



43RD SESSION OF THE HUMAN RIGHTS COUNCIL

Item: 10 – Technical Assistance and Capacity Building

Situation of human rights in Libya– 18 June 2020

Background documentation: Report of the High Commissioner for Human Rights on the situation of human rights in Libya [A/HRC/43/75](#)

Ms. Nada Al-Nashif, Deputy High Commissioner for Human Rights (Introduction):

In the past year, there have been a serious deterioration of human rights in Libya. 1 million people are now in need of humanitarian assistance in the country. OHCHR is calling for an immediate ceasefire and remains concerned by the high number of civilian casualties. WHO reported 72 attacks on health facilities since April 2019.

Shocking discovery last week of 8 mass graves in Libya. OHCHR calls for transparent and independent investigation to establish the truth on these dramatic events.

Ill-treatment and torture of thousands of detainees held in detention facilities by armed groups. Trafficking, extortion, deprivation of food, water, and health services. Sexual violence continues to be committed in a complete impunity.

The OHCHR is concerned by the systematic pushback of migrant boats in the Mediterranean Sea. Libya cannot be considered as a safe place for dis-embarkation. Migrants and refugees should be urgently released from detention centres and should have access to humanitarian aid.

Ms. Stephanie Turco Williams, Head of the UN Support Mission in Libya (UNSMIL):

Serious violations of human rights have continued to be committed with complete impunity in Libya. These violations have been exacerbated by the Covid-19.

Civilians in Libya continue to suffer disproportionately from the conflict. In the past year, 225.000 were forced to flee their homes, mostly internally.

Between January and March 2020, 131 civilian casualties, mainly attributed to the LAAF, a rise in the casualties since last year. LAAF left behind mines and explosive devices. In 2020 only, WHO documented 21 attacks on medical facilities.

Migrants continue to be routinely subject to enforced disappearances, unlawful killings, detention, extortion. Since January, more than 4000 people have been intercepted at sea and returned to Libya.

Key priority for the UN is to find a peaceful solution to the current conflict. The UN welcomes the efforts made by states to implement the Berlin Committee's recommendation. The Human rights council mandate to establish an investigation mechanism would be an important step for the country.

State concerned: Libya

Libya wishes to express its gratitude towards the OHCHR and the UNSMIL for their efforts. The detailed report documents human rights violations and the efforts deployed by the government of Libya.

Regarding refugees and migrants, major efforts are made to tackle the migrant and refugee issues. Libya's government is resolute to impose sovereignty over its land and strengthen human rights.

We want to make sure that the international community has a unified voice regarding the situation in Libya. Recommendations from the Berlin conference must be implemented. Libya is concerned by the violation of the arms embargo by some states present at the Berlin conference.

Libya strongly supports the establishment of an independent fact-finding mission in by this Council.

Interactive dialogue on the situation of human rights in Libya

36 states took the floor during the interactive dialogue that followed the report presentation. Most of the states speaking reiterated their **support for the mandate of UNSMIL** and recalled the need for a **cease fire**, as demanded by the Secretary General Mr. Guterres. For every state, **respecting international agreements** is mandatory if we want to reach peace in Libya. The **arms embargo should also be respected**.

Each state deplored the **human rights situation in Libya** and the worsening of the situation since one year. Among other violations, states were globally concerned by the fact that **women and children** were the most affected by the on-going conflict in Libya. They deplored the high number of **civilian casualties** and the **targeting of health facilities**.

The issue of migrants and refugees was also raised by most of the states that took the floor. They deplored the systematic disembarkation of migrants in Libya and their poor detention conditions.

A high number of states demanded the **establishment of an independent fact-finding mission in Libya** (European Union; Iceland on behalf of the Nordic countries; Germany; Estonia; Australia; Switzerland; France; Netherlands; Malta; United Kingdom; Austria)

Several states raised the importance of the **continuation of the OHCHR's capacity building and technical assistance to Libya** (Burkina Faso on behalf of the African Group; Qatar; Jordan; Sudan; Morocco; Yemen; Algeria; South Sudan; Iran)

The issue of **attacks against journalists and human rights defenders** was also raised during the debate (European Union; Iceland on behalf of Nordic countries; Switzerland; Italy; Greece; Indonesia; United Kingdom)

Several states demanded the **implementation of the recommendations from the Berlin conference** (Bahrain; France; Italy; Netherlands; Croatia; Egypt; Greece; Russia; Malta; Austria; Cyprus)

Other states highlighted the importance of the **Cairo declaration** (Bahrain; Jordan; Egypt) and the **Skhirat agreement** (Jordan; Sudan; Morocco)

The **issue of terrorism and terrorist groups** was also raised (Iraq; Bahrain; Jordan; Egypt; China; Mauritania)

Women should play an active role in the peace process (UN Women; Spain; Belgium)

Issues raised by Civil Society Organizations

Establishment of an independent fact-finding mission in Libya (Human Rights Watch; Amnesty International; Cairo Institute for Human Rights Studies; International Commission of Jurists; Human Rights Information and Training Center; Global Institute for Water, Environment and Health)

Condemning the civilian casualties (Human Rights Watch; Amnesty International; Cairo Institute for Human Rights Studies; Global Institute for Water, Environment and Health)

Targeting of healthcare facilities (Human Rights Watch; Amnesty International)

Mass graves discovered (Human Rights Watch; Amnesty International; International Commission of Jurists; Global Institute for Water, Environment and Health)

Detention conditions in Libya (Human Rights Information and Training Center; Institut International pour les droits et le développement; Amnesty International; Human Rights Watch)