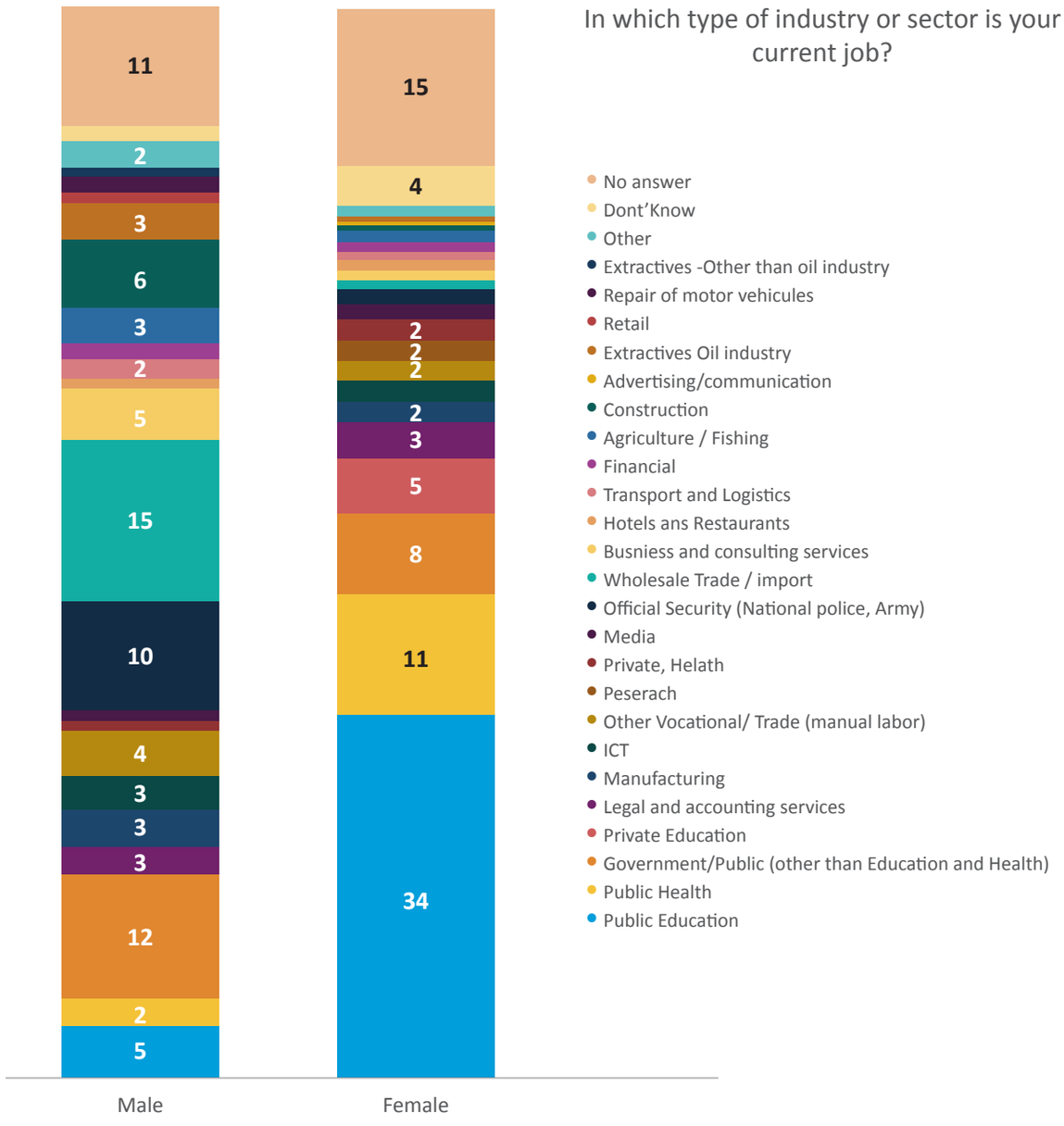
"From a family perspective the woman is the mother, the nanny, the sister, the wife, the daughter. In the Libyan community she plays the role of teacher, nurse, doctor and lawyer." – Narjes W., 43, municipal council member, Sabratha

When asked to comment on the woman's role in society, stakeholders across all ages, genders and locations generally agreed that the Libyan woman plays a crucial role in society. Stakeholders tended to portray the woman's primary role as that of mother, educator, and caretaker. Although other potential roles and professions were mentioned, older male stakeholders tended to perceive these both as secondary to the woman's traditional role and as a result of societal changes occurring with the crisis.

Older, more conservative stakeholders recognized what they perceived as the Libyan woman's main contribution to society both as essential and as defined by education, child-rearing and caretaking. Mohamed B., a 65-year-old tribal elder from Benghazi, also echoed the idea that women's roles — no matter how important — must always fall within the confines of Libyan social mores. During his interview he stated: "you will find them in Libyan society as judges, engineers, doctors and mentors for the next generations. They are no less important than any man and has an active role in Libyan society. But it must fall within an acceptable social framework that is common because we are a conservative society."

Interviewed women tended to describe the Libyan woman's role as primarily that of mother, teacher and nurse. Women stakeholders tended to agree that the Libyan woman's familial duties were not an impediment to her career. According to Hmeda S., a government employee in Benghazi, "the role of women in society is limited in the first degree to raising children and meeting the needs of the family. This does not prevent her from practising all kinds of work as an employee, doctor or engineer or even a teacher." Additionally, Intisar Z., a factory employee from Misrata, felt that although women were able to have careers, most of them are "teachers at different education levels, or nurses in clinics and hospitals ... and very few have a role in the economic side or the political side".

Figure 6
Industry of employment (by gender)[18]



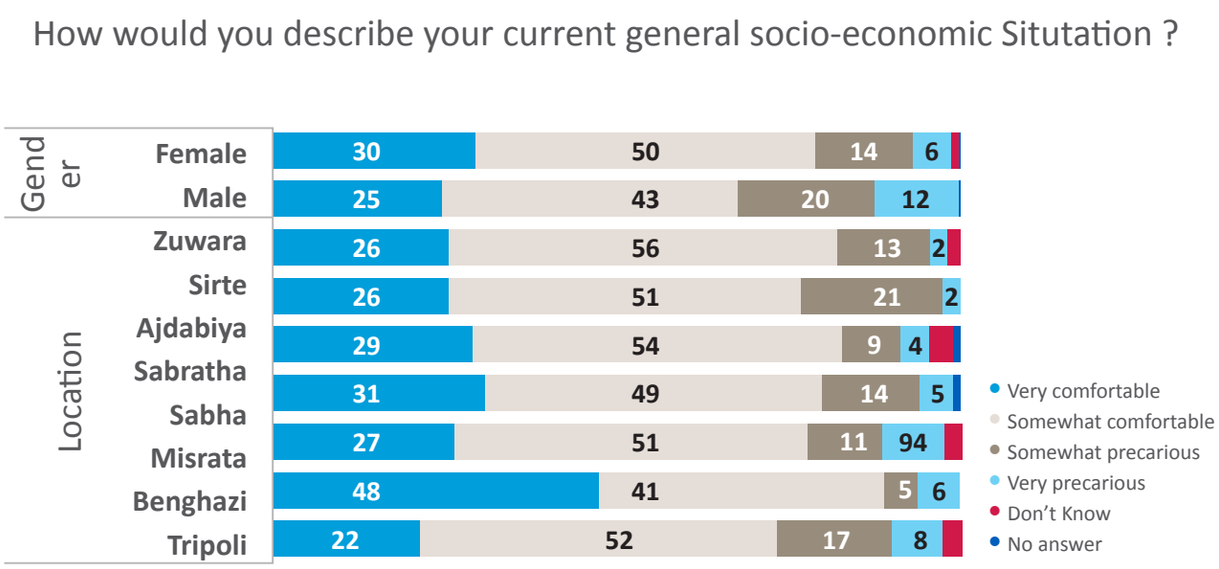
4.3. SOCIO-ECONOMIC STATUS AND INCOME

There was little variance between women's and men's perceptions of their socio-economic condition (figure 7). Most women who reported living comfortably or somewhat comfortably (80 percent of the total sample) were unemployed.

There was a correlation between women who reported living less comfortably and employment, which correlates with the finding that women who were employed signalled being compelled to work for financial needs. The study suggested that the 60 percent of unemployed women not seeking employment could "afford" not to work.

[18] N=523 (F=261, M=262)

Figure 7
Socio-economic situation (by gender, female responses disaggregated by location)



4.3.1. INCOME

A 2013 International Foundation for Electoral Systems (IFES) survey found a stark income disparity between genders, wherein 57 percent of men with a university degree earned over 700 LYD ($450) compared to 38 percent of women with the same education. The study at hand found a similar disparity, revealing that women in the sample earned nearly three times less than men (figure 8). It should be noted that it is possible that women in the sample generally had lower combined incomes because they belong to lower-income households.

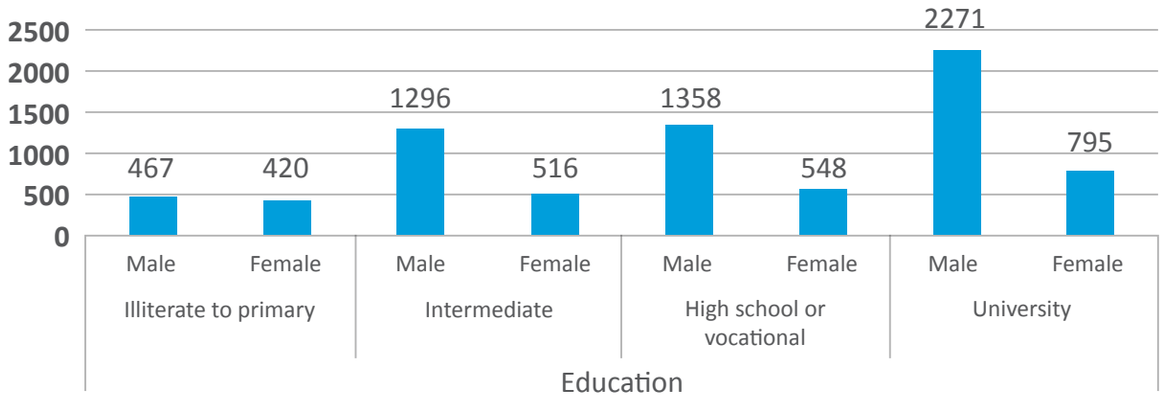
"The role of the Libyan women today is not limited to taking care of the house and the raising of children, but that she is working... and competing with [men] in work. We find women today that are working and taking care of children at home and her husband. At the same time the man does not do these things simultaneously."—Mustafa B., 30, civil society activist, Benghazi

Sampled men reported average earnings of 1,783 LYD ($1,292) while women reported approximately 722 LYD ($523). Removing outliers from the male sample brings the mean income for men down to 1,500 LYD ($964), which is nearly three times higher than the average income of the surveyed women. The highest income earned by women was among those in Tripoli, who earn 923 LYD ($669), with other regions varying by 100 to 200 dinars. With the lowest mean income at 491 LYD ($356), women in Sirte seem to be the poorest.

Figure 8 shows the combined income by gender and education level. For the surveyed men, the mean income increases with education level increases. The income increase from illiteracy to some schooling (intermediate to high school) is about 1,000 LYD ($723), while the jump in income between intermediate and high school education is less significant. The highest return on education was for individuals with university degrees, who had a combined mean income of 2,312 LYD ($1,671).

Figure 8

Total household monthly income in LYD (mean by age, education and gender)



For women, on the other hand, the returns to education are not as pronounced. The increase in income between those with no education and those with intermediate education is only 100 LYD ($72). Women with a university education have a mean combined income of 795 LYD ($600) against men's 2,271 LYD ($1,459).

Taking a closer look at the women earning a wage, the majority have a university degree and are employed in public education or public health, both of which would have pay scales with little potential for wage increases. Furthermore, the types of positions women would generally occupy in these fields may explain the limited variation in education levels as compared to men. As seen in figure 6, the men in the sample had more diverse occupations, which offer more vertical occupational mobility and higher wages than those in the education and health sectors where most of the employed women are concentrated.

4.3.2 . CONTRIBUTION TO HOUSEHOLD INCOME

The study revealed that on average, men tended to contribute more to household income than women, which correlates with their higher earned income and with women's lower rates of employment. Figure 9 shows the percentage of contribution to household income[19] by employment status and contract type. The men in the survey sample contribute 45 percent of the household income while women contribute approximately 29 percent. Contributions to household income increased with the level of education, although women's contributions did not exceed 33 percent across levels of education above primary schooling (figure 10).

[19] To determine percentage of contribution to household income the questionnaire asked respondents to answer: "What percentage of your overall household income would you say you provide through all your personal sources of income?" If the amount reported was less than 100 percent, the respondent was asked to specify who else was contributing to the overall household income.

Figure 9

Percentage contribution to household income (by employment status, contract type and gender)

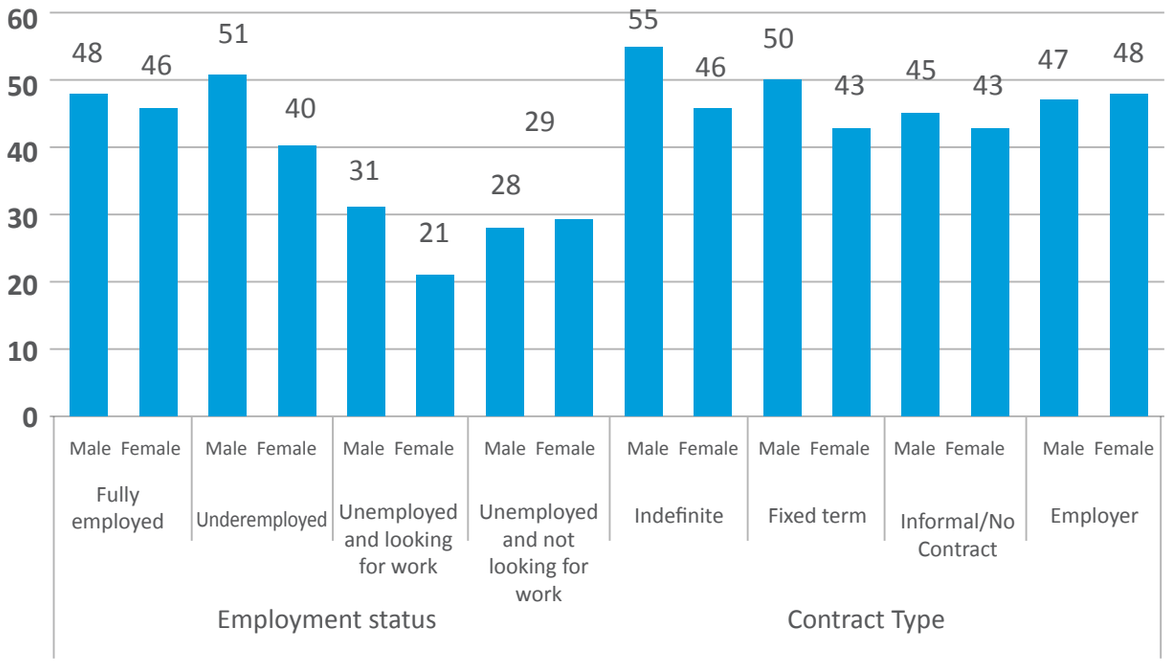


Figure 10

Percentage contribution to household income (by education and gender)

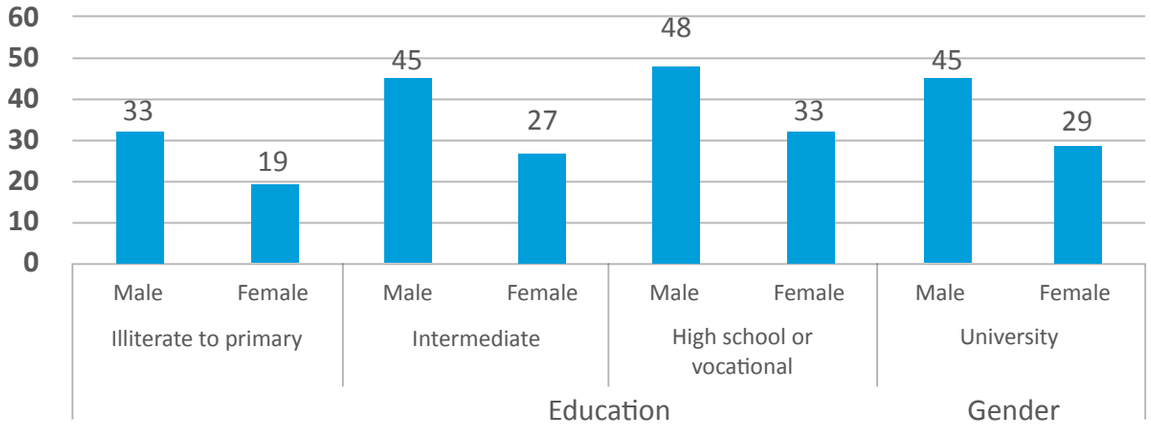
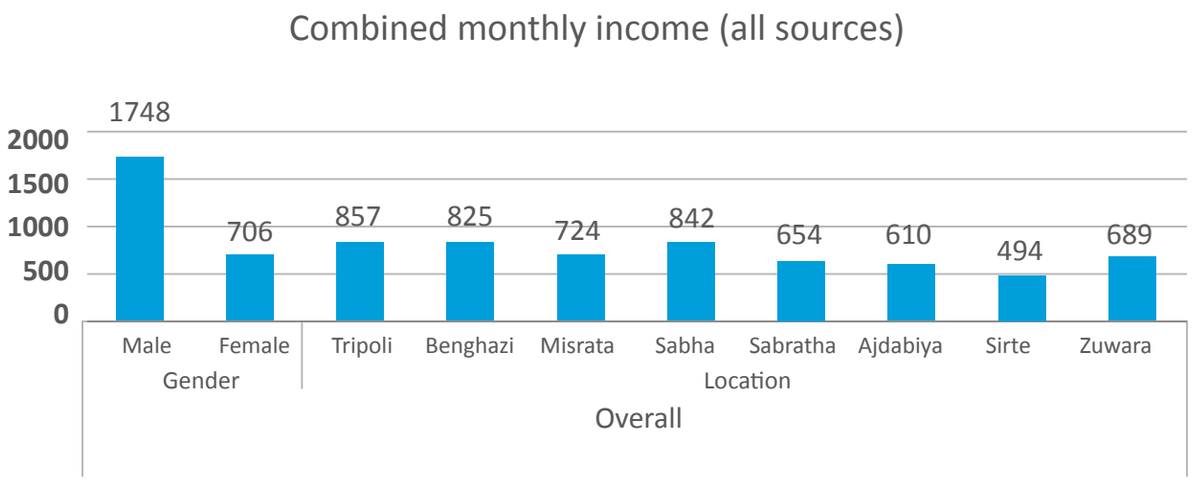


Figure 11

Total monthly household income in LYD (by gender, female responses disaggregated by location)

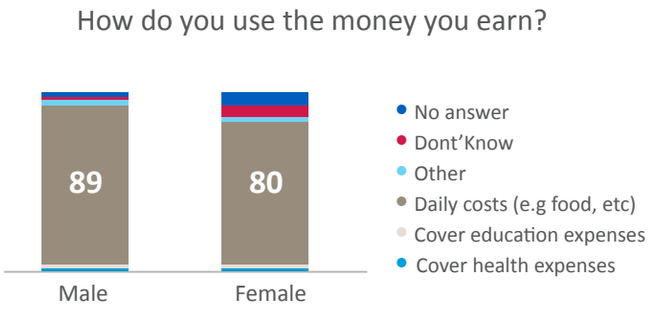


In the eight surveyed regions, 64 percent of women did not respond to the question on combined income, meaning that only 36 percent of the women in the sample indicated that they contribute to their household income. In the male sample, these numbers are reversed, with only 36 percent not responding to this question.

The study found that allocation of income expenditure did not vary by gender, and that respondents tended to spend most of their incomes on daily costs rather than on savings and investments (figure 12). This suggests that although women may be responsible for a smaller share of overall household income and may earn less than men, they are allocating just as much of their incomes to supporting the household as their male counterparts.

