

HUMAN RIGHTS COUNCIL - 50th SESSION

Interactive dialogue with the Fact-Finding Mission on Libya

06 July 2022

Mr