

Libya C.O

Promoting of an enabling legal environment for children in Libya



Needs Assessment Study of Civil Society Organisations in Libya

September 2019

Introduction

As part of the implementation of a joint program between UNICEF, No Peace Without Justice (NPWJ) and the Higher Committee of Children in Libya, which aims to strengthen the capacity of Libyan CSOs in the field of child rights protection and promotion, NPWJ took the initiative, in collaboration with The Association of Children's Rights in Benghazi, to carry out a study aimed at achieving the following objectives:

1. To identify the activities of some organisations working in the field of children's rights and human rights in general.
2. To evaluate their knowledge concerning the implementation mechanisms of the Convention on the Rights of the Child (CRC) and their contribution in reporting.
3. To map the real situation of the organisations in order to identify the main challenges faced by them.
4. To map the needs of the participating organisations in the field of child rights protection and promotion.
5. To map the capacities of these organizations to respond their effective needs.
6. To identify the priorities of intervention in the field of children's rights and human rights in general according to the point of view of these organisations.
7. To contribute to strengthening the legal environment for the protection of children's rights.

Scope and methodology

The study was based on the use of the methods of statistical analysis and comparative analysis. It focused on a sample of a group of Libyan civil society organisations active in the field of human rights in general, and children's rights in particular.

The study followed the below-mentioned steps:

- Define the methodology of the study and its general framework
- Consult previous studies on the same topic
- Define and analyse the scope and population of the study
- Prepare a questionnaire to be used for collecting data on participating organisations
- Organise workshops, meetings and telephone interviews
- Submit the draft to the experts working with the project
- Present and discuss the final version of the study during workshops with the experts
- Final approval and publication of the study.

The definition of the organisations included in the study and the analysis of their situation, were based on the following sources:

- The lists published by the Libyan Civil Society Commission and its sections in the Libyan cities
- The lists included in some studies and reports, especially the 2015 UNICEF Report
- Some related studies, e.g. the study published in 2015 by ALTAI Consulting
- The report published in 2016 by the Civil Society Commission on Libyan and foreign organisations based in Libya
- Certain reports published by the UN Committee on the Rights of the Child during the examination of the reports submitted by Libya.

Fifty-five organisations participated in the study. They are active in the field of human rights, children's rights, women's rights, the rights of persons with disabilities and migration. They are based in the following cities: Tripoli, Zawia, Sebrata, Mesrata, Beni Walid, Benghazi and Al Baydha.

Twenty organisations were contacted through e-mail, twenty others were contacted by phone and fifteen were contacted through face-to-face meetings.

The most important questions included in the questionnaire concerned information on the following aspects:

1. The name of the organisation, the number of its members, its sections, its address and contact details
2. The activities related to human rights and children's undertaken by the organisation during the last five years
3. Information on any reports prepared on children's rights during the last five years
4. The funding sources of the organisation
5. The types and fields of activities
6. Cooperation with international NGOs
7. Cooperation with organisations of the United Nations system
8. Information on any reports on children's rights submitted by the organisation to UN mechanisms
9. The main needs of the organisation for the implementation of its activities
10. The trainings needed in order to strengthen the organisation's capacities in the field of children's rights and human rights protection
11. The point of view of the organisation concerning the most important issues to focus on in the field of children's rights and human rights.

Challenges and difficulties

The study faced a number of challenges:

- The inaccuracy of contact information of many organisations, which complicated contact with them
- Certain organisations ceased their activities
- In some cities, the security situation prevented holding meetings with the organisations
- The impact of political divergences on the organisations' response to the questionnaire
- The destruction of the premises of many organisations and the displacement of its members and staff due to the ongoing armed conflict
- The weakness of communication means due to power cuts in some regions
- Inability of some organisations to use new communication tools
- The attitude of certain organisations towards this type of study (because of the high number of similar studies, their uselessness, the mistrust towards those responsible for these studies).

Difficulties faced by organisations to carry out their activities

The answers to the questionnaires revealed that the main challenges and difficulties faced by the organisations to carry out their activities are the following:

1. The deterioration of the security situation that has led to the weakening of CSOs, particularly after kidnappings and killings of some civil society activists
2. The armed conflict in Libya created a situation of instability and worsened the security situation, which had a negative impact on CSOs, many of whom have not been able to work
3. The weakness of co-operation with governmental institutions, especially after political divisions and the struggle for "legitimacy" which has been illustrated by the existence of two separate

governments. This context has put CSOs in an embarrassing situation, with the risk of being accused of loyalty to one or other of the two separate governments

4. The exclusive reliance by CSOs on self-financing, which does not allow them to achieve their missions
5. The lack of premises for CSOs has negatively affected their working conditions, their stability and sustainability
6. The weakness of CSO's resources regarding communication tools and new technologies
7. Many international organisations left Libya, depriving Libyan CSOs of many opportunities
8. The lack of training activities due to the situation persisting in Libya for five years. Holding training courses in Libya has become very difficult, with the impossibility of ensuring people's safety and security
9. The negative attitude of public opinion towards CSOs, which has had a negative impact on their interaction with the activities and programs of these CSOs
10. The weakness of cooperation and coordination among CSOs, which is illustrated by the lack of networks of organisations in general, and networks of organisations active in a specific areas.
11. Inability of CSOs to collaborate with international protection mechanisms.