Figure 12

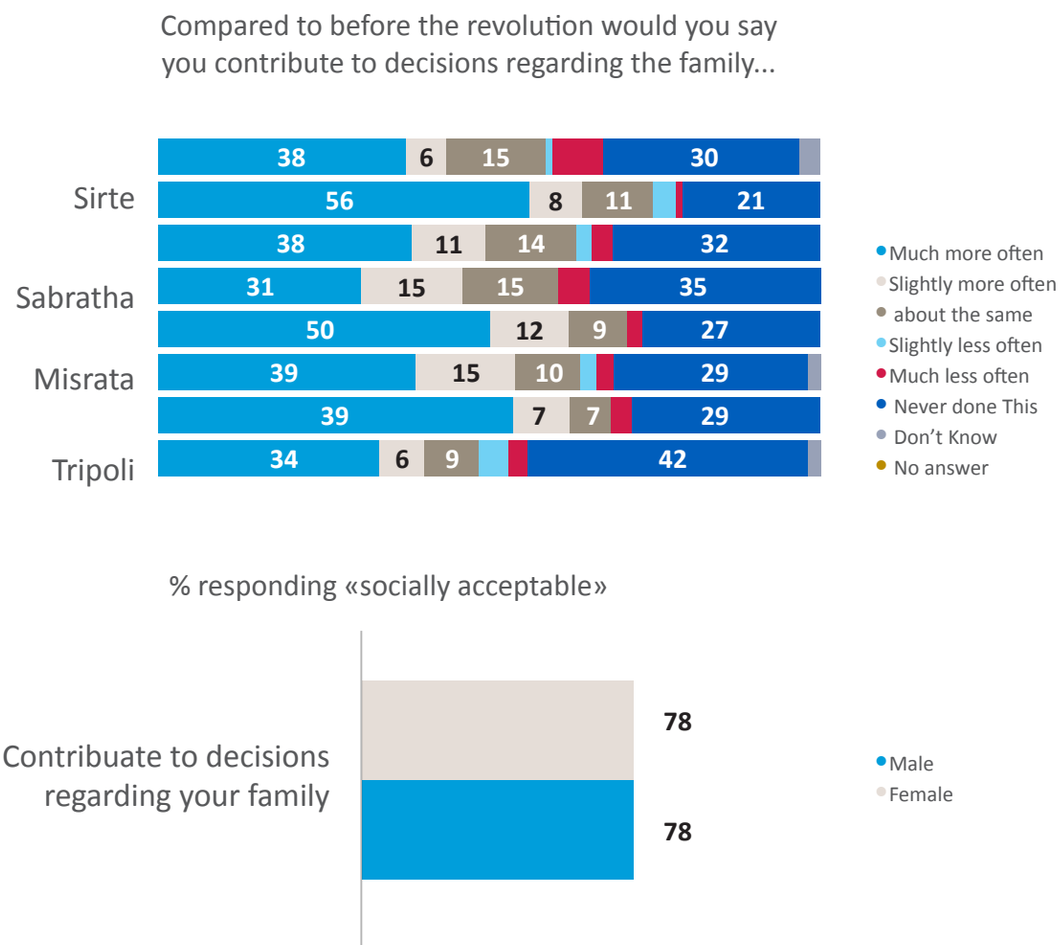
Household spending habits (by gender)



Women in the sample also seemed to spend slightly more (about one percent) than men on education and health. While this is in line with the literature on mothers and household expenditures (Qian, 2008), the sample size of women with earnings is too small to form strong conclusions on women's spending preferences in Libya. A larger sample might provide more information on women's expenditures on their children's health and education.

4.3.3. FAMILY DECISION-MAKING AND WORKING

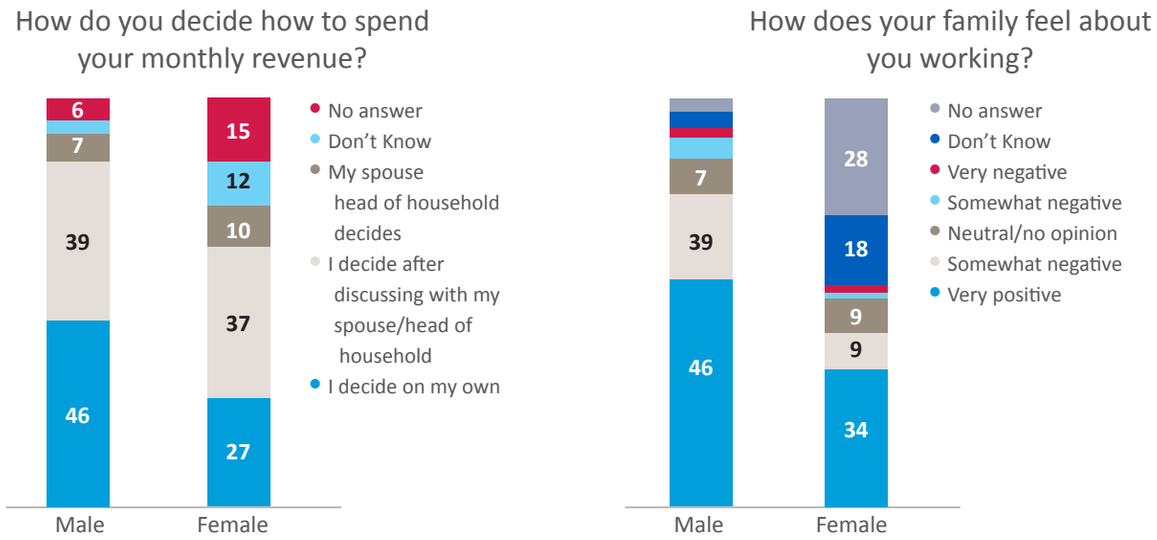
Figure 13
Frequency of contributing to family decisions (female, by location) and social acceptability of contributing to family decisions (by gender)



Although women may participate more frequently in family decision-making now than before the revolution (figure 13), this participation does not appear to extend to decisions regarding how to spend family finances, with 64 percent of women deciding on their own or with their spouse, compared to 89 percent of men (figure 14). While these results are consistent across all eight locations, age appears to play a factor in financial decision-making: the older the respondent, the more likely they are to play a role in deciding how finances are used. How families feel about a respondent working is also significantly influenced by gender: a strong majority (86 percent) of men reported that their families had a positive or neutral opinion about their work, compared to only 52 percent of women. Finally, most women who report that their families have a positive or neutral opinion about their work also report needing to work, and likely come from low-income households that work out of necessity. Thus, positive or neutral opinions of women working may be dictated more by current need than long-term social acceptance.

Figure 14

Decision-making regarding monthly revenue and acceptance for working (by gender)



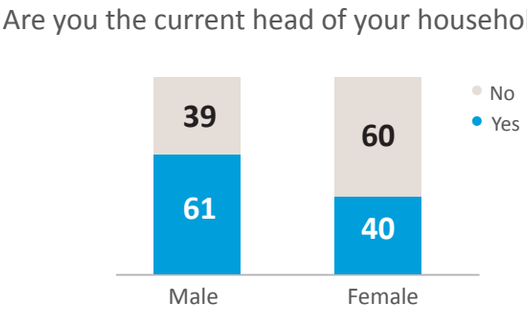
The locations where the highest number of women reported contributing much more or slightly more often to decisions regarding the family were Sirte, Sabha, and Benghazi, which have been hard-hit by post-revolutionary conflict and instability. In the case of Benghazi and Sirte, fighting has significantly damaged entire districts and produced many internally displaced persons (IDPs). Thus, increased involvement in family decision-making—notably regarding the decision to move to another city to escape fighting—could be a by-product of increased instability and conflict.

4.3.4. FEMALE HEADS OF HOUSEHOLD

The study indicated that the proportion of female-headed households in the sample was above average for the North Africa/ Africa region, with a high number of sample respondents (40 percent) self-reporting as household heads (figure 15). The median prevalence of female-headed households in Africa and Asia is 27 percent and 19 percent, respectively (United Nations, 2017). Respondents self-identified as head of the household, which, per the United Nations Department of International Economic and Social Affairs, is one of the acceptable ways of identifying a head of household[20] (United Nations Statistical Office, 1988).

Figure 15

Head of household (by gender)[21]



[20] Identification of the economic supporter of the household: the chief earner or the main supporter of the household's economy
[21] n female=712, n male=287

Of the women who reported themselves as head of their households, 43 percent had a university education and the majority were married at the time of the study. Half of the female household heads were unemployed, with 31 percent looking for work and the remaining 42 percent either fully employed or under-employed. In contrast, 84 percent of male heads of household were employed and 67 percent underemployed.

Box 2
Perceptions of gender roles in parenting

"The responsibilities of home and children are naturally divided between mother and father and no one makes up for the other, complementing each other."
- Nada M., 34, civil society actor, Misrata

Stakeholders' perceptions of gender roles within the home and with regards to parenting varied by age. Women and younger stakeholders were more likely to feel that men and women should share responsibilities equally in raising, educating and disciplining children, while the older men interviewed were more likely to feel that children were primarily women's responsibility.

According to Mustafa B., a civil society activist in Benghazi, men and women should share the responsibility of raising children: "Yes, there must be understanding and equal responsibility between men and women in raising children or anything else that interests them because without understanding and equal responsibility... the relationship will fail."

Civil society actors Nadia G. (31) and Maryam K. (50) from Misrata seemed to have more traditional perceptions of men's and women's roles in parenting than many of their peers. According to Nadia: "Certainly, there must be sharing because there must be a compromise. There must be cooperation and understanding between women and men in cases where men work and earn the money and women are those who raise the children and prepare food. The role of men is the supervision of children." Maryam K. was even more steadfast in her opinion that women should be the primary educators of children: "In order to have a psychologically healthy generation, the first educator of the child must be the woman — in cooperation and understanding between women and men."

Older male stakeholders, however, had a slightly different perception of the woman's role within the home. While they praised the vital contribution of Libyan women to society, they were hasty to insist that children were primarily the woman's responsibility when asked whether men should share in child-rearing responsibilities. Although they did not outright deny the idea that men might have to contribute to the education of their children, older stakeholders were more likely to categorize this as a necessary inconvenience.

"No. The education of children falls primarily upon the woman although men are sure to lend a helping hand sometimes and as needed. I think this is what our beliefs, our traditions and customs dictate. The division of family responsibilities as agreed upon between the husband and wife is that ... it is not right for [the man] to stay at home without work. The woman is the primary educator of the children and if she must work then we will agree to divide the tasks related to the upbringing of children."
Wesam J., 42, municipal council member, Benghazi

4.4. FUTURE PERSPECTIVES, CHALLENGES AND STRATEGIES FOR SEEKING EMPLOYMENT

Men and women across the eight surveyed locations seemed to feel either positive or unsure about the future in terms of their perceptions of the socio-economic situation (figure 16). About 55 percent of women and 43 percent of men felt optimistic or somewhat optimistic about the near future, while 34 percent of respondents of both genders felt unsure about the future. Interestingly, respondents from Benghazi and Sabha felt more positive than those from other locations, despite those two areas having experienced heightened violence in recent years. While seemingly counterintuitive, this can be explained by a psychological theory of well-being that predicts that hope is an asset that increases in the face of specific threats (Staats & Partlo, 1993). According to this theory, respondents from Benghazi and Sabha should in fact experience increased hope for peace in times of war.

While respondents were relatively sanguine regarding the general situation in Libya, they were less positive about the labour market. Between 60 and 70 percent of respondents agree that seeking employment is more difficult post-revolution. Figure 17 displays respondents' perceptions of challenges to securing employment.

Figure 16

Socio-economic situation: Future perspectives (by gender, female responses disaggregated by location)

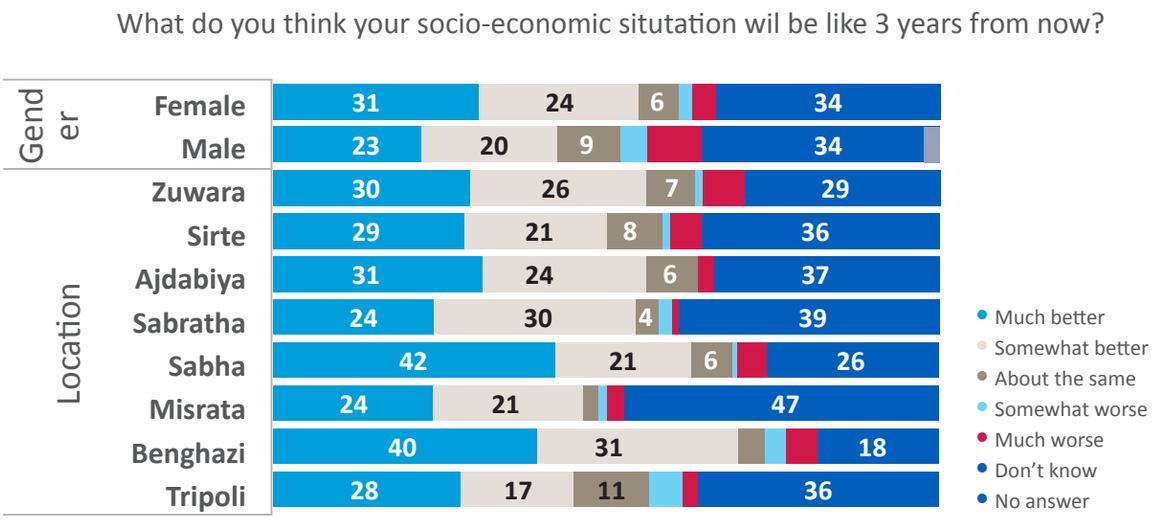
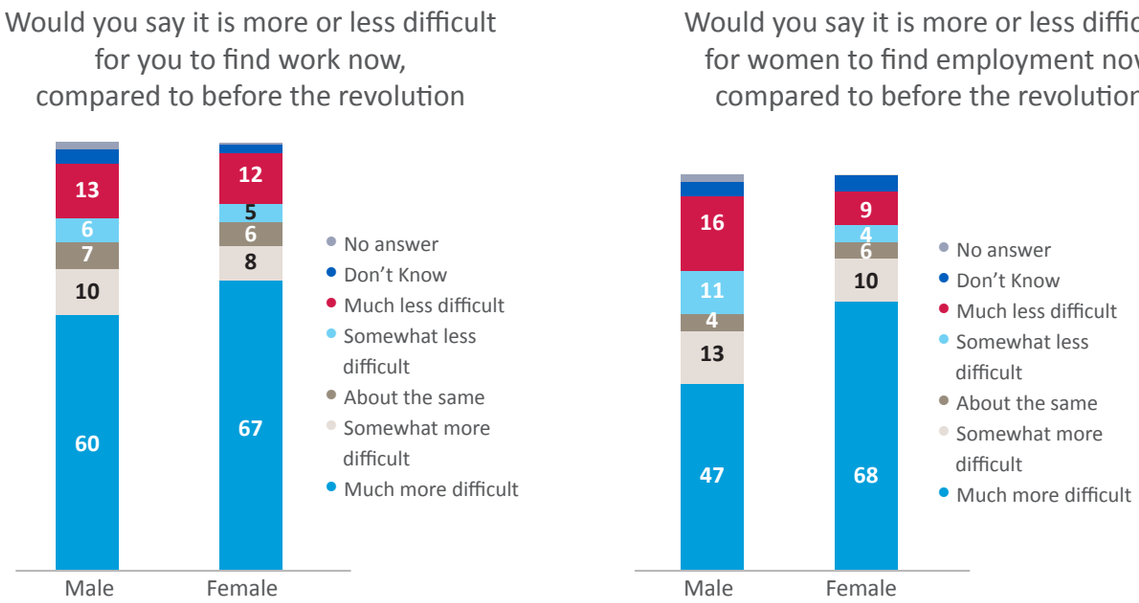


Figure 17

Difficulty finding work for men and women (by gender)



4.4.1. CHALLENGES TO SECURING EMPLOYMENT

When asked to discuss obstacles to securing employment, respondents most commonly either did not provide an answer or cited the labour market (figure 18). Around 30 percent of the respondents report a lack of available jobs in the labour market. Men and women had slightly different perceptions of women's challenges in the labour market—while women tended to blame a lack of vacancies, cultural difficulties/barriers, and a lack of security in nearly equal measure, men were more likely to blame a lack of security (figure 19). Interestingly, of women respondents working in the hard-hit areas of Sabha and Sirte (figure 3), only four percent reported the security situation to be a challenge to employment.

Figure 18

Challenges to job seeking (by gender)

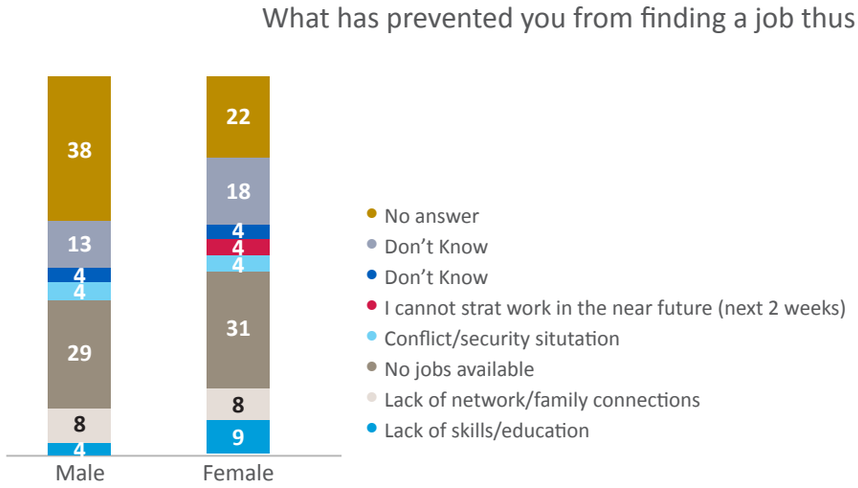
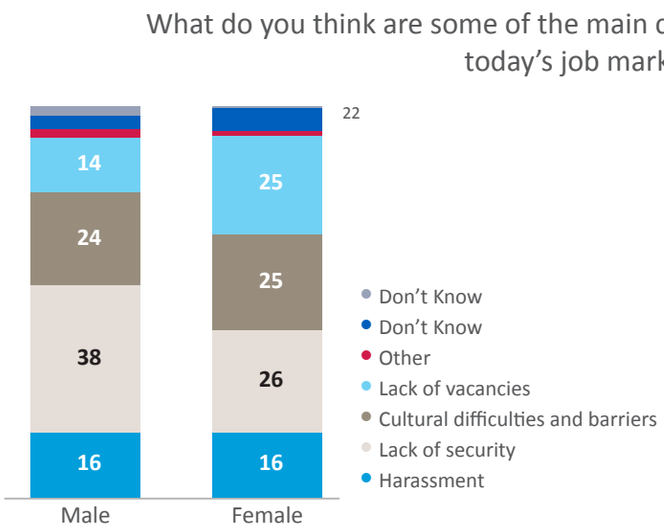


Figure 19

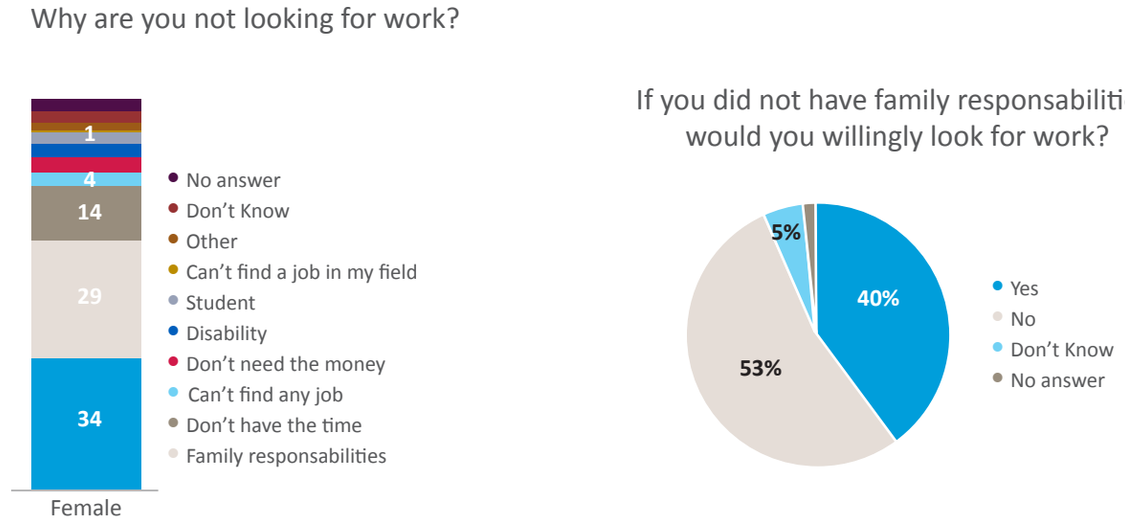
Perceived challenges faced by women in today's job market (by gender)



Women who were unemployed and not seeking employment were asked to explain why (figure 20), and while 65 percent of eligible women did not respond to this question, about 30 percent of women who did respond listed family responsibilities as the main obstacle to their employment. Of those, half reported that they would not be willing to work even without family responsibilities, despite the fact that 60 percent of these respondents are educated and therefore could likely find stable, desirable jobs. This reticence to participate in the paid economy may be due to low returns in the labour market or to a lack of suitable occupations, as only a few industries are considered suitable for women in Libyan society.

Figure 20

Reasons for not working and family responsibilities (by gender)



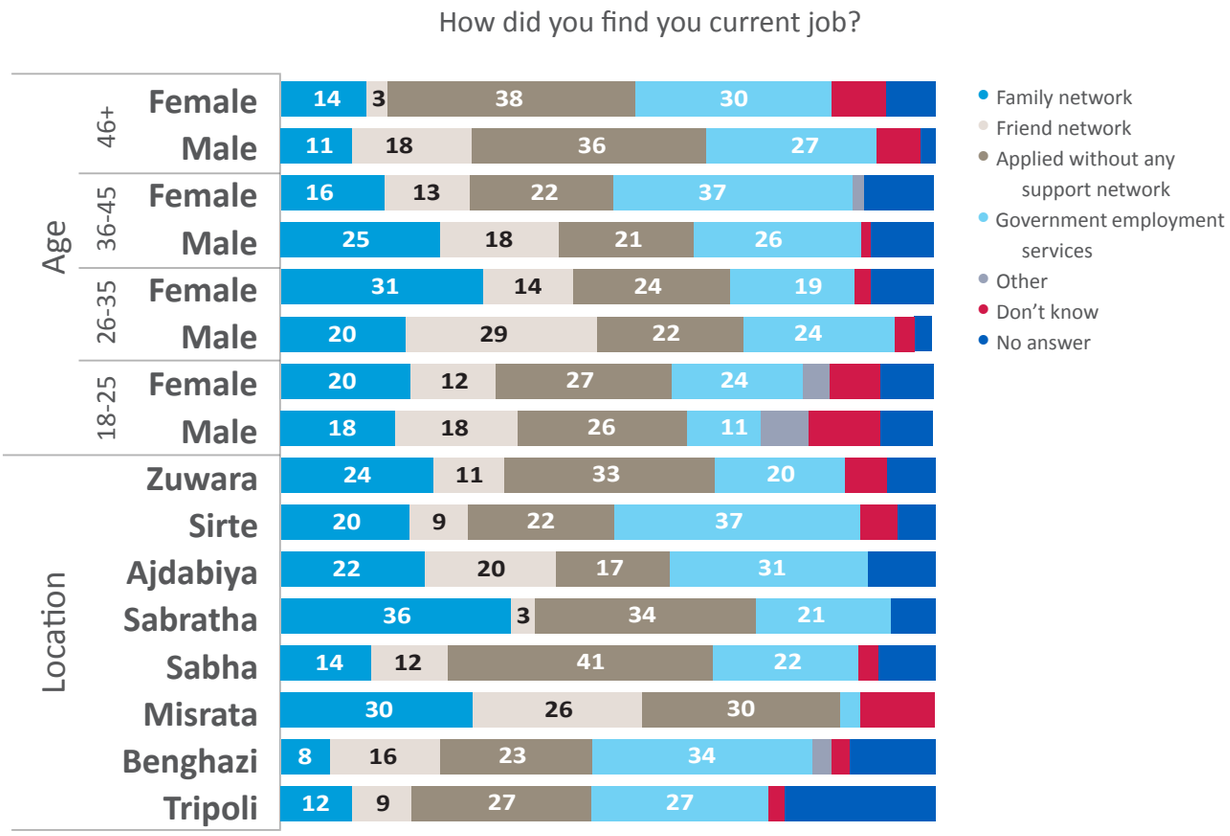
[22] Asked of respondents who reported themselves to be "actively looking for work"

4.4.2. JOB SEEKING STRATEGIES

Job-seeking strategies did not vary drastically by region or gender (figure 21). About 52 percent of all respondents reported using government employment services, with 35 percent relying on networks of friends and family. Importantly, women seem mostly to rely on family networks and rely less on friend networks than men, suggesting men have greater access to social capital and friendship networks than women. Libyan women seem to lack networks beyond the family, as the traditional social structures and mobility restrictions can reduce the opportunity to grow their networks outside of relatives

Figure 21

Job-seeking strategy (by location, age and gender)



The findings illustrated in figure 21, which suggest that networks are not the primary avenue for employment, seem to be contradicted both by figure 22 and by qualitative interviews with stakeholders. Figure 22 displays the importance both men and women attribute to networks in the context of finding work. Over 60 percent of respondents felt that finding a job without the support of a family or friends network would be very difficult, if not impossible. Previous research on the Libyan labour market indicates that in certain parts of the country, tribal affiliations may also play a role in the Libyan workplace as candidates may be hired or promoted based on tribal identity (Rashed, 2017). The discrepancy between figures 21 and 22 may be explained by a hesitance among employed respondents to reveal if they had secured employment through connections rather than on merit alone.

Figure 22

Role of family/friend network in job seeking (by gender)

in today's job market, do you think it would be possible to find a job without the support of your family/friend network?

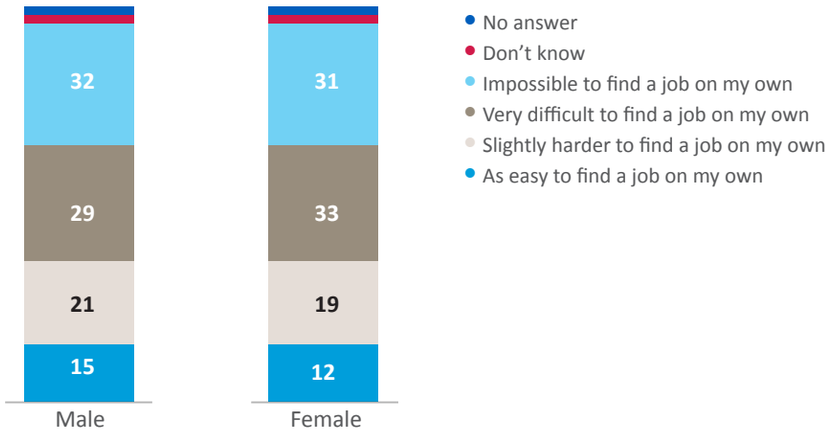
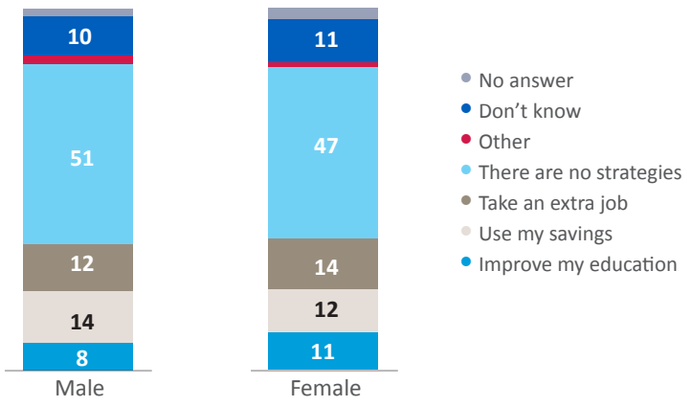


Figure 23 displays the coping strategies employed by respondents to deal with difficult socio-economic situations. Approximately 50 percent of all respondents reported not having devised any coping strategies, most of whom were from Tripoli and Benghazi. The majority of those who did report utilizing coping strategies cited working an extra job or relying on their savings. Between eight and 11 percent of the respondents also reported enrolling in educational institutes in the hopes that additional education might improve their chances of employment.

Figure 23

Coping strategies to deal with difficult socio-economic situations (by gender)

What coping strategies have you developed to deal with your difficult socio-ecomic situtation?



Box 3

Perceptions of patronage and access to employment (stakeholder interviews)

"Young women — both experienced or inexperienced — if they do not have a personal connection for sure the home will be their place. If a woman wants to work she must find someone to provide her with work, especially if the work is in the government sector. The same thing applies to women in middle age... nothing has changed since July 2014, it is still difficult for women in our society to penetrate the male-dominated market."

– Salem N., 34, businessman, Benghazi

"Depending on the family and tribe... to obtain employment in the private or public sector you may be assisted by relatives."

– Woman in Sabratha

--Instability in Libya has only increased the importance of having connections. When discussing the effect of the crisis on Libyan families, Intisar Z. from Misrata asserted, "the effect is negative, it has increased favouritism... the reliance has to do with the personal interests between parties. It does not have to be from one family or one tribe".

According to interviewed stakeholders, women seeking employment without a network would encounter significant difficulties. According to a woman interviewed in Benghazi, "it is difficult to get a job because of interests and favouritism...in order for ... a woman to obtain the job she wants the matter will depend on her connections...this is obviously disappointing".

Interviewed stakeholders noted that while men encounter similar difficulties, accessing employment would be particularly difficult for women without a network. According to Najat G., an employee at the Chamber of Commerce in Benghazi: "'Wasta' [influence and connections] is considered the most important thing. There are those who hold high managerial positions thanks to 'wasta' ... I think now it is harder. There are no job opportunities, finding work is more difficult for men as well."

With the struggling economy, young people and current graduates are increasingly crowding the labour market, further compounding issues of access to employment for youth—and women in particular—without network connections.

FREEDOM OF MOVEMENT, SECURITY AND CONFLICT

5.0

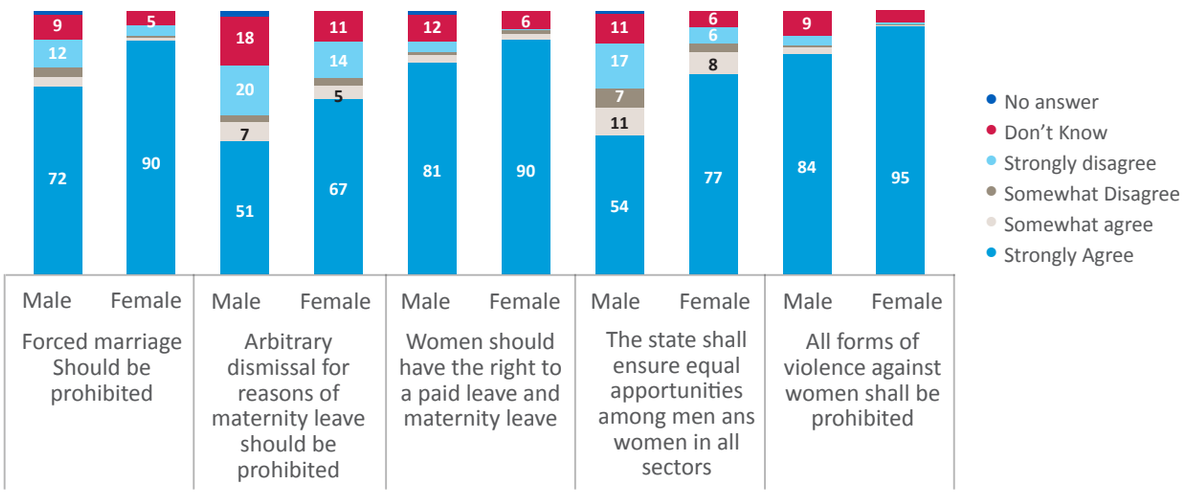
FREEDOM OF MOVEMENT, SECURITY AND CONFLICT

Libya's Draft Constitution includes several sections on women's rights including Article 49 (Supporting Rights of Women), Article 159 (National Council for Human Rights) and Article 185 (Special Provision for Women). To gauge levels of acceptance, respondents from all eight locations were prompted to give their opinions on these statements. Although there is general support across all demographics, the topics on which male and female respondents were least in agreement were arbitrary dismissal for reasons of maternity leave and men and women having equal opportunities in all sectors (figure 24).

The opinions expressed in these figures do not differ greatly from previous research regarding attitudes towards women's rights. As previously noted, Libyan society at large still considers a woman's primary role to be in the house. As noted by the American Bar Association in 2017: "Libyan social, cultural, legal, and religious norms presume that a woman will assume successive roles, first as a daughter, then a wife, and then a mother, and that at each stage she will be provided for and protected by a man. When women do not follow this course, the legal framework fails them, they face social stigma, and may be considered a burden on their families."

These entrenched social norms were illustrated by the findings, with the survey corroborating existing data on domestic violence in Libya that indicates high levels of acceptance and justification of domestic violence, particularly among male respondents.

Figure 24
Statements on women's rights in the Draft Constitution (by gender)

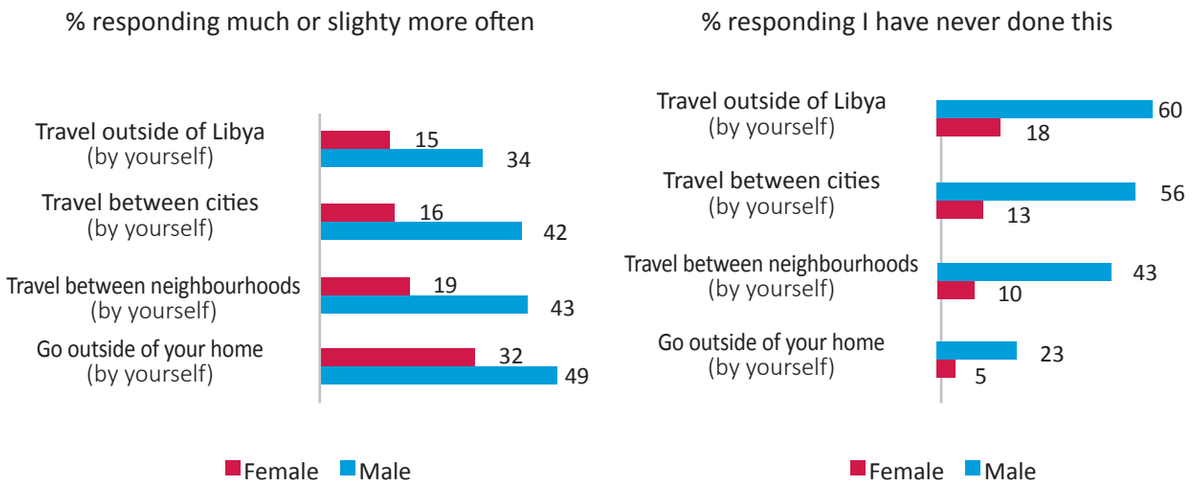


5.1.
FREEDOM OF MOVEMENT

Freedom of movement is essential to a person's ability to engage in the economy, and gender is a significant driving factor in determining an individual's sense of freedom of movement in Libya. Libyan men from the eight sampled locations were significantly more likely than women to report that they travel slightly or much more often within and between their cities and outside of Libya. Similarly, women are approximately four times more likely than men to have never left their homes alone, approximately four times more likely to have never travelled between cities or neighbourhoods alone, and approximately three times more likely to have never travelled outside of Libya alone (figure 25).

Figure 25

Compared to before the revolution, how often do you take part in the following activities? (by gender)



Freedom of movement is a function of bargaining power of the woman within the household, which in turn often correlates with a woman's educational and employment status. Moreover, cost is a factor—lower-income women are likely to have greater responsibilities within the household (e.g. less likely to have paid outside support) and fewer financial resources to cover costs associated with travel. Women from Benghazi are, by a significant percentage, the most likely to have travelled alone outside of their home and between neighbourhoods, with women from Sabratha being the least likely (figures 26 and 27). Education correlated with movement, with more educated women being more likely to have moved around alone.

Freedom of independent movement was officially curtailed in 2017 when authorities in the East issued an order requiring women wishing to travel abroad to be accompanied by a male guardian (Human Rights Watch, 2017). While the order was rescinded after significant outcry from civil society, social norms still dictate that women must travel with a male guardian (Mahram), particularly when travelling abroad. This is despite that Article 14 of the Transitional Constitutional Declaration and Article 53 of the 2017 Draft Constitution guarantee the right to freedom of movement.

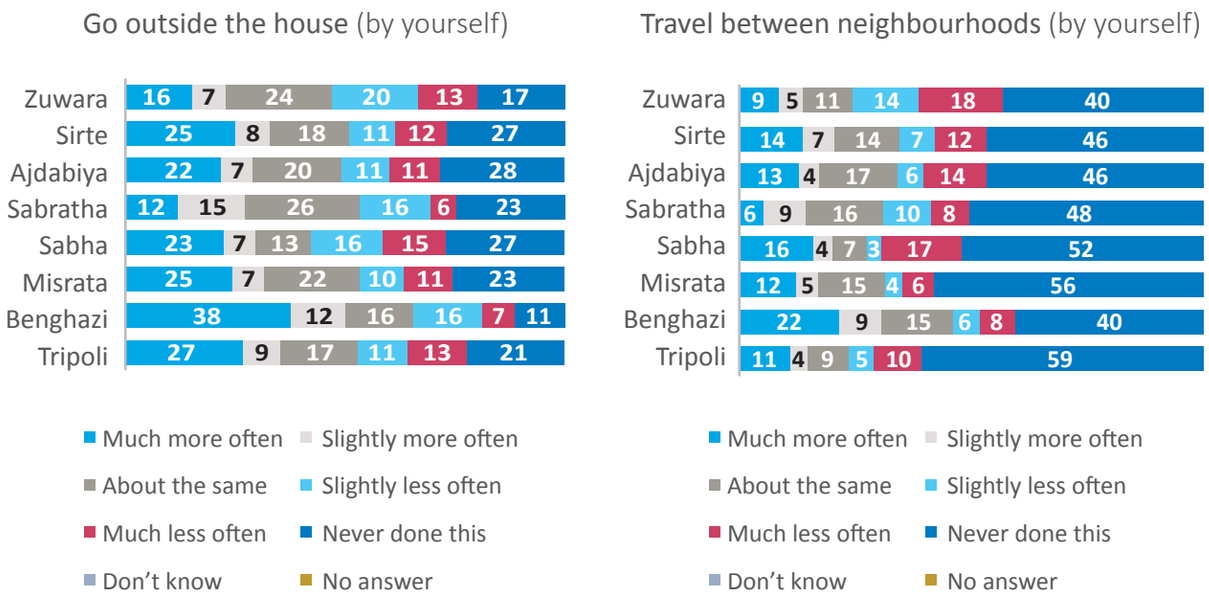
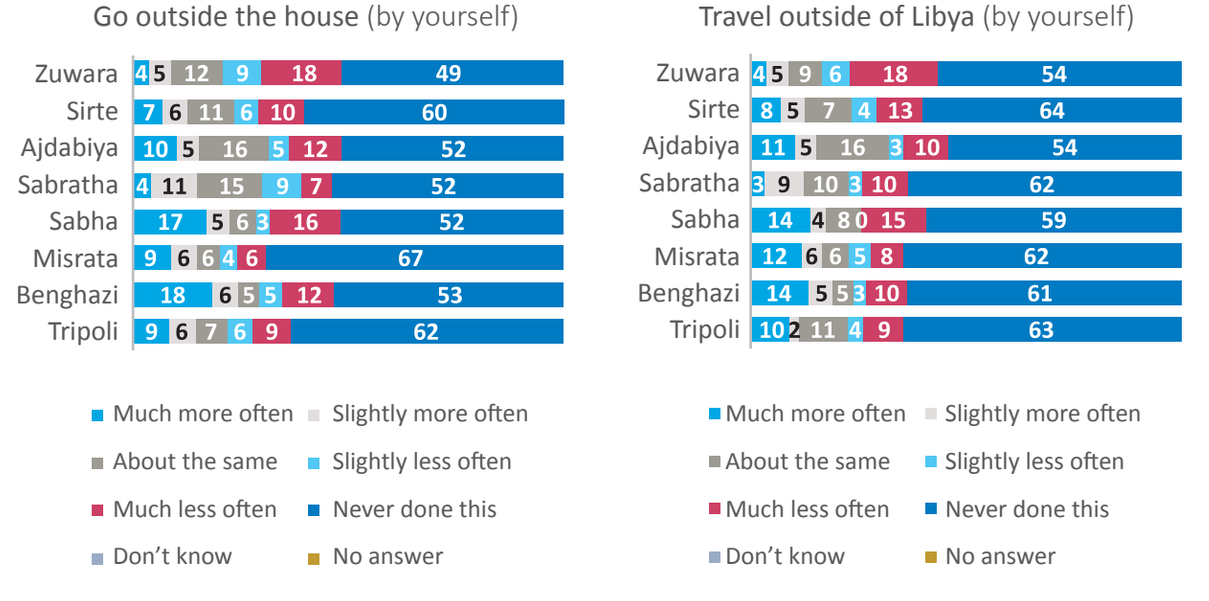


Figure 27

Compared to before the revolution, would you say that you do the following more or less often? (female by location)



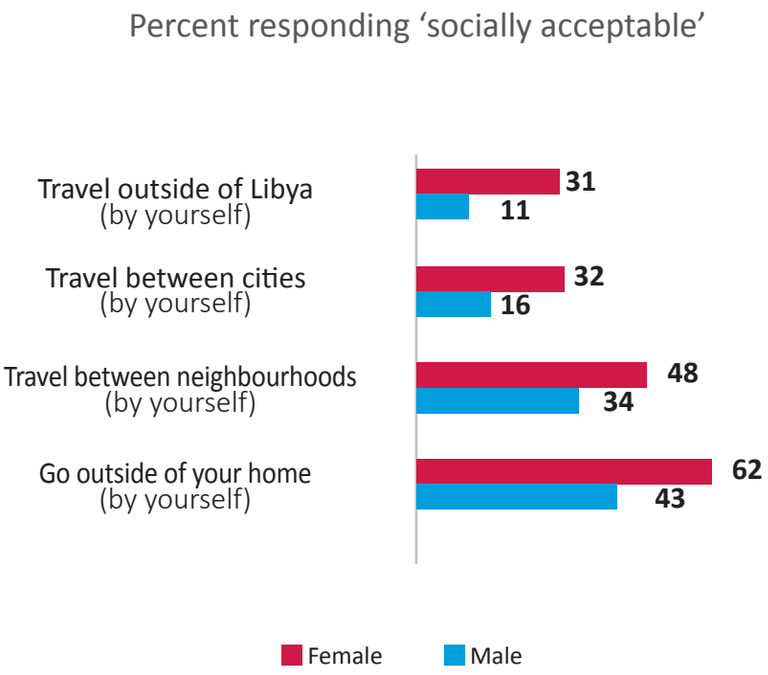
In all eight locations, women were more likely than men to feel that it is socially acceptable for women to move freely and unaccompanied (figure 28).

There are some obstacles that women face including that when moving from one place to another they always need someone with them. This limits a woman's freedom to decide. For example, if a woman is in a decision-making position, such as in a ministry, always needing someone to stand by her side is a large challenge for her to be respected in the street or in influential positions. There will always be those that hold the view that she is not capable or responsible enough. — Ahmed A., tribal elder, Sabha

Higher levels of education correlate with higher levels of acceptance regarding unaccompanied movement, with educated women being more accepting of women moving around freely. This is likely because increased levels of education translate to increased levels of employment and thus, mobility.