CSOs' needs to carry out their activities

- **First**, although most CSOs rely exclusively on self-financing based on their members' subscriptions, and suffer from lack of public and foreign funding, they consider that cooperation with international organisations with deep experience in their own field of activities is one of the most important needs that will enable them to carry out their activities effectively.
- **The second** priority need is knowledge about international human rights mechanisms. The study showed a total lack of information and a scarcity of training courses and other knowledge-building activities on human rights mechanisms. This requires expanding cooperation to cover a large number of CSOs in all regions. There is evidence that "training organised by the international community tends to focus on a small group of fairly structured organisations". On the other hand, organisations that have a real need for capacity building are deprived of these opportunities because of their lack of organisation and weak management, and here lies the irony.

Regarding training, the organisations expressed their needs for training on the following issues:

- First, training on international human rights mechanisms, reporting, monitoring human rights violations, collecting and recording information on human rights violations, fact-finding
- Second, training on advocacy, mobilisation, campaigning and human rights education
- Third, strategic planning and information protection and security
- Fourth, organisational management.

Priority issues to focus on in the field of children's rights and human rights

Among the most important issues in the field of children's rights, the participating organisations suggested that focus should be put on the following issues:

- First, issues related to the protection of children in armed conflict and psychological and social support.
- Second, the protection of children from all forms of violence, especially in the current circumstances in Libya.

- Third, disseminating public awareness about the Convention on the Rights of the Child (CRC) among children and adults
- Fourth, the recruitment or use of children in armed conflicts and displaced and migrant children.

Results of the Study

1. Despite the increasing number of organisations created since 2011, their sustainability and impact on the ground have significantly decreased. Many organisations have ceased to exist due to lack of financial resources, security situation and armed conflict.
2. The high number of challenges and obstacles faced by CSOs.
3. The inaccuracy of contact details of the organisations due to problems of updating.
4. The departure since 2014 of a large number of international NGOs from Libya.
5. Lack of support from governmental and foreign institutions and exclusive recourse to self-financing.
6. Lack of training programs on international human rights mechanisms, reporting on human rights, monitoring of human rights violations and fact-finding.
7. The needs of organisations in terms of capacity building, assistance in organizing and implementing activities, building trust of society and government institutions in CSOs.
8. The absence of a law that regulates and organises the work of civil society and the absence of a unified and clear national authority, which gives the feeling among CSOs that they work in a dangerous and unstable environment.

Summary of recommendations

1. Conduct in-depth studies on CSOs based in Libya, including international NGOs, in order to identify the aspects of inefficiency and challenges they are facing and to present recommendations and programs that address these issues and ensure effectiveness of the organisations.
2. Implement training for newly created organisations and those suffering from a lack of operational capacity, so that they can benefit from opportunities for cooperation with donors.
3. Organize training on financial management and the preparation of annual budgets, the drafting of financial reports, the drafting of projects and proposals, fund-raising and, overall, development of the skills of the staff responsible for the administrative and financial management of organisations.
4. Organise training on the adoption of the human rights approach in planning, programming and conducting activities.
5. Organise training on the Convention on the Rights of the Child and the methodology for the preparation of periodic reports to international human rights mechanisms.
6. Organise training on information management and information gathering, documentation, monitoring of human rights violations, fact-finding and investigation techniques, advocacy, campaigning, mobilisation, human rights education, public awareness, strategic planning, combating and preventing violence against children and protecting the rights of migrants, displaced and asylum-seeking children.
7. The UN Mission in Libya should publish a guide on UN organisations based in Libya, specifying their programs and areas of activities, as well as ways and means to contact and communicate with them.

8. Constitute a national team of experts and trainers in the field of children's rights and international protection mechanisms
9. Strengthen the capacity of Libyan organisations in the field of new technologies and the means to use them in the management of their activities, networking and cooperation with other organisations and especially with international organisations.
10. Publish a manual that can be used for contacts and communication with international NGOs and organise training on communication mechanisms with international organisations.