Findings from previous work on post-revolution Libya provide a similar overview of women's mobility. The IFES survey shows that at least one in five female respondents felt somewhat or completely restricted in associating with persons of her own choosing, moving about in public areas without fear or pressure, and expressing her views on critical issues to family, neighbours and friends. 57 percent of women said that they feel completely unable to leave their houses without permission (IFES, 2013)

Figure 28
Do you believe it is socially acceptable for women to do the following? (by gender)



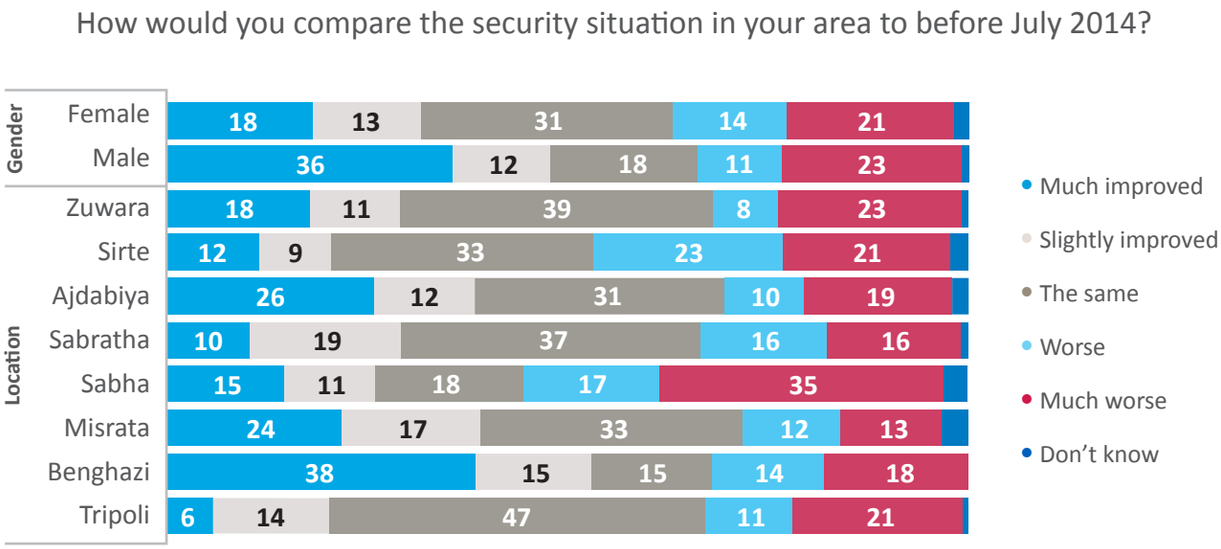
5.2.
SECURITY AND CONFLICT

Figure 29 illustrates that perceptions of security in Libya differ by gender. In general, surveyed men in all locations appeared to be more optimistic about developments in the security situation in their area with 48 percent saying that it had improved, compared to 31 percent of women. The majority of women (66 percent) felt that security had either stayed the same or worsened.

I do not feel safe because the city has become a city of murder ... there are many cases of murder as a hobby...There is a story in the University of Sabha about a ... shooting inside the university. A young man and a girl were killed and no one in the street moved. My point of view is that women and men are exposed to the same danger...there are many cases of women being robbed and beaten by criminals who do not make the distinction ... between a man and a woman. — Kameela A., university student, Sabha

Figure 29

Current security situation compared to before July 2014 (by gender, female responses disaggregated by location)



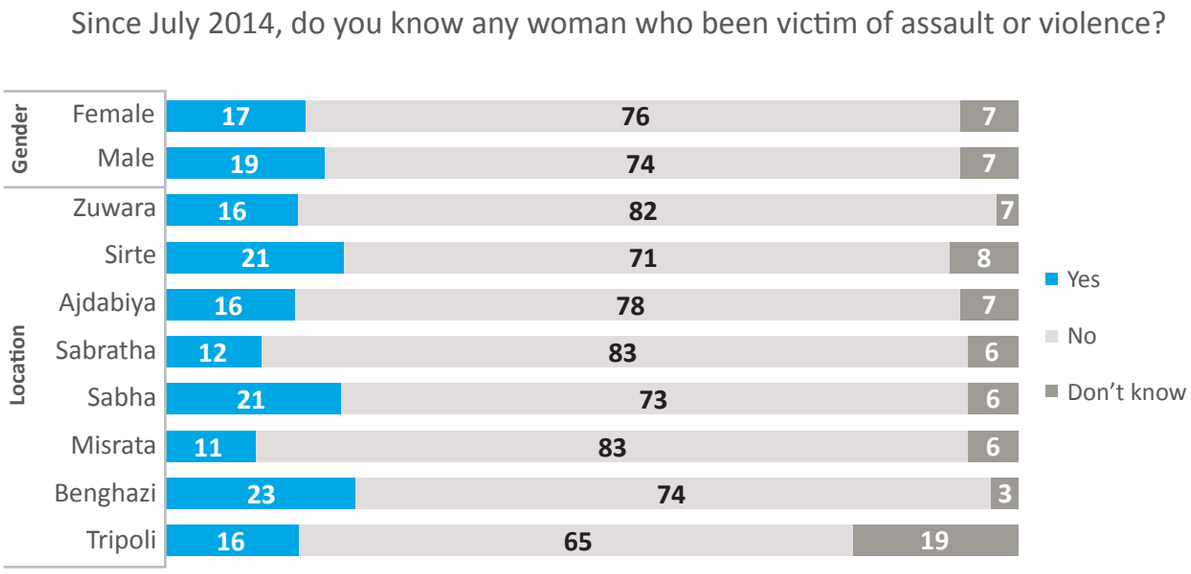
5.3.
ASSAULT, CRIME, DOMESTIC AND GENDER-BASED VIOLENCE

Assault, domestic violence and gender-based violence against women are simultaneously prevalent and an exceptionally taboo topic in Libyan society. Women are at increased risk if they chose to speak out on threats of kidnap, physical assault, threats against their life, and particularly, gender-based violence (United Nations, 2019)[23]. Furthermore, the breakdown of the rule of law that has resulted from the conflict both decreases the availability of the minimal reporting mechanisms that are in place and increases the likelihood of sexual violence in conflict.

[23] According to the 2019 Humanitarian Needs Overview, approximately 40 percent of respondents to a 2017 assessment survey indicated gender-based violence was either common or very common.

Figure 30

Female victims of violence and assault (by gender, female responses disaggregated by location)

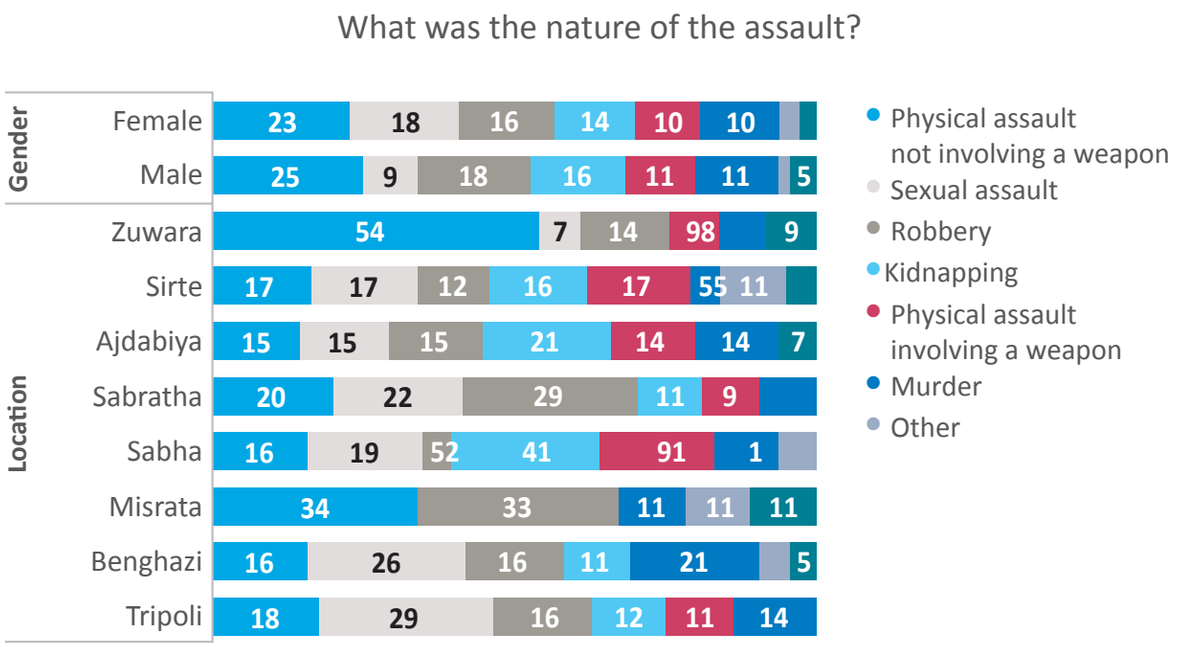


The study revealed that across all eight locations, approximately 17 percent of women and 19 percent of men knew of an incident in which a woman had been a victim of assault or violence (figure 30). Reports of assault appeared to be slightly more widespread among respondents in Benghazi, Sabha and Sirte. The most commonly cited kinds of incidents were physical assaults not involving a weapon, sexual assault, or robbery (figure 31). In all locations except for Sirte, Sabratha, and Misrata, the majority of incidents were reported to have occurred in public at the hands of a local criminal group, family member or friend (figures 32 and 33). Across locations, respondents felt that women were most likely to be assaulted either for criminal profit—likely as part of a robbery—or for no discernible reason (figures 31 and 33).

Rape and gender-based violence have been widely used as a weapon in the context of the Libyan conflict by combatants on both sides (Foreign and Commonwealth Office, 2014). This concerns women and men forcibly taken and abused, which constitutes an irreparable attack on the honour of a family or group. Reports suggest that the situation has not changed since 2011, with increasing numbers of actors resorting to the use of sexual violence as a form of repression (Foreign and Commonwealth Office, 2018). Migrant, refugee and internally displaced women and girls are also at particular risk, within both detention settings and the urban displaced community (United Nations Office for the Coordination of Humanitarian Affairs, 2019).

Figure 31

Type of violent assault (by gender, female responses disaggregated by location)



While it is difficult to draw conclusions based on the above graph due to underreporting on gender-based violence[24], 18 percent of women said when asked that the assault was sexual in nature (figure 31). While this may not seem particularly high at first glance, the reticence to discuss incidents of assault —especially of a sexual nature—may mean that the true figure is considerably higher.

Geographically, the regions with higher reported incidents of sexual assault are also those that have experienced some form of conflict. Aside from sexual assault, Sabha, Sirte and Ajdabiya had the highest reported rates of kidnapping and murder, and Zuwara had, by far, the highest reported rate of physical assault not involving a weapon.

> Unfortunately, violence against women in Sabha has increased...mismanagement of security by the police and public security allows criminals to prowl the streets of the city freely. There are many attacks on women in the streets—such as petty theft and cases of aggression in the medical centre of Sabha.... the College of Arts of the University of Sabha has experienced shootings many times. Women are ... at risk of being shot inside the university. — Ahmed A., tribal elder, Sabha

[24] It is important to note that domestic violence and, specifically, conflict-related gender-based violence are likely underreported due to cultural conservatism, fear of reprisal and/or anti-revolutionary sentiment, and lack of coordination between CSOs responsible for reporting such incidents. In addition to social taboos, women who fail to convince judges that they were victims of sexual violence might be charged and convicted of adultery, a prospect that further deters them from suing their aggressors (Foreign and Commonwealth Office, 2014).

Figure 32
Location of assault

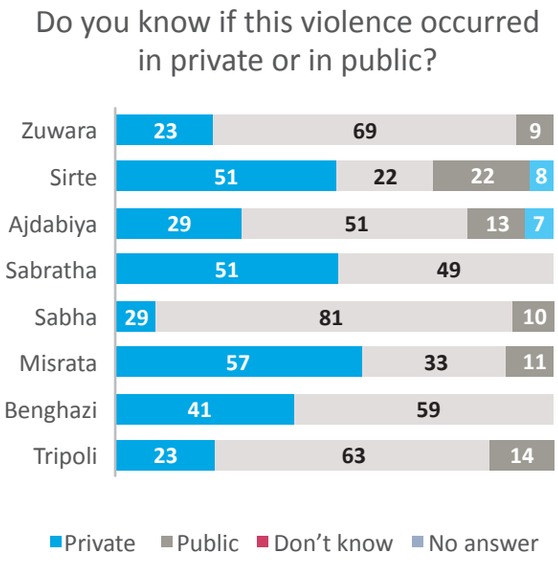


Figure 33
Identity of attackers by location

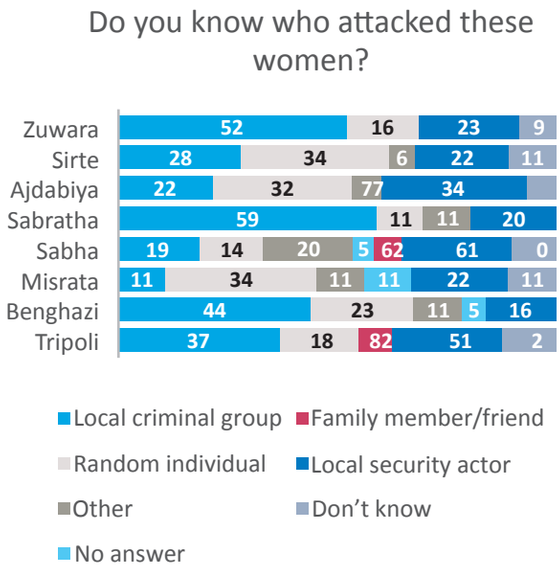
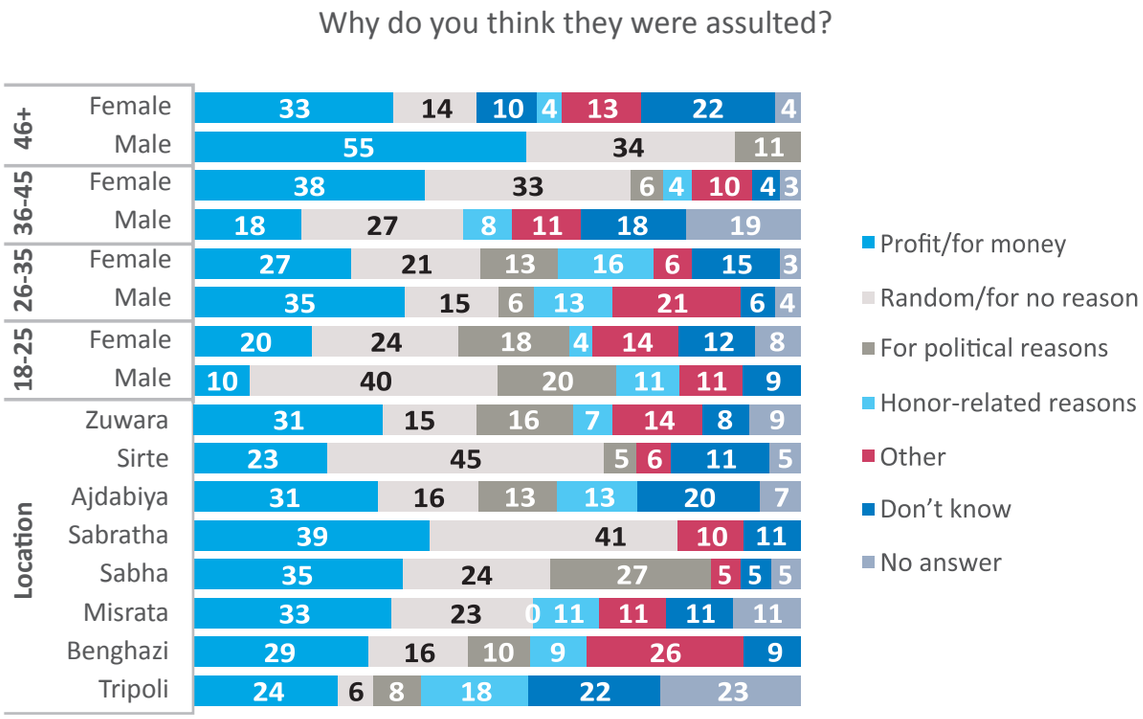


Figure 34
Reason for assault (by gender, female responses disaggregated by location)



Box 4
Stakeholder perceptions of security

"I do not feel secure in my daily life. Yes, women are more at risk than men. As physically weaker people they run the risk of being kidnapped, reprimanded, blackmailed and other threats that affect their reputation in a society that is as conservative as Libyan society....Insecurity limits participation... especially in political life...To alleviate this suffering we need to stabilize the community, build a strong state and formulate a constitution that guarantees that the rights of women are safeguarded."
- Eman O., Benghazi

Woman stakeholders in Sirte, Benghazi and Sabha were the most likely to feel unsafe and more likely to feel that the security situation had led to greater impunity for violence against women. As echoed by Eman O., the lack of law and order allows for harassment of women to go unpunished.

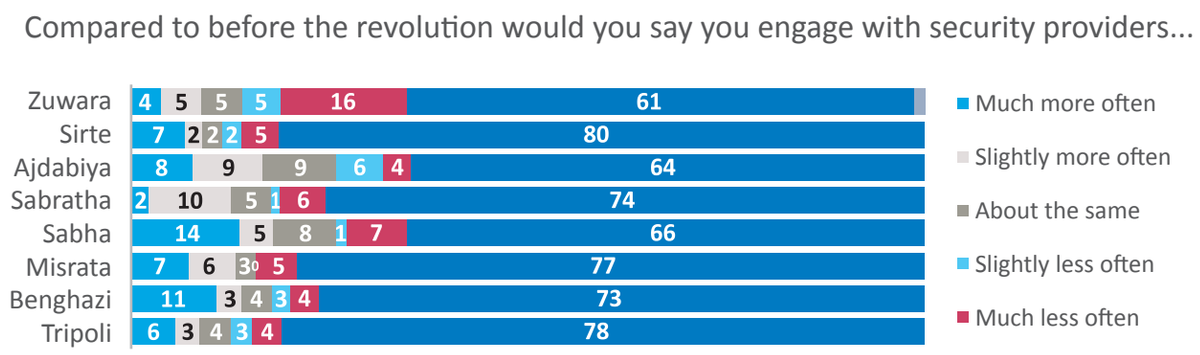
In the words of Kameela A., a university student in Sirte: "I do not feel safe. I imagine corpses in all cars with tinted windows because of the shootings and kidnappings that occur without a thought towards the women or children in the street... This makes us afraid to participate in political life. Many women stay away from politics and the job market because of the lack of security."

Although stakeholders acknowledged that in certain respects, while men who have a public presence might be more exposed to crime and physical violence, women are more than just physically at risk. As indicated above, in addition to their physical safety, women's reputations are also at risk. With so much at stake, insecurity is even more likely to limit women's physical mobility and ability to actively participate in community life.

According to Eman O.: "Violence has increased against women...women are being harassed because some men feel that they occupy leadership positions ... Men work to reduce their value and sometimes beat them...This happens to women every day and could be resolved by resorting to law and justice."

5.4.
SUPPORT STRUCTURES AND DISPUTE RESOLUTION

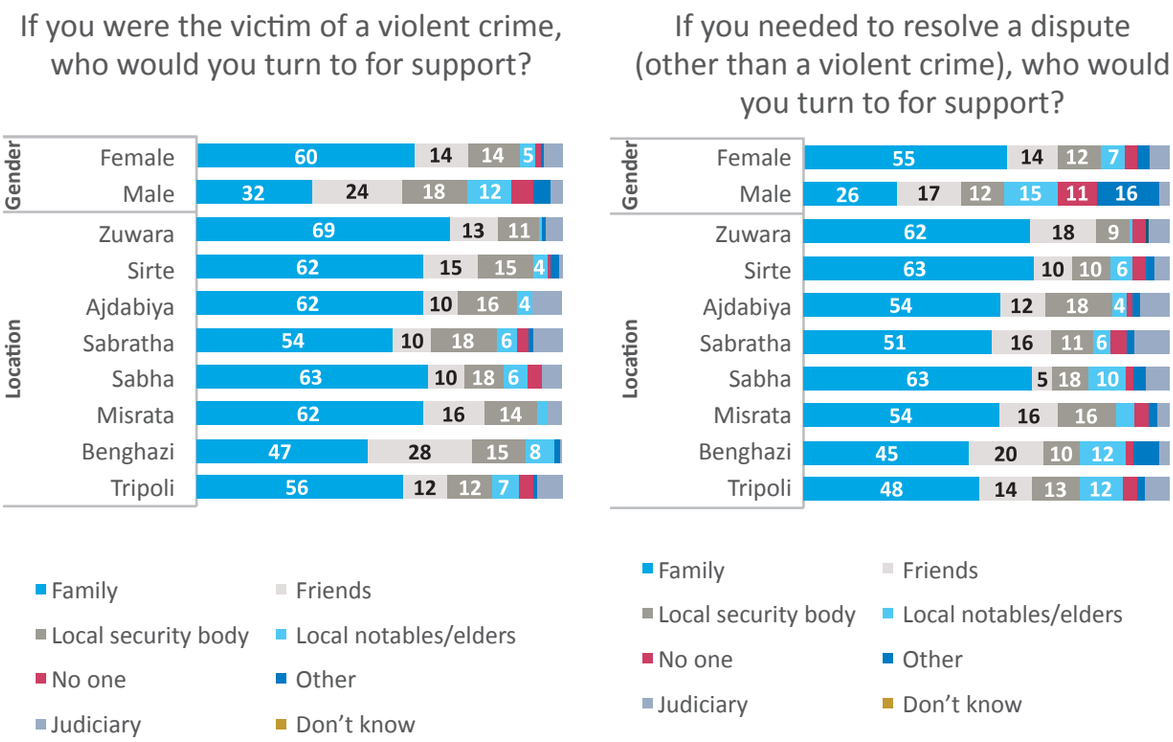
Figure 35
Comparative engagement with security providers (female respondents disaggregated by location)



The survey found that women's overall engagement with security providers remains very low across the country, with almost two-thirds of women having never engaged with security providers. However, women across seven of eight locations reported engaging more frequently with security providers than they did before the revolution[25], with Zuwara being the only municipality where engagement with security providers had decreased (figure 35). While crimes committed against women by strangers (e.g. robbery or assaults outside of the house) are more likely to be reported to local security bodies, the issue is more likely to be kept private and resolved within the family when the perpetrator of a crime is a family member. This may be because there are few efficient mechanisms to report instances of aggression or harassment, although a committee on violence against women and men exists that is mandated with assessing and exchanging views with non-governmental organizations.

Figure 36

Dispute resolution mechanisms for violent and non-violent disputes (by gender, female responses disaggregated by location)



Women from across all eight locations reported turning more frequently than men to family members to resolve violent and non-violent disputes, signalling a lack of options of, or trust in, available dispute resolution mechanisms for Libyan women (figure 36). In contrast, men were more likely to turn to a local security body to resolve a violent dispute, and to the judiciary and local notables to resolve a non-violent dispute.

[25] The question was posed as "compared to before July 2014, how often would you say you...interact with the local security provider «

Box 5

Dispute resolution & socio-economic support structures (stakeholder interviews)

"If there is a conflict we resort to the families that are close to us, but if you are a victim of a crime of violence we resort to custom in the current circumstances because of the absence of law and order."

–Elaa T., university student, Sirte

Stakeholders named three main resources for dispute resolution: family, tribal elders, and, in cases involving security concerns, militias. Reliance on these resources varied depending on the stakeholders' location, although family seemed to play an equally important role for dispute resolution across all locations. Stakeholders in the South and rural areas of the East were more likely to view their tribe as a resource than stakeholders interviewed elsewhere.

The kind of dispute resolution mechanisms and actors called upon to resolve issues varies with the nature of the dispute. To resolve disputes within families, for instance, Libyan households are less likely to call upon third-party intermediaries than for other types of disputes. According to Kameela A. (Sabha), "family disputes between a man and his wife are resolved [between them] because third-party intervention will make it more difficult". However, in certain parts of Libya, disputing families may call upon tribal sheikhs to help resolve conflicts between families. According to Hmeda S. (Benghazi), "[In the case of dispute resolution or if I am a victim of a violent crime] I would ... go...to the security forces, police stations, or seek criminal prosecution. If they are not able to provide justice, I will go to the tribe".

In addition to serving as a dispute resolution mechanism, family and tribal networks also serve as a social support system. Libyans depend on extended family networks to survive—especially in situations of displacement. In the words of one stakeholder: "during the war we collected a sum of money and gave it to [the family of some relatives] so they could ... [pay] the rent of the house they had moved in temporarily."

WOMEN'S LEADERSHIP: POLITICAL AND COMMUNITY ENGAGEMENT

6.0

WOMEN'S LEADERSHIP : POLITICAL AND COMMUNITY ENGAGEMENT

Under Gaddafi, the limitations on political participation for both men and women were significant. For women, this was compounded by additional legal and sociocultural restrictions on their political participation. According to a 2013 Human Rights Watch report, politics in Libya had traditionally been viewed as "no place for a woman", and families tended to discourage women from participating in politics to preserve their "honour, dignity, and marriageability". However, during the revolution and its immediate aftermath, women continued to maintain a more public and active role than had been possible or acceptable under the Gaddafi regime.

Immediately following the revolution, women's contribution garnered recognition that women deserved representation. The Ministry of Social Affairs established a multi-sector working group specific to gender-based violence, and one year later, the Libyan women's caucus in the House of Representatives (HoR) was established to promote the inclusion of women in the constitution drafting process. The international community has supported additional initiatives, including gender-sensitivity trainings for parliament members, police officers and the High National Elections Commission (HNEC) and the development of strategic frameworks. These efforts led, inter alia, to the stipulation of a Women's Empowerment Unit (WEU) within the Libyan Political Agreement in 2016[26].

During the political transition, the international community spearheaded efforts to include women in the new institutions: articles of electoral laws in 2012 and 2014 led to the election of a parliament that was more than 15 percent female[27]. However, the executive positions included few women[28] despite calls from international actors for higher quotas (the United Nations recommended 30 percent), and only two women were appointed to the National Transitional Council (NTC). Salwa Bughaighis — one of the two NTC appointees — resigned due to other members restricting her opportunities to influence decisions (Doherty, 2012).

It is important to acknowledge that while there was recognition of women's representation, women's rights and representation were not in fact being comprehensively addressed in the constitutional roadmap of the country— the original 2011 Transitional Constitutional Declaration did not include any statements on equality between men and women. While Law 59 does stipulate a quota at the municipal council level, less than half of the 101 municipalities have women councillors, and there are no women among the nine members of the Presidential Council (United Nations, 2018).

The survey tested respondents' perceptions of various local and national political institutions in which women have gained representation since the 2012 elections.

[26] The President and Deputy of the WEU were only appointed in October 2018

[27] Law 59 of 2012 pertaining to the election of municipal councils, states that at least one member of each municipal council must be a woman. Article 11, "Law 59 of 2012 on the Local Administration System," Libyan Security Sector Legislation, 2012, https://security-legislation.ly/node/31807

[28] Four percent NTC, six percent Government of National Accord; at the local level, each 7-member municipal council attributes at least one seat for a female member.

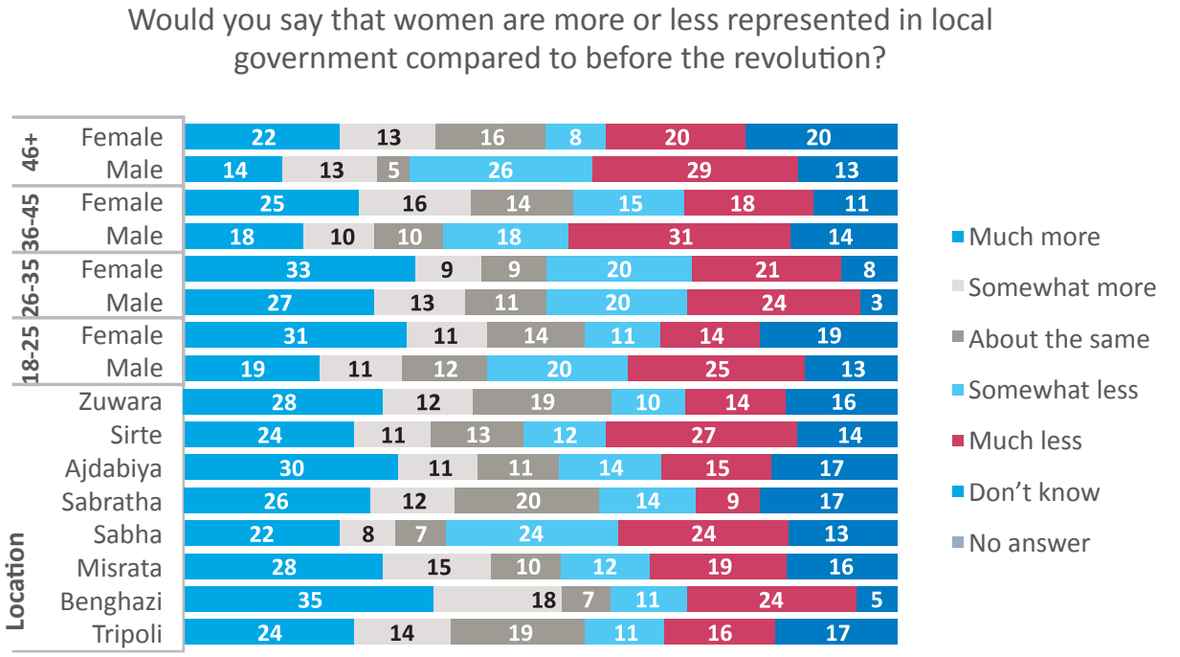
These institutions included the State Council, the HoR, the CDA and the Judiciary and Municipal Councils, among others. While men were slightly more likely to report that these institutions represented the interests of women, approximately half of both genders did not at all feel that women were represented by these bodies, with between 53 and 61 percent of women surveyed feeling not very or not at all represented by local and national institutions.

6.1.1. REPRESENTATION IN NATIONAL AND LOCAL GOVERNMENT

Women across all eight locations were more likely to feel much more or somewhat more represented in both local and national government compared to before the revolution, with younger women and women from Benghazi feeling slightly more positive about levels of representation than other demographics (figures 37 and 38). More women than men feel that women are represented at both levels of government. However, when prompted to speak about specific institutions including the State Council, the HoR and the Constitutional Drafting Assembly, respondents across both genders felt that they were not in fact representative of women's interests. A possible explanation for this distinction could be that while quotas have been instituted for women in Municipal Councils and the HoR, many have not been filled—among 101 municipalities, less than half have women councillors, and aside from a basic quota in the HoR, there are few provisions relating to the State Council and HoR that promote women's participation and a gender-sensitive agenda. While Article 37 of the Libyan Political Agreement refers to the representation of women in committees and supporting mechanisms of the Government of National Accord and the HoR, it does not explicitly stipulate a quota within committees[29].

Figure 37

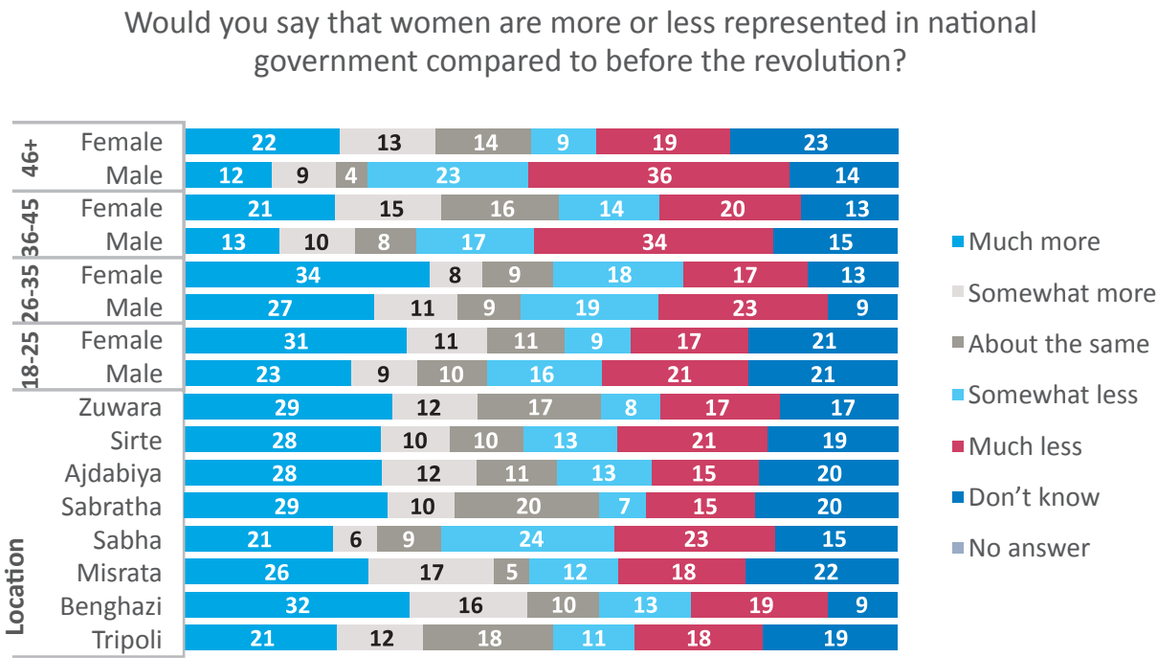
Female representation in local government (by gender, female responses disaggregated by location)



[29] Article 37 of the Libyan Political Agreement: "The Government of National Accord, immediately after gaining the vote of confidence of the HoR, shall establish and chair the 'Committee for Monitoring the Implementation of the Interim Security Arrangements' as agreed. The Committee shall establish sub-committees and other supporting mechanisms as may be required, taking into consideration the representation of local communities, including men and women, in such mechanisms."

Figure 38

Female representation in government (by gender, female responses disaggregated by location)



Box 6

Perceptions of women's political representation (stakeholder interviews)

"Providing a safe environment for women's participation by providing security in general in the country. The real challenges are big and numerous, regardless of the social customs and traditions that prevent some women from participating either politically or socially. The most important thing is to provide security to ensure their participation in all fields due to women's fear of the current security situation in the country."
- Mustafa B., 30, civil society actor, Benghazi

"Firstly, women were not given enough space in the political sphere and this is unfair. For example, in the elections women had only two or three seats. This is not fair. Most of the religious women who obtained the seats were smeared and fought against from several sides."
- Amna, 20, high school student, Tripoli

The idea that numerical representation in national or local government does not necessarily translate to representativeness was echoed by some qualitative interview respondents. According to Fatima B., a Libyan civil society activist from Benghazi, although the number of women in positions of power may have increased, the impact of this increase is yet to be felt in government. During her interview, she stated: "Yes in my opinion the number of women [represented in government] is enough. But the problem is not in the proportion or number, it is the actual participation of women."

The notion that women's effective participation in politics has not increased despite more women holding public office was echoed by Mohamed B., an

elder of the Awaghir tribe prominent in Benghazi and its outskirts. He stated: "No in politics they [women] are represented less now [than in 2014] although you find more women in Parliament and in the 60th Committee ... before 2014 there were more women activists and women who defended women's rights, including Salwa Bughaighis."

During data collection, the security situation and the political vacuum emerged as important factors as well. According to Mustafa B., 30, a civil society actor from Benghazi: "No [the political situation] is not more representative ... I think the reason for this is ... the changing security situation and instability since 2014 and the absence of government support ...[to] develop the capabilities of women and encourage them to participate."

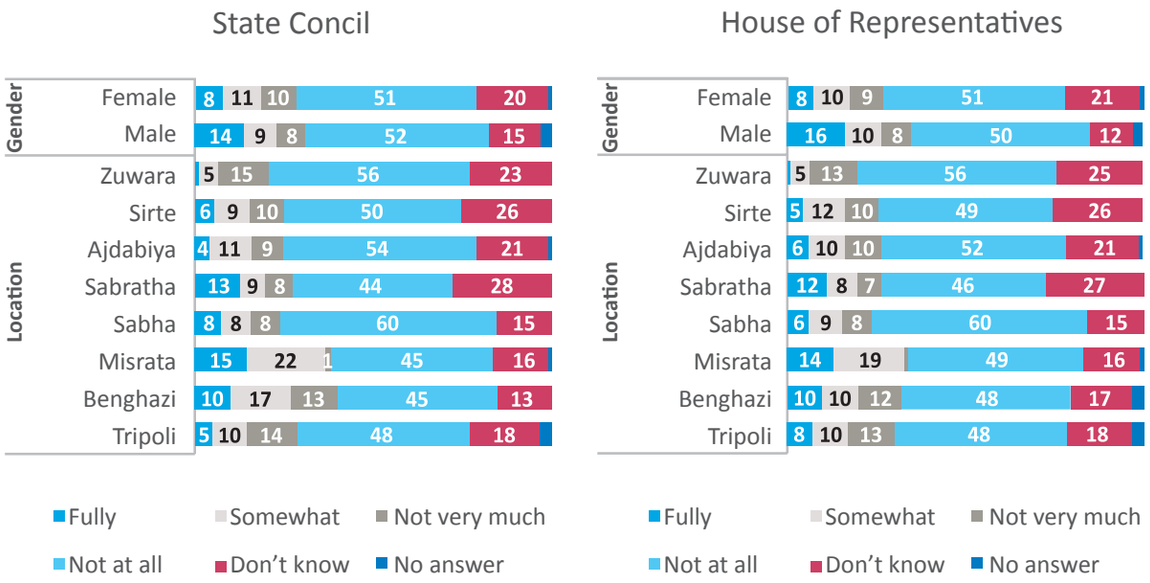
Stakeholders envisioned education and awareness campaigns for women about their political rights and duties as a useful mechanism for increasing women's participation and representativeness. According to Fatma, 45, from Tripoli: "It would be useful to hold panels and discussions that motivate [women] to speak about politics and other issues. One of the most important obstacles facing Libyan women are customs and tradition."

6.1.1.1. National Institutions

As a whole, respondents from the eight locations viewed national institutions negatively with regards to women's representation. Between 47 percent and 52 percent of respondents did not think national institutions accounted for the perspectives and opinions of women (figures 39 and 40). More women than men reported that they did not know, or had no answer to, whether the State Council, HoR, CDA and Judiciary represented women's interests.

Figure 39

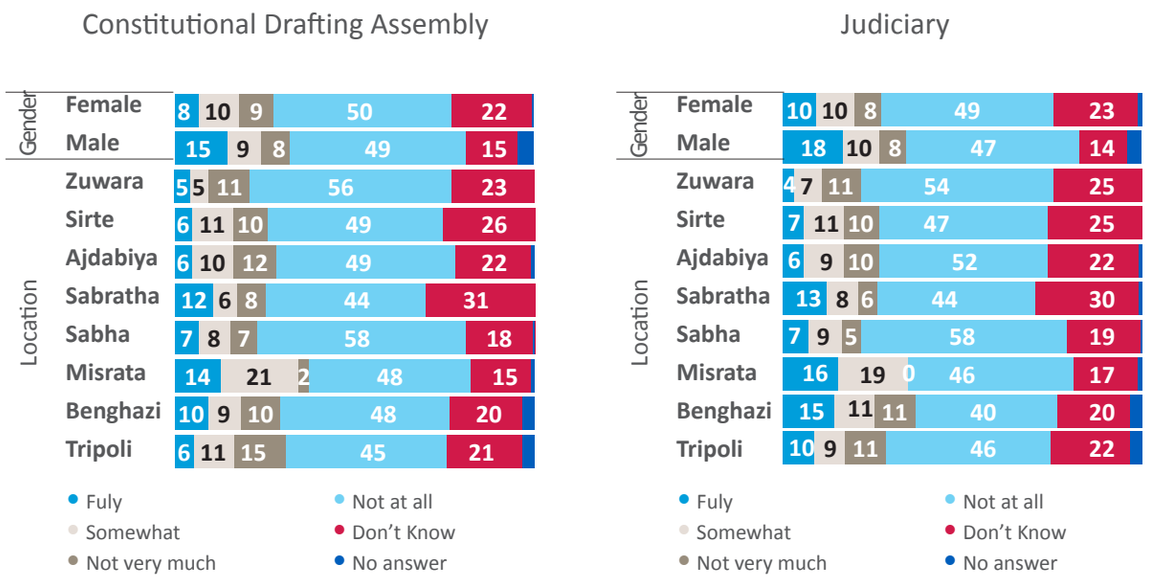
Representativeness of State Council and HoR[30] (by gender, female responses disaggregated by location)



[30] Figures 39 and 40 display respondent answers to the question "Do you think the following groups take into account the perspectives and opinions of women?"

Figure 40

Representativeness of the Constitutional Drafting Assembly and Judiciary (by gender, female responses disaggregated by location)

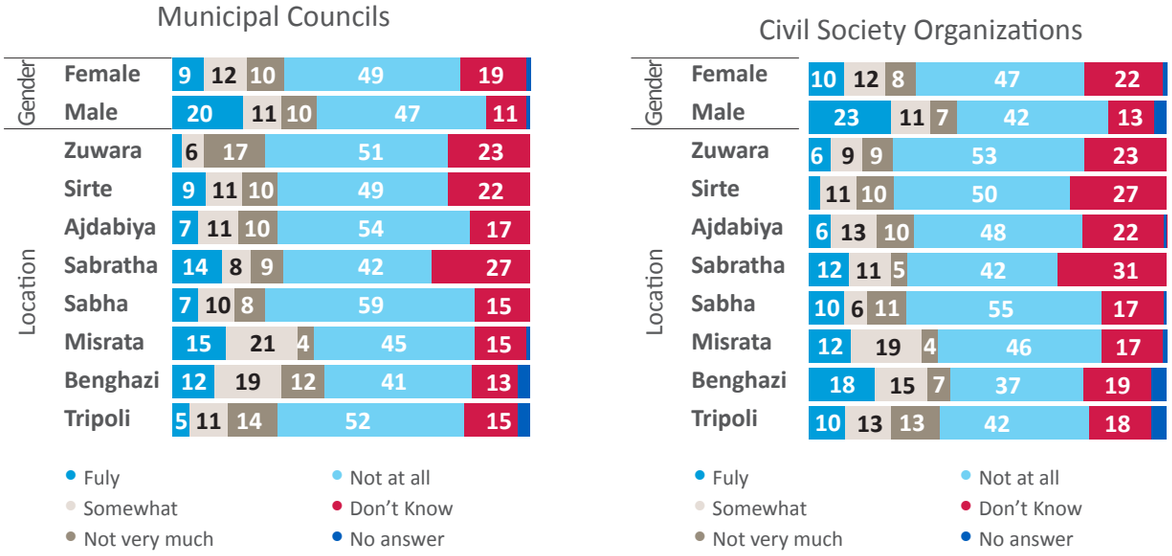


6.1.1.2. Local Institutions

Perceptions of whether local institutions take women's interests into account vary more widely than perceptions of national institutions: women from Misrata and Benghazi appear to feel slightly more represented by local actors (with the exception of religious leaders) than women from the other six locations (figures 41 and 42). Nevertheless, the overall perception of whether these bodies represent women is generally very negative.

Figure 41

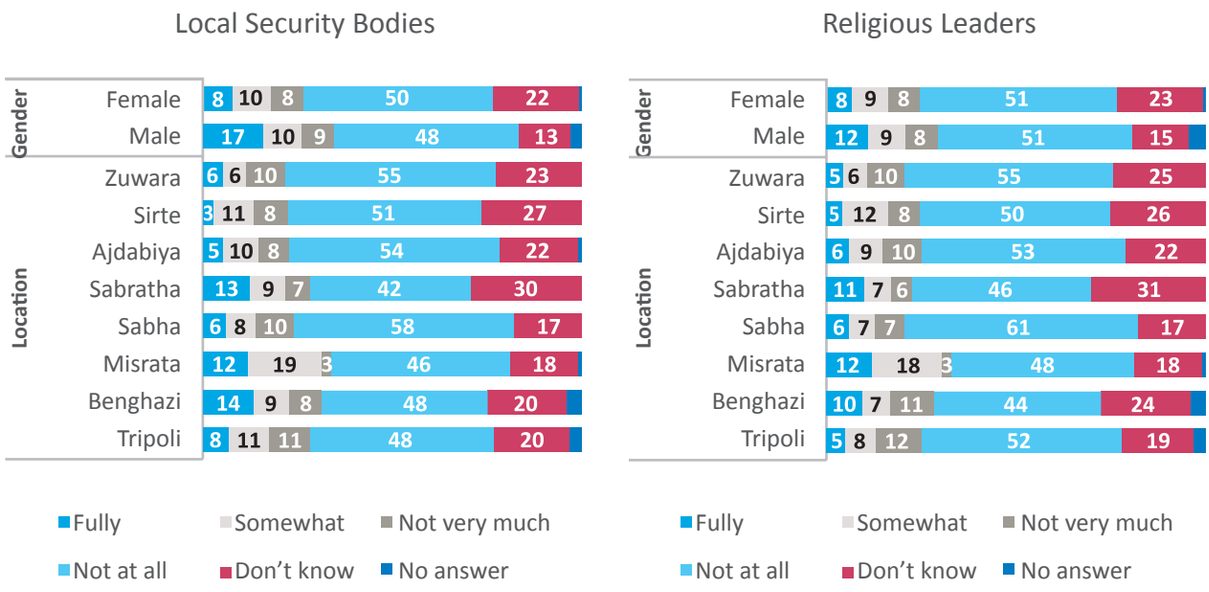
Representativeness of municipal councils and CSOs[31] (by gender, female responses disaggregated by location)



[31] Figures 41 and 42 display respondent answers to the question Do you think the following groups take into account the perspectives and opinions of women?

Figure 42

Representativeness of local security bodies and religious leaders (by gender, female responses disaggregated by location)



6.1.1.3. COMMUNITY ENGAGEMENT

The study revealed that gender plays a role in engagement and participation in community-level activities, with men being more likely to have increased levels of community participation compared to before the revolution, as opposed to women respondents who were less likely to have engaged with security providers or participated in civil society/community meetings and decisions before or after the revolution (figure 43). Similarly, men are more likely than women to have engaged with their communities at least once in the past.

Figure 43

Comparative participation in civic engagement pre- and post-revolution (by gender)

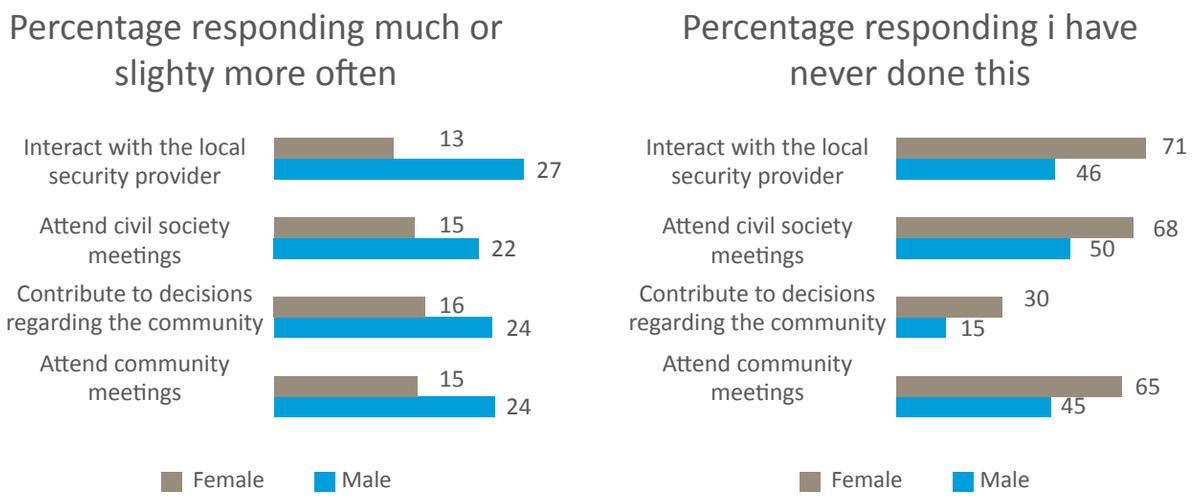


Figure 43 indicates that women were 25 percent more likely to never have engaged with a security provider, 18 percent less likely to have attended civil society meetings, 15 percent less likely to have contributed to community decisions, and 20 percent less likely to have attended community meetings. Figure 44 illustrates perceptions around these types of engagement: while nearly half of all survey respondents—irrespective of gender—felt that it was acceptable for a woman to engage in the proposed types of civic engagement, nearly as many did not.

Figure 44
Social acceptance of female community engagement (by gender)

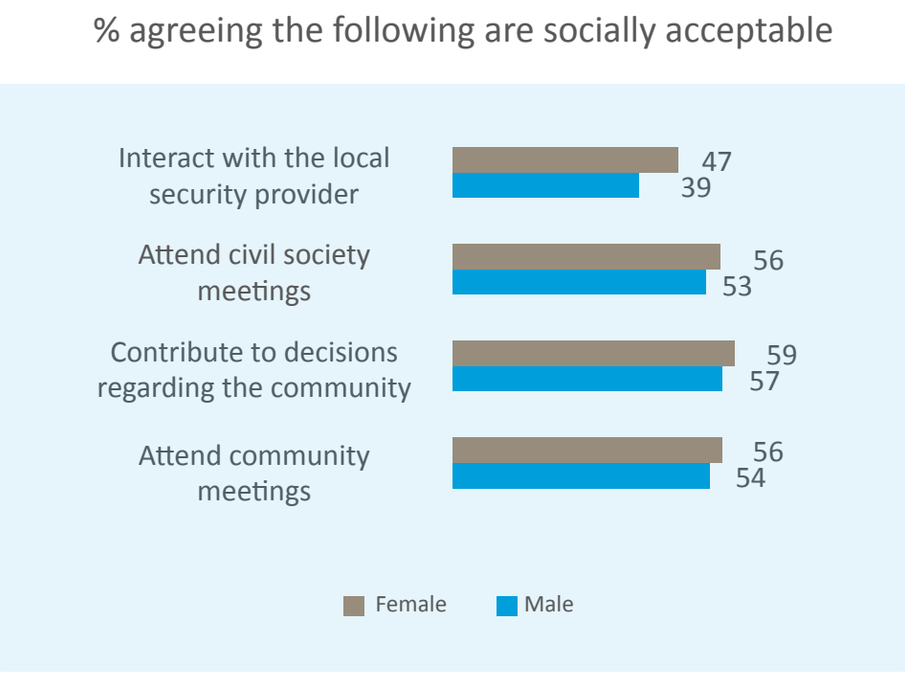
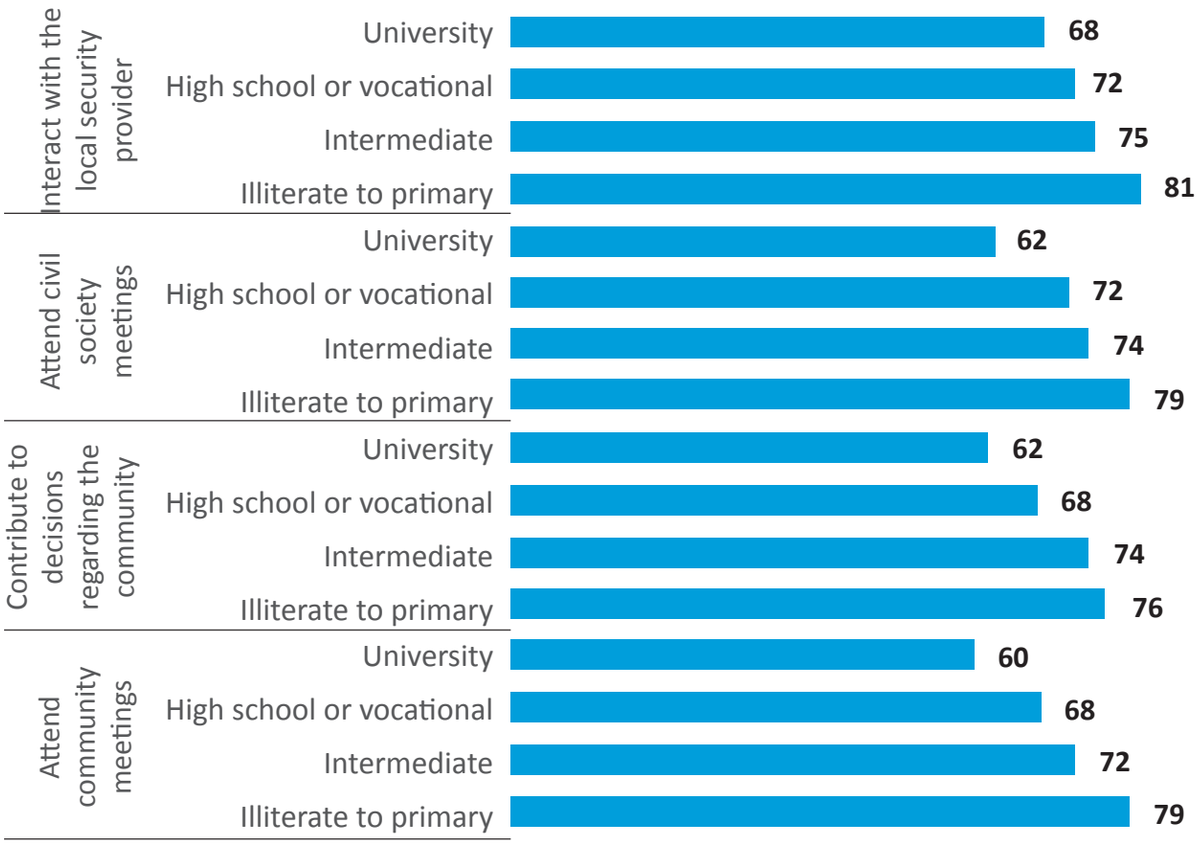


Figure 45 demonstrates that women's community engagement continues to remain low and that education plays an important role in community participation, with better-educated women being more likely to have participated in community-level activities. 79 percent of illiterate to primary-educated respondents said that they had never attended community meetings or civil society meetings, while a lower percentage of university-educated respondents reported having never attended civil society meetings and community meetings (62 percent and 60 percent, respectively).

Figure 45

Percentage of Libyan women who had never done the following activities as of the time of the survey (by level of education)

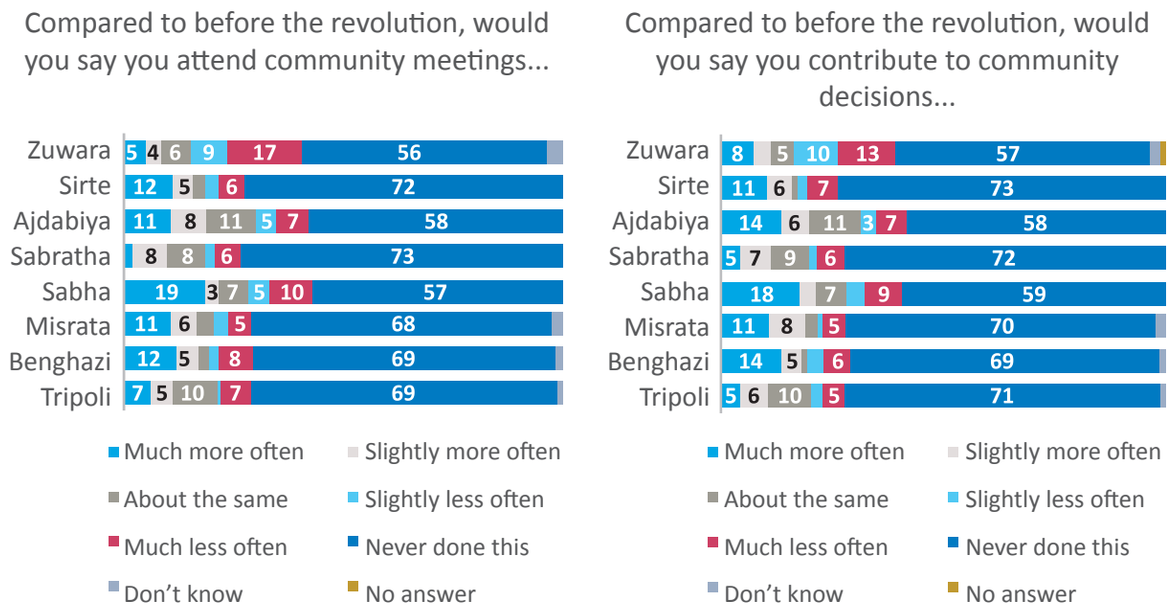


6.1.2. MEETINGS AND GATHERINGS

The majority of women respondents across all eight locations indicated that they had never participated in a community meeting either before and after July 2014. Of the women in the sample group who had previously participated in community meetings and community decisions, more than half said that they now contributed slightly more often or much more often than they had before the revolution (figure 46). Interestingly, stakeholders interviewed for the qualitative portion of this study felt that community engagement had actually declined, which they attributed to poor security. Despite seeming contradictory on the surface, these results may indicate that insecurity has discouraged participation among women who were previously unlikely to engage while encouraging engaged women to continue participating in times of need. For example, 19 percent of women in Ajdabiya and 17 percent of women in Sirte, Misrata and Benghazi who had actively participated in their communities prior to 2014 were also more likely to participate in their communities after that time. The most marked increase in participation and community decision-making occurred in Sabha, where 22 percent and 18 percent of female respondents reported having participated more often in community meetings and community decisions, respectively.

Figure 46

Comparative participation in community meetings and community decisions (by location)



6.1.1. ACTIVISM

While survey respondents tended to feel that the number of women activists had risen since 2014, they did not report engaging in activism more frequently in 2018 than before the revolution. As with community engagement, most women respondents in all eight locations reported never having participated in civil society meetings (figure 47). Among those who reported having previously attended civil society meetings, a small majority of women reported participating more frequently in these meetings now than before the revolution.

Figure 47

Comparative participation in civil society meetings (by location)

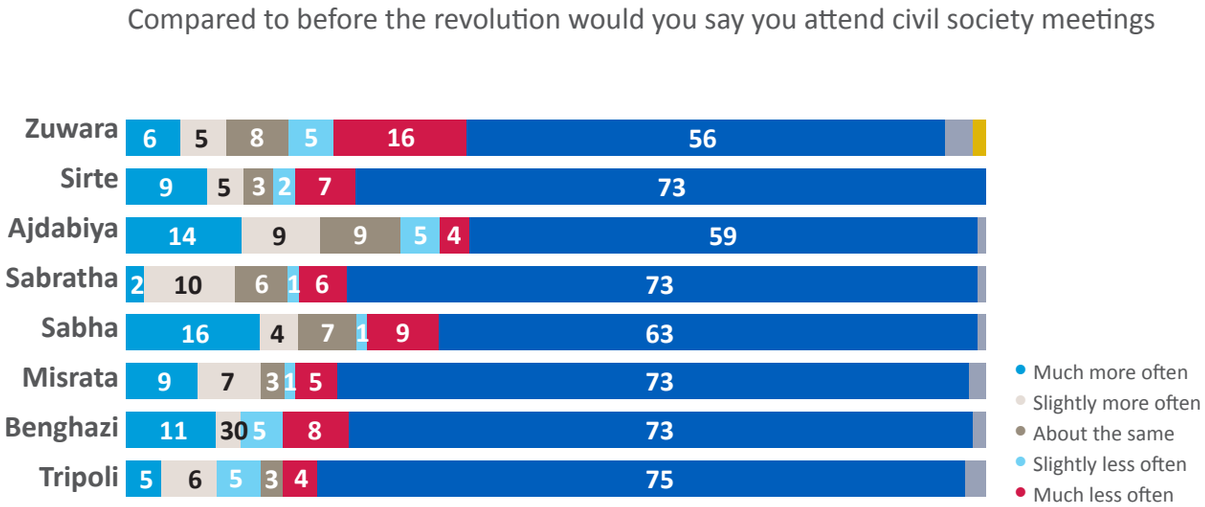
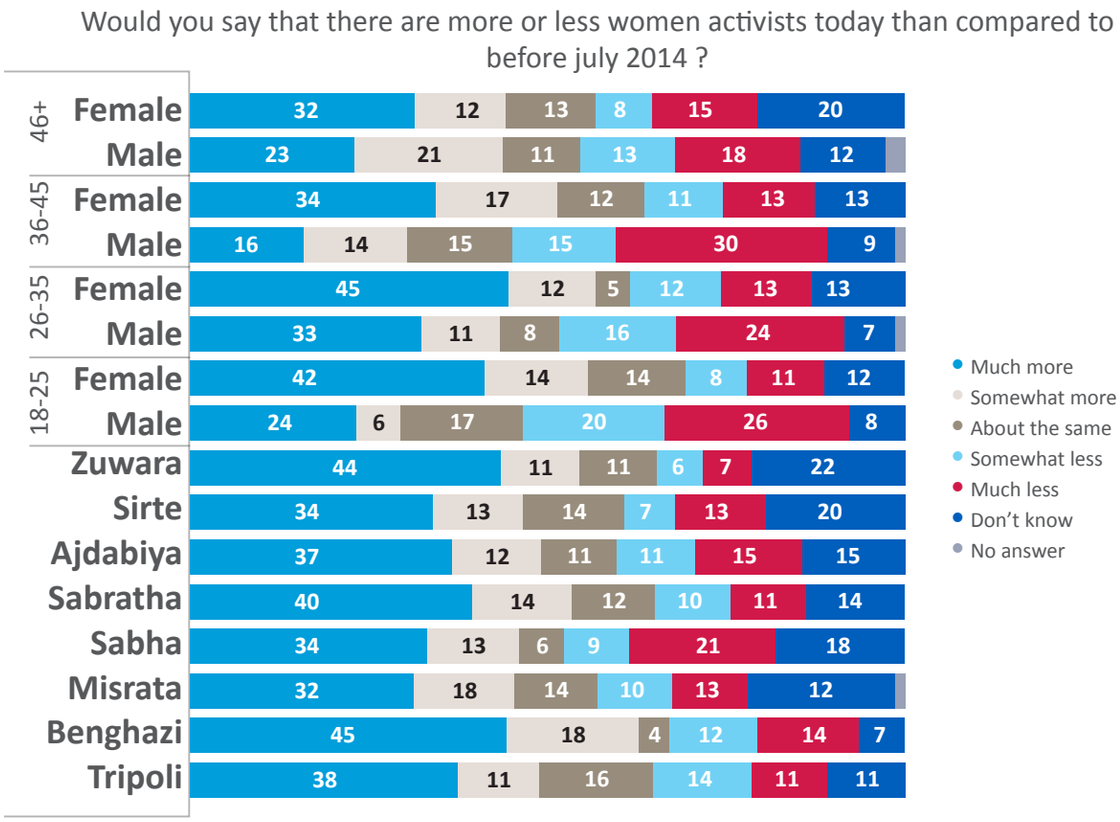


Figure 48

Comparative number of female civil society activists (by gender and age, female responses disaggregated by location)



Despite the marked lack of self-reported engagement and participation among women in the sample, between 47 and 63 percent of respondents across all eight locations felt that the number of women activists had increased compared to before July 2014 (figure 48), signalling a perceived increase in women's engagement in Libya. Younger Libyan women (18 to 25 and 26 to 35 years old) from the eight surveyed locations tended to feel this more strongly (66 percent of those aged 18 to 25 and 67 percent of those age 26 to 35) than older Libyan women (51 percent of those aged 36 to 45 and 44 percent of those age 46 and over).

Women respondents from Zuwara more frequently reported an increase in female activists than women from the other seven locations (figure 48). This perceived may be due to the general rise in civic engagement that has occurred in the locality since 2011. High levels of social homogeneity and cohesion within the only Amazigh town on the Libyan Mediterranean coastline are likely responsible for the higher level of activist engagement. However, sampled Zuwaran women were the least likely to engage in community meetings or community decisions before the revolution. This might suggest that even if there are comparatively more Zuwaran female activists now than before the revolution, Amazigh-based activism and community organization may still be largely male-led.

Women respondents from Benghazi were also more likely to report an increase in female activists, which can be accounted for by the expulsion of Ansar al Sharia (ISIS).

Box 7

Perceived challenges to women's activism and political engagement (stakeholder interviews and focus groups discussions)

Security

Increased instability has hampered civil activism. According to Wasem J., a member of the municipal council in Benghazi, "there are less women activists now than in 2014 because women have found the life of civilian activists threatening". Likewise, Maryam K. (50), a civil society actor from Misrata stated, "when the situation stabilizes and there are no more weapons and logistical support is available...women will [be able to] do their part in society".

High-profile assassinations of women activists who spoke out against armed groups and corruption —including Salwa Bughaighis (June 2014), Intissar Al Hasaeri (February 2015) and Freeha Al-Berkawi (July 2017)—may have also deterred women from engaging in activism.

Social constraints

"It would be useful to hold panels and discussions that motivate them to speak about politics and other issues. One of the most important obstacles facing Libyan women are customs and tradition."
- Fatma, 45, Libyan Airlines employee, Tripoli

Several civil society actors cited the issue of societal acceptance of women's engagement in politics and activism as a significant obstacle for women. In the words of tribal elder Mohamed B. (65, Benghazi), "moral encouragement must come from the husband and father and the tribe... the obstacles are social constraints and family".

Some stakeholders called for awareness and education campaigns to sensitize Libyan society to the idea of granting women a more active role in society. In the words of Eman O. from Benghazi, "some people do not trust women or do not respect their rights to full political participation". She called for "the community [to] encourage women to participate in political activities and give them confidence and responsibility". While calling for education campaigns, municipal council member Wasem J. argued that women should be allowed to "participate in everything, but within the limits of religion and custom".

Awareness Raising

"Emphasis should be placed on awareness-raising courses and lectures on the ... role of women in politics and in encouraging them to participate. ... I believe that the lack of women's education in politics is the biggest obstacle in their path."
– Kameela A., university student, Sabha

In addition to sensitization campaigns for Libyan society at large, interviewed stakeholders—especially women—highlighted the need to educate women about politics, democratic civic engagement, and their rights in general through educational TV programmes, lectures, courses and seminars. Hmeda S., a government employee from Benghazi asserted, "women should be encouraged to participate in political activities by offering educational courses and seminars by ... organizations and competent persons... so that women are fully aware".

7

CONCLUSIONS AND RECOMMENDATIONS

7.0

CONCLUSIONS AND RECOMMENDATIONS

Labour market and employment trends that emerged from the study support much of the legislative and economic analysis available in the existing literature on Libya. The study revealed that women experience higher rates of unemployment than men, work primarily in the education and health sectors, are underrepresented in the private sector, and earn lower salaries than men with equivalent education levels. Underlying these gender-specific trends are the historical shortcomings of the Libyan economy and labour market, which affect both Libyan men and women.

The study also revealed that, like men, women have little recourse in terms of coping mechanisms when facing unemployment and economic hardship. National institutions are regarded negatively with respect to considering women's perspectives, and community and political engagement is significantly lower among women than men. Underlying these findings are the negative gender stereotypes and social norms that impact all aspects of women's lives, inhibiting their freedom of movement, economic participation, community-level engagement and access to formal justice systems.

In response to the key findings, this study will present recommendations on economic recovery, legal reform, women's political participation and women's peace and security for gender-responsive peacebuilding. These are aligned with the normative framework of the Sustainable Development Goals (SDGs), United Nations Security Council Resolution 1325 of 31 October 2000 on Women, Peace and Security, and United Nations Security Council Resolution 2467 of 23 April 2019 on conflict-related sexual violence.

7.1
EMPLOYMENT
7.1.1 KEY FINDINGS

KEY FINDING 1 :

THE MAJORITY OF WOMEN RESPONDENTS WERE UNEMPLOYED (61 PERCENT)

KEY FINDING 2 :

RESPONDENTS' EMPLOYMENT CHOICES WERE HIGHLY SEGREGATED BY GENDER (OVER 50 PERCENT OF THE EMPLOYED WOMEN IN THE SAMPLE WORKED IN EDUCATION AND HEALTH, COMPARED TO ONLY SEVEN PERCENT OF MEN)

KEY FINDING 3 :

PERCENT OF WOMEN RESPONDENTS REPORTED BEING HEAD OF HOUSEHOLD AND 51 PERCENT OF EMPLOYED WOMEN REPORTED WORKING OUT OF FINANCIAL NECESSITY

KEY FINDING 4 :

THERE WERE LOW LEVELS OF SELF-EMPLOYMENT AMONG EMPLOYED RESPONDENTS (TWO PERCENT OF EMPLOYED WOMEN AND 29 PERCENT OF EMPLOYED MEN)

KEY FINDING 1 : THE MAJORITY OF WOMEN RESPONDENTS WERE UNEMPLOYED (61 PERCENT)

The study revealed that unemployment among women respondents was significantly higher than among men—61 percent of female respondents were unemployed (compared to five percent of male respondents). Of this 61 percent, more than half were actively seeking employment, demonstrating a desire to work. Only 14 percent of the women who were unemployed at the time of the survey reported having previously held a paid position, indicating that these respondents may have been experiencing chronic unemployment.

Looking at employed respondents, women were more likely than men to be employed in their fields of study. This may be related to the gender-based employment patterns exhibited by the survey, i.e. if women were more likely to be employed in health or education, they were also more likely to pursue studies in health- or education-related fields.

The study revealed that respondents were most likely to rely on government services for their job search (53 percent) or on friends and family networks (35 percent). Women in the sample were nearly half as likely to rely on networks of friends than their male counterparts.

KEY FINDING 2 : RESPONDENTS' EMPLOYMENT CHOICES WERE HIGHLY SEGREGATED BY GENDER (OVER 50 PERCENT OF THE EMPLOYED WOMEN IN THE SAMPLE WORKED IN EDUCATION AND HEALTH, COMPARED TO ONLY SEVEN PERCENT OF MEN)

The study indicated that employment patterns among respondents were

extremely segregated and marked by significant income disparities between genders. Of the employed women in the survey, 55 percent were employed in education and health, services largely dominated by the public sector. Furthermore, the employed women in the sample earned nearly three times less than the men in the sample, despite having equivalent educational qualifications. While women may be paid less than their male counterparts for the same work, as is the case in many countries around the world, this remuneration disparity may also indicate that the industries and positions women occupy are less highly remunerated than those in which men are employed.

The idea that women should be constrained to jobs that are suitable to their nature—enshrined in Article 24 of Law 12/2010 Concerning Employment—emerged clearly from the qualitative interviews conducted with Libyan stakeholders. According to these interviews, Libyan women perform the social functions of caretakers, mothers and educators, and were therefore perceived as being best suited for employment in education and health.

Stereotypes and cultural perceptions of Libyan women's role constrain their employment options and may discourage entrepreneurship or employment in the private sector. Interviews with key stakeholders also suggested that working in education and health (especially in the public sector, which offers flexible working hours) allows women to also perform their familial duties.

KEY FINDING 3 : 40 PERCENT OF WOMEN RESPONDENTS REPORTED BEING HEADS OF HOUSEHOLD, AND 51 PERCENT OF EMPLOYED WOMEN REPORTED WORKING OUT OF FINANCIAL NECESSITY

The study revealed that gender roles in Libya continue to be defined traditionally, with men acting as the primary income-earners and women the primary homemakers. Despite this, a high proportion of women in the sample (40 percent) reported being the heads of their households, even though only 35 percent of the female respondents reported being employed. Of those employed, 50 percent reported working due to financial necessity, with many of these working despite their families' disapproval.

Drivers of employment and unemployment for the women in the study ranged across financial necessity, social norms and personal preference. 51 percent of employed women reported working out of financial necessity and 28 percent reported working because they enjoyed employment (figure 3), while 29 percent do not work due to family responsibilities (figure 20). Of those stating that they could not work due to family responsibilities, 53 percent indicated that they would choose not to work even if they did not have such responsibilities, while 40 percent indicated that they would have liked to work.

KEY FINDING 4 : LOW LEVELS OF SELF-EMPLOYMENT AMONG EMPLOYED RESPONDENTS (TWO PERCENT OF EMPLOYED WOMEN AND 29 PERCENT OF EMPLOYED MEN)

The data from the study indicates that employment in the private sector is low, which is corroborated by the existing literature on the Libyan economy. Employed individuals were most likely to be employees (57 percent and 31 percent of employed men and women, respectively). Women were significantly less likely to be self-employed than men—29 percent of men were self-employed, compared to only two percent of women.

7.1.2 RELEVANT FRAMEWORKS

Specific recommendations concerning the above findings must be considered within

the normative framework of the SDGs, CEDAW and UNSCR 1325. Within the SDGs framework of targets and indicators, SDG 5 emphasizes the importance of women's participation and equal access at all levels of decision-making, including in economic decisions. SDG 5 includes the following targets:

1. Target 5.5 : Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life;
2. Target 5.A : Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws;
3. Target 5.B : Enhance the use of enabling technology, in particular information and communications technology, to promote the empowerment of women.

Furthermore, specific provisions for women's economic participation in post-conflict settings are laid out in UNSCR 1889 of 5 October 2009, a subsequent resolution from UNSCR 1325, which:
Urges Member States, international and regional organisations to take further measures to improve women's participation during all stages of peace processes, particularly in conflict resolution, post-conflict planning and peacebuilding, including by enhancing their engagement in political and economic decision-making at early stages of recovery processes, through inter alia promoting women's leadership and capacity to engage in aid management and planning, supporting women's organizations, and countering negative societal attitudes about women's capacity to participate equally;

Encourages Member States in post-conflict situations, in consultation with civil society, including women's organizations, to specify in detail women and girls' needs and priorities and design concrete strategies, in accordance with their legal systems, to address those needs and priorities, which cover inter alia support for greater physical security and better socio-economic conditions, through education, income-generating activities, access to basic services, in particular health services, including sexual and reproductive health and reproductive rights and mental health, gender-responsive law enforcement and access to justice, as well as enhancing capacity to engage in public decision-making at all levels.

Paragraph 4 of the United Nations General Assembly Security Council Declaration on Women's Economic Empowerment for Peacebuilding of 26 September 2013[32] recognizes the impact of women's participation on economic growth, reiterating that: "The economic empowerment of women greatly contributes to the effectiveness of post-conflict economic activities and economic growth, and leads to improving the quality and social outcomes of economic recovery measures and policies as well as to sustainable development."

CEDAW also serves as an important framework, high lighting that the prevalence of gender stereotypes and social norms shape women's economic opportunities and position in the labour market : "The Committee remains concerned about the persistence of entrenched, traditional stereotypes regarding the roles and responsibilities of women and men in the family and in the larger society, which are reflected, in part, in women's educational choices, their situation in the labour market and their low participation in political and

[33] UN Doc. PBC/7/OC/3 (United Nations General Assembly, September 26, 2013), para. 4.

public life," (2009).

7.1.1. RECOMMENDATIONS

The findings of this study suggest that interventions aimed at supporting the economic empowerment of Libyan women should take into consideration that already employed women might be among the most vulnerable—seeking employment due to extreme vulnerability, particularly in more impoverished and conflict zones, where women must persist in working despite the security risks. This should serve as a backdrop for the following recommendations.

1. Ensure that gender-sensitive economic recovery is prioritized in all peacebuilding activities.

In line with UNSCR resolutions, gender-specific administrative and economic provisions must be made in all peacebuilding, conflict resolution and post-conflict and economic recovery initiatives. This is supported by the Global Study on the Implementation of United Nations Security Council resolution 1325, which states: "Transformative economic initiatives must address the diversity of economic needs among women and girls recovering from conflict, with tailored approaches for particularly economically vulnerable groups, including IDPs and refugees, indigenous peoples, women and girls with disabilities, older women," (UN Women 2015).

2. Engage women at the central and local levels in the early stages of planning for the country's recovery.

Country recovery plans are often gender-blind as institutions tend to leave gender issues to be dealt with "later". However, governments and finance institutions such as the World Bank and the International Monetary Fund should prioritize analysing the economy and labour market from a gender perspective when designing investment plans. This is particularly true when considering that these financial plans typically prioritize sectors in the short- and medium- term such as construction and infrastructure development, which do not generally create jobs for women. While these kinds of investments are important, adopting a long-term view of labour force participation and women's opportunities for economic engagement early on in the process of investment/development is also important.

3. The Bureau of Statistics should consider collaborating with labour market institutions to develop a labour market information system (LMIS) in order to ensure systematic and gender-disaggregated data collection that is in accordance with international best practices.

Several analyses of the Libyan labour market have identified a great need for systematic data collection and analysis of labour market needs. Fundamental sources of information such as regularly administered surveys or updated data registries (i.e. public employment services, business registration database, service provision databases, etc.) are lacking or inadequately executed. The general absence of data hampers effective analysis and policy design and represents a significant obstacle to reforming the public sector and boosting the private sector. The development of a comprehensive LMIS is a long-term intervention that should be undertaken by the Bureau of Statistics in conjunction with labour market institutions such as the Ministry of Labour, the Chamber of Commerce, the Ministry of Trade and Investment, the Ministry of Social Affairs and the Ministry of Education. This collaborative system development can take a phased approach: developing or enhancing data collection tools and systems in individual ministries and institutions, strengthening capacities for data collection and gender analysis—in line with the best practices outlined by the Inter-Agency and Expert Group on Sustainable Development

Goal Indicators—and finally developing an overarching LMIS system. Ultimately, this system will be fed by data and will generate analysis that provides a comprehensive picture of Libya's labour market.

4. Build on the needs and challenges of the private sector and introduce measures to encourage formalization of businesses that offer women and men good jobs.

The informal economy is often characterised by unprotected and unstable employment. The denial of rights at work, the absence of sufficient opportunities for quality employment, inadequate social protection and the absence of social dialogue are most pronounced in the informal economy. In developing a gender-responsive regulatory framework for an environment conducive to business and investment, employment and social protection policies should be revised and measures that incentivize transitioning from the informal to formal economy should be introduced. These crucial steps would contribute to growth and ensure that available jobs generated in the market offer stability and protections.

5. Strengthen the financial market and expand access to credit with a focus on better serving women.

While access to credit and a poor financial market environment affects all Libyans' ability to open a business, these disproportionately affect women. However, when the country can begin restructuring its financial system, that process should be underpinned by a focus on including women in the national financial inclusion agenda. Efforts to enhance financial institutions' abilities to serve women entrepreneurs could include incentivising commercial banks to develop programmes specific to businesswomen's needs. Such schemes may include providing women with business and finance literacy courses alongside loans and collective "investment clubs", which allow women the opportunity to pool savings into an investment fund, which can then be used as collateral for other loans (Global Partnership for Financial Inclusion, 2011).

6. Establish credit bureaus and collateral registries that would enable women to access loans despite a lack of collateral.

Studies indicate that women-headed businesses' best assets are their credit history. However, in an environment with no such system, women entrepreneurs may struggle to secure credit from banks as they may not have the required collateral.

7. Develop programmes that focus on supporting women's self-employment and business start-ups.

The study at hand and others have highlighted the low share of businesses owned by women. To address this, a comprehensive programme that promotes self-employment and business development for women should be undertaken in parallel with the more strategic and long-term interventions set out above. The programme could include elements such as strengthening entrepreneurial skills, providing grants, facilitating tailored mentorship throughout the full business development cycle, and support for accessing networks and markets.

8. Develop partnerships between universities, vocational training centres, the public sector and the private sector to design, develop and promote vocational education programmes throughout the country. All such programmes should have a quota for women of 50 percent).

Actors such as universities and local businesses should collaborate to develop apprentice ship programmes and internships that will help students develop hard skills and supplement their educations with real work experience[33]. Additionally,

[33] According to the World Bank, "Libya has not participated in international basic education competency tests, and little information is available on the quality of education. Therefore, there is a need to evaluate Libya's educational system and reforms that might be needed in the short to long term to better equip graduates at all levels with the skills needed by the labour market" (2015).

the Ministry of Labour and Rehabilitation should be empowered to more effectively provide employment support services and should also be equipped to provide job skills training and counselling services to recent graduates. Active labour market programmes have proven to be an effective approach for facilitating skills development and employment in labour markets such as Libya's, where there is a distinct mismatch between supply and demand. Tailor-made on-the-job training and employment placement programmes implemented by public employment services in partnership with the private sector could enhance the employment prospects of groups at risk in the labour market. Women's prospects would be further enhanced by the inclusion of a quota for women.

9. Ensure gender-responsive social protection systems are in place through the enforcement and introduction of legislation on equal pay, maternity and paternity leave and the introduction of more affordable childcare services.

While current labour laws (particularly Law No.12 of 2010 on Employment Relations in Chapter III on the Employment of Women and Juveniles) stipulate that "there shall be no discrimination between men and women in treatment employment or remuneration for work of equal value", enforcement across all sectors and within the informal job market remains uneven and must be addressed if women's economic participation and meaningful equality are truly to be supported. Additionally, labour laws should address paternity leave, which is currently absent from legislation, to promote equitable division of labour between genders, socially and practically (State of Libya and Women Empowerment Unit, 2019). While the provision of child-care facilities has grown, affordable child-care services need to be expanded both in private and state-supported child-care facilities to enable women to reallocate their time from childcare to economic participation, as necessary and/or desired.

10. Promote the value of unpaid care work and invest in the care economy as a means of job generation, increased productivity and growth in the country.

Evidence confirms that there is increased socio-economic benefit to communities and countries when women and men have equal opportunities to join and receive equal incentives from the labour market. Achieving equality in the paid economy requires the redistribution of unpaid care responsibilities, the alleviation of discrimination in the private sector through labour market policies and investment in the care economy sector (e.g. health and education). Regulating the care economy entails valuating and recognizing its contribution to growth (i.e. through a time-use survey) and establishing a national-level coordination mechanism to govern the development and implementation of a comprehensive and inclusive strategic plan.

11. Combat stereotypes about women's roles to promote women's engagement in the private sector and "non-traditional" fields.

Utilizing existing research and best practices, a comprehensive plan should be developed to raise the private sector's and communities' awareness around the importance of women's participation in the labour market and the ensuing benefits of better livelihoods and sustainable growth. Regional and international practice shows that diversity in teams, executive leadership and managerial boards in the private sector leads to increased productivity and competitiveness, which could, in turn, translate to better and more jobs, and well-being for all.

12. **Technical and financial assistance for business start-up and SME development targeting women should consider the time constraints, preferences and household obligations of Libyan women while working in parallel to introduce measures that reduce unpaid care work burden**.

Studies indicate that female-owned businesses are more likely to operate from inside the business owner's home, as domestic duties may dictate female business owners' choice of industry as well as the size and location of her enterprise (Global Partnership for Financial Inclusion, 2011). A Libyan woman inclined to start an SME may be more likely to choose a business that she can operate from her home. Interviews suggested that many Libyan women have launched informal catering and baking businesses from their homes, which allow them to earn an income from the safety, privacy and comfort of their homes.

7.2.1. KEY FINDINGS

KEY FINDING :

WOMEN ARE TWICE AS LIKELY TO RELY ON INFORMAL JUSTICE MECHANISMS TO RESOLVE VIOLENT CRIMES THAN MEN

> Reports of VAW [violence against women] that do get filed are met with a limited response from the formal security actors (the police), due to the lack of professionalism in the police force, and the difficulty for the police to act in the fragile security situation. In the absence of response from formal channels, informal channels (family, tribe, armed groups) in some case provide response. However, the informal channels also remain largely unresponsive unless the crime relates to severe sexual violations. In such cases, both the victim's family and the victim's tribe have the potential to react very quickly and severely (UNDP Libya, 2015b).

The Libyan legal system does not adequately protect women against domestic violence, honour crimes or rape. Certain articles of the penal code and the personal status laws (Zina laws) are particularly regressive and discriminatory against women. Although gathering information on gender-based violence or domestic abuse through a survey is difficult, this study suggests that Libyan women may face an elevated degree of violence both in public and behind closed doors, hindering their participation both in society and the economy.

The survey found that women were twice as likely to rely on their family and family networks to resolve violent crimes (60 percent of women respondents as compared to 32 percent of men). This suggests that the current legal system does not allow women to pursue formal avenues of justice and forces victims of gender-based violence to resort to informal means of dispute resolution. If these laws are not amended, many gender-based crimes in transitional justice and/or conflict settings will not be adequately recorded or addressed, and survivors will not be compensated.

The study also indicates that regions with higher reported incidents of sexual assault were those that had experienced heightened conflict, such as Sabha and Sirte. Therefore, further efforts need to be made to respond to and prevent gender-based violence in areas affected by conflict in Libya.

7.2.2. RECOMMENDATIONS

1. Libya should dismiss its reservations to CEDAW and harmonize its penal code with international instruments barring gender discrimination.

According to the United Nations Development Programme 2018 report Libya: Gender Justice & the Law, "Libya acceded to the CEDAW Optional Protocol in 2004, which allows people to submit complaints on violation of rights guaranteed by the Convention to international protection mechanisms when domestic remedies are limited or unavailable," and "ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol) in 2004, subject to a reservation about 'judicial separation, divorce and annulment of marriage.'" Legislative reform should be undertaken within the Penal Code to remove laws and gender biases that perpetuate discrimination against women. Such reforms would include, as an example, Article 424 of the Penal Code, which "exonerates a rapist if he marries his victim and does not divorce her for a period of three years". Furthermore, legislative reform should ensure that all personal status laws acknowledge equality between men and women, particularly those laws that relate to nationality, marriage and inheritance.

2. International resolutions on eliminating gender-based violence, particularly sexual violence and other violations of women's human rights in conflict-related settings, must be implemented.

Transitional justice mechanisms should be strengthened to investigate and prosecute allegations of conflict-related sexual violence in accordance with international law. Mechanisms for accountability and redress must be strengthened for all violations of human rights suffered by women, including the recommendations laid out in UNSCR 2467 on sexual violence in conflict which include:

- Paragraph 1, which "reiterates its demand for the complete cessation with immediate effect by all parties to armed conflict of all acts of sexual violence and its call for these parties to make and implement specific time-bound commitments to combat sexual violence";
- Paragraph 7, which emphasises the need for "monitoring, analysis and reporting arrangements on conflict-related sexual violence"'
- And Paragraph 9, which "encourages the continued strengthening of efforts to monitor and document sexual violence in armed conflict and post-conflict situations and, as an integral part of these efforts," and "calls for a more systematic, reliable and rigorous approach to gathering accurate, reliable timely and sex-disaggregated information on sexual violence in conflict and post-conflict situations, in such a way that will not put at risk survivors."

Legal frameworks that incorporate definitions and identify elements of gender-based violent crimes, procedures for supporting victims and witnesses, and provisions for reparations in line with international standards should be supported.

3. Specialized support services for survivors of assault and gender-based violence, protection services and referral pathways at the community level should be expanded.

The study indicates that women in Libya face protection risks. Therefore, increased access to high-quality services and referral pathways should be provided in settings that are sensitive to the taboos around discussing gender-based violence in Libyan society. Based on women's disposition towards informal justice mechanisms,

the study also indicates that referral pathways need to be strengthened, as does the capacity of duty bearers to respond to, prevent and identify cases of gender-based violence through a survivor-centred approach.

In line with providing specialized support services, civil society—in particular women CSOs and grassroots organizations—must be supported in all prevention response efforts, as stipulated in UNSCR 2467, paragraph 19. Paragraph 20 of UNSCR 2467 also emphasises the importance of supporting women- and survivor-led organizations "to enhance informal community-level protection mechanisms against sexual violence in conflict and post-conflict situations, to increase their support of women's active and meaningful engagement in peace processes to strengthen gender equality, women's empowerment and protection as a means of conflict prevention".

Furthermore, efforts must be made to ensure that survivors are socially and economically reintegrated into the community and that mobilization is supported to "shift the stigma of sexual violence from the victims to the perpetrators, and to promote cohesion among community members where state security presence is weak" (UNSCR 2467, paragraph 19).

4. An integrated gender-sensitive criminal justice system and security sector should be supported.

Investing in building the gender-responsive capacity of the justice and security sector is recommended. This can be achieved by providing gender-sensitive training for members of the judiciary and police on how best to approach cases of violence against women and interact with survivors of sexual violence. Efforts should be made to promote women's participation in the security sector and as police officers in the police force, which is outlined in the following sections of UNSCR 2467:

- Paragraph 3 "encourages national authorities in this context to strengthen legislation to foster accountability for sexual violence, stresses the critical role of the domestic investigation and judicial systems of member states to prevent and eliminate sexual violence in conflict";
- Paragraph 14 "encourages justice sector reform efforts, to strengthen legislation and enhance investigation and prosecution of sexual violence in conflict and post-conflict situations consistent with fair trial guarantees under international law, which could include enacting, if not yet established, victim and witness protection laws and providing, where appropriate, legal aid for survivors, and establishing, where appropriate, specialized police units and courts to address such crimes";
- Paragraph 15 encourages "access to justice for victims of sexual violence in conflict and post-conflict situations, including women and girls, who are particularly targeted, including through the prompt investigation, prosecution and punishment of perpetrators of sexual and gender-based violence".

7.3.
SOCIAL NORMS AND GENDER STEREOTYPES

7.3.1. KEY FINDINGS

KEY FINDING :

NEGATIVE GENDER STEREOTYPES AND SOCIAL NORMS THAT CURTAIL WOMEN'S RIGHTS AND FREEDOM OF MOVEMENT CONTINUE TO PERSIST, RESULTING IN WOMEN'S FREEDOM OF MOVEMENT BEING SIGNIFICANTLY LOWER THAN MEN'S

The study found that women's freedom of movement is significantly lower than men's and that negative gender stereotypes continue to curtail women's equality. Women in the survey were four times more likely than men to have never left their homes alone, approximately four times more likely to have never travelled between cities or neighbourhoods alone, and approximately three times more likely to have never travelled outside of Libya alone. This is despite that women across all eight locations were more likely than men to feel that it is socially acceptable for women to move freely and unaccompanied.

The study also found that perceptions of women's civic engagement continue to be shaped by social norms and negative gender stereotypes. Women were 25 percent more likely to never have engaged with a security provider, 18 percent more likely not to have attended civil society meetings, 15 percent less likely to have contributed to community decisions, and 20 percent less likely to have attended community meetings. While nearly half of all survey respondents—irrespective of gender—felt that the proposed types of civic engagement were acceptable for women, nearly as many felt they were not acceptable activities for a woman to engage in.

While the study found that women and men perceive women as participating more frequently in family decision-making now than before the revolution, this increase in women's agency within the home did not extend to decisions related to family finances. 46 percent of men stated that they decide financial matters alone, compared to 27 percent of women (who correlate with female heads of households).

7.3.2. RECOMMENDATIONS

1. **Libyan state and civil institutions should implement education campaigns and community engagement programmes to help eradicate negative social norms and limiting gender stereotypes.**

Community-level awareness-raising programmes targeting both men and women should be developed and implemented to address restrictive social norms and negative gender stereotypes, including the association of a woman's worth as a person with her honour. Existing community engagement models that challenge patriarchal stereotypes of women should be used as a foundation for engaging women and girls as well as men and boys.

Comprehensive research on gender equality should inform programming, particularly in developing approaches for targeted programmes to engage men in advancing gender equality and women's empowerment[35]. Furthermore, intersections of identity need to be considered—when designing initiatives, gender equality needs to be understood from a human

[35] As stipulated in UN Women's Brief, 10 strategies to engage men and boys in partnership with women and girls to achieve gender equality, (n.d.)

rights perspective with an understanding of multifaceted forms of discrimination. Promoting women's empowerment, gender equality and positive social norms that promote women's engagement should be mainstreamed in all development and government initiatives.

This should be coupled with supporting women's leadership and participation in decision-making roles as stipulated in UNSCR 2467, which recognizes that conflict-related sexual violence is: "Exacerbated by discrimination against women and girls and by the under-representation of women in decision-making and leadership ... and further affirming the importance of promoting gender equality by addressing these and other root causes of sexual violence against all women and girls as part of conflict prevention, conflict resolution and peacebuilding.'

2. **Promote gender equality and women's empowerment messages across media and ensure that women and women's rights activists have equal freedom of expression.**

The study demonstrates that women often have differing views from men as to what is socially acceptable. Gender-sensitive reporting and supporting women's participation in the media are critical, not only to ensuring gender equality and women's empowerment but also to ensuring women's equal participation in the Libyan political, economic and peacebuilding arenas. Suitable pathways to freedom of expression, particularly for those further at risk of intimidation and attack (such as defenders of women's rights) should be established and upheld. This includes ensuring implementation of international legislation that promotes "taking appropriate, robust and practical steps to protect women human rights defenders" as outlined in General Assembly resolution 68/181[36]. Furthermore, paragraph 21 of UNSCR 2467 underscores the importance of condemning "acts of discrimination, harassment and violence against civil society, and journalists who report on sexual violence in conflict and who are important to changing norms on roots causes, namely structural gender inequality and discrimination, and develop and put in place measures to protect them and enable them to do their work".

7.4. WOMEN'S POLITICAL PARTICIPATION AND WOMEN'S PEACE AND SECURITY

KEY FINDING 1 :

NATIONAL INSTITUTIONS REGARDED NEGATIVELY WITH REGARDS TO WOMEN'S REPRESENTATION

KEY FINDING 2 :

COMMUNITY AND POLITICAL ENGAGEMENT SIGNIFICANTLY LOWER AMONG WOMEN THAN AMONG MEN

[36] In 2014, the General Assembly adopted resolution 68/181 addressing the protection of women human rights defenders which called upon Member States to, inter alia, promote, translate and give full effect to the Declaration, including by taking appropriate, robust and practical steps to protect women human rights defenders. See operating paragraph 1, A/RES/68/181.

7.4.1. KEY FINDINGS

KEY FINDING 1: NATIONAL INSTITUTIONS REGARDED NEGATIVELY WITH REGARDS TO WOMEN'S REPRESENTATION

Respondents regarded national institutions, including the State Council, HoR, Constitutional Drafting Assembly and Judiciary negatively with respect to women's representation. Between 47 percent and 52 percent of respondents did not think national institutions accounted for the perspectives and opinions of women. While men were slightly more likely to report that these institutions did represent the interests of women, approximately half of both genders did not at all feel that women were represented by these bodies. Generally, between 53 percent and 61 percent of women surveyed in these eight locations did not feel represented by local and national institutions.

KEY FINDING 2: COMMUNITY AND POLITICAL ENGAGEMENT SIGNIFICANTLY LOWER AMONG WOMEN THAN AMONG MEN

The study found that women respondents' community engagement and civil society participation was low, while male respondents were more likely to have taken part in social and community activities. Between 57 percent and 73 percent of female respondents reported that they had never attended community meetings, with the majority also reporting never having participated in a community meeting either before or after July 2014. Furthermore, findings also revealed that education plays an important role in community participation, with better-educated women being more likely to have participated in community-level activities. 79 percent of illiterate to primary educated respondents had said they had never attended community meetings or civil society meetings, and 62 percent of university-educated respondents had never attended civil society meetings.

The study also found that conflict affects community engagement and participation. Insecurity has discouraged participation among women that were already previously unlikely to engage while spurring engaged women to continue participating in times of need. Of the women in the sample group who had previously contributed to community meetings and decisions, more than half said they now contributed slightly more often or much more often than before the revolution. Interestingly, stakeholders interviewed for the qualitative portion of this study felt that community engagement had declined, which they attributed to poor security.

Civil society actors interviewed called upon international donors to support CSOs focused on increasing women's knowledge and awareness of politics in general, and their political rights more specifically. Regarding possible tools and mechanisms that could help increase women's political and civic engagement, stakeholders called for support of political and civic education programmes aimed at women. International actors could serve as a bridge between civil society and government organizations such as HNEC to facilitate the design of gender-sensitive civic education and awareness campaigns.

7.4.2. RECOMMENDATIONS

1. **Promote women's meaningful participation in national institutions through international recommended quota levels of 30 percent.**

To ensure minimum representation in all levels of national institutions, a 30 percent minimum quota should be implemented,

including in all committees and delegations. According to the Global Study on the Implementation of United Nations Security Council resolution 1325, electoral quotas, in particular, have had a quantifiable impact on women's representation in conflict and post-conflict countries, contributing to the overall gender balance of their national elected bodies (UN Women, 2015).

2. Promote women's meaningful participation in all peace processes.

As evidenced by research, "peace processes that included women as witnesses, signatories, mediators, and/or negotiators demonstrated a 20% increase in the probability of a peace agreement lasting at least two years. This increases over time, with a 35% increase in the probability of a peace agreement lasting 15 years" (O'Reilly et al., 2015, p. 1). Taking this into consideration, women's participation and the mainstreaming of gender in all peace processes clearly must be advanced. As stipulated in the Global Study, this will include advocating for and supporting for a diverse, "inclusive and transparent selection criteria for women at negotiations or beyond, including for example ensuring women's participation in the leadership committees of peace talks, national dialogues, and consultative forums; and creating formal mechanisms to transfer women's demands to the negotiation table" (UN Women, 2015).

3. Ensure that promoting gender equality and women's empowerment is mainstreamed throughout all national institutions and political dialogues.

Ensuring women's participation does not mean that they are responsible solely for women's issues, but that they are allowed—and encouraged—to participate and serve as decision makers on the full range of issues involved in national institutions. Therefore, efforts must be made to ensure that gender equality is mainstreamed by all major stakeholders in national institutions.

4. Promote women's participation and gender mainstreaming throughout the judiciary.

Ensure not only that women's access to justice is advanced, but that women are meaningfully represented throughout the judiciary as judges, lawyers and judicial police officers. This includes addressing barriers to equal participation of women through setting corresponding targets and creating initiatives for recruitment and implementing "comprehensive efforts to address... gender bias and discrimination among judges, lawyers and court administrators, including the establishment and support of effective monitoring mechanisms"[37].

5. Promote gender-responsive budgeting.

Set specific numerical targets that ensure the inclusion of women and women's issues in planning, such as the United Nations target of allocating 15 percent of peacebuilding funds to projects whose principal objective is to address women's specific needs and advance gender equality.

6. Provide sustainable support and capacity building to the burgeoning civil society sector in Libya

Civil society is still relatively new in Libya, and the lack of women's community participation may be an indicator of the need for civil society and civic engagement activities to further expand their reach. Efforts should be made to provide long-term sustainable support, including capacity building, to civil society in general.

Civil society should also be supported in its efforts to build political awareness. According to post-election studies

[37] Gordon, 2019.

undertaken by UNDP and the Carter Center, women's political participation is negatively impacted by a lack of, or unequal access to, information. Efforts should be made to support the growth of a civil society that is well-versed and well-prepared to raise political awareness among women—especially marginalized women in rural areas. A long-term strategy to support and build the capacity of women's networks and CSOs to engage in the political and peace dialogues should be developed.

7. Advocate for equal and meaningful political and civic participation of both men and women.

Efforts should be continued to support organizations that advocate for equal and meaningful political and civic participation of both men and women. The findings of this study indicate that nearly 50 percent of male respondents did not feel that political engagement was appropriate for women. The continuous sensitization of Libyan society to women's engagement should underlie all other efforts at building women's capacity to take a more active role in society.

As indicated by the Global Study: "Technical assistance to post-conflict elections includes advice on temporary special measures. Elections basket funds should allocate a minimum of 15 percent of their funding to women's participation. Elections bodies should be supported to develop capacity in gender-sensitive data collection and the management of sex-disaggregated data," (UN Women, 2015).

8. Promote community engagement and outreach initiatives in areas impacted by conflict.

It is recommended that community engagement, civic engagement and outreach initiatives, in particular, are strengthened in areas impacted by conflict. This may entail rebuilding and creating community centres and infrastructural premises to physically house community engagement activities.

8.0

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9.0

ANNEX 1 : KEY INFORMANTS INTERVIEWED

Category	Organization	Interviewee (status)
National institution		
National institution	Ministry of Planning	Male
	Ministry of Local Governance	Female
	Ministry of Social Affairs	Female
Local level		
Civil society organization	Takaful Organization (Benghazi)	Male
	Association for the Support of Libyan Women (Benghazi)	Female
	Union Charity Organization (Benghazi)	Female
	Peace Organization for Social Development and Humanitarian Action (Benghazi)	Female
	Women's rights activist (Zuwara)	Female
Community leaders	Elder's Council (Benghazi)	Male
	Elder's Council (Sabratha)	Male
	Elder's Council (Zuwara)	Male
	Elder's Council (Sirte)	Male
	Elder's Council (Sabha)	Male
Local institution	Municipal Council (Tripoli)	Female
	Municipal Council (Benghazi)	Male
	Chamber of Commerce (Benghazi)	Female
	Municipal Council (Sabratha)	Female
	Municipal Council (Sabratha)	Male
	Municipal Council (Sirte)	Female
	Private enterprise	Male
	Business leader (Sabratha)	Male

10.0

ANNEX 2 : MIGRANT STORIES

Migrant experience 1: Fatoumata

Fatoumata, 30, left Niger in order to improve her living conditions. Travelling with her two children and two other migrants, she made the journey by car through the desert. She was primarily seeking new sources of income as the situation became unbearable in her country and she wanted to provide a decent life for her son and daughter. Her father granted her a helping hand by lending her money.

Fatoumata's first months in Libya were strenuous. However, she could rely on the guidance of her nephew, who was already living in Libya. She gradually managed to improve her living conditions – the area in which she lives is relatively calm and safe – and now owns a small restaurant in Sabha specializing in Nigerian food. Although her experience has been quite positive, she is fully aware that many migrant women are not as fortunate. Her nephew – who is also the co-owner of the restaurant – is usually at the forefront when it comes to addressing a variety of problems she has faced in Libya.

According to Fatoumata, law enforcement in Libya is ineffective. She has heard of cases of abuse against migrants, especially assault, torture and abductions by smugglers. She believes that the defence and protection of these migrants is particularly difficult as most of them entered Libya illegally, but hopes that Libyan laws will someday punish smugglers and human traffickers who target migrants.

Migrant experience 2: Najma

Najma, 48, immigrated to Libya due to the poor economic conditions in her country, a decision she made with her family's consent. While Najma shared that she managed to make it safely to Benghazi by paying $400, she did not offer any additional details about her journey.

Najma now works in Tripoli as a domestic servant, a job she found through a private recruitment agency. She earns 900 LYD ($642) a month, a portion of which goes to her relatives in her home country. While she does not have a contract, she is quite satisfied with her living conditions. That said, she is open to other jobs if a better opportunity arises. She is currently staying at the family's house as she is taking care of their daughters. As most of her activities revolve around the family she works for she rarely goes out and is therefore not fully informed about the security situation. To stay safe, she avoids leaving her employer's home and relies on the family for protection.

Najma feels that migrants' conditions in Libya are poor and that, for those who do not speak Arabic, life can be even harder.

Migrant experience 3: Amina

Amina, 26, has been living in Benghazi for 10 years. In 2008, Amina and her mother, father and brother crossed from Somalia overland into Libya via Sudan with the help of smugglers. The journey cost her family $2,000 in total, with her father paying the smugglers $500 in Somalia and the rest of the money along the way. The overland journey into Libya was rife with danger—especially for young women—and Amina witnessed their financial and sexual extortion along the journey.

She and her family had travelled to Libya in order to reach European shores. To help pay for the last stretch of the journey, her family has spent the past 10 years working as cleaners, cooks and farmhands. Amina currently works as a cleaner in a private school during the day and in a café from 5:30 p.m. to 10 p.m. Thanks to her two jobs, Amina earns about LYD 450 ($321) per month, most of which she saves to finance her family's trip to Europe.

In her experience, finding employment has not been difficult. Migrant women in Libya have a reputation of being honest, loyal, and unlikely to steal. Throughout the years maintaining a good reputation in the eyes of her Libyan employers has helped her secure good recommendations that have led to more employment opportunities. After a decade of living in Libya, Amina and her family have accumulated enough savings to finally make the journey across the Mediterranean. Once in Europe, Amina's father hopes to seek asylum in Germany.

However, after having lived in Libya for so many years, Amina feels relatively at home in Benghazi. She can communicate easily in the Libyan dialect and is content with her jobs. As a result, her family's resolve to leave Libya for Europe has waxed and waned. Libyans are kind people, she says, and many Libyan families that employ foreigners treat them well. For example, when an Ethiopian friend of hers working as a cleaner was arrested by immigration authorities, the Libyan family that employed her secured her release the same day.

Despite her trust in Libyans and the kindness of her employers, Amina recognizes that Libya does not offer a legal safety net that can protect her and her migrant family. As a result, despite their relative sense of stability and comfort in Benghazi, Amina and her family are likely to undertake the journey across the Mediterranean.

Migrant experience 4: Nadia

Nadia is 48 years old. As many other migrants, she fled her home country to escape persistent economic hardship. She made this decision on her own with the intention of financially supporting her family. Nadia travels to Chad every two years to see her husband and children, returning to Libya with groups of migrants through the porous and dangerous southern border. The trip typically costs approximately LYD 140 (US$100).

At first, she struggled to find a job, but now works as a cleaner in a hospital in Benghazi – a job she landed thanks to a Libyan woman - and earns 1,200 LYD ($857) a month with an annual contract. Breakfast, lunch and dinner are provided, meaning that she is able to keep most of her salary. Every six months, she sends 4,000 LYD ($2,855) to her family through money transfer offices.

Nadia's director is a very scrupulous person who is always willing to help to solve her problems. Nadia also resides legally in Libya, though the hospital where she works did not verify her legal status. She thinks that the lack of security is a not major concern except in times of direct fighting. She is therefore quite satisfied with her living conditions and thinks that Libyans treat foreigners well. Nadia also believes that being fluent in Libyan Arabic helped considerably.

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UN Women supports UN Member States as they set global standards for achieving gender equality, and works with governments and civil society to design laws, policies, programmes and services needed to implement these standards. It stands behind women's equal participation in all aspects of life, focusing on five priority areas: increasing women's leadership and participation; ending violence against women; engaging women in all aspects of peace and security processes; enhancing women's economic empowerment; and making gender equality central to national development planning and budgeting. UN Women also coordinates and promotes the UN system's work in advancing gender equality.

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220 East 42nd Street
New York, New York 10017, USA
Tel: 212 906 -6400
Fax: 212 906 -6705

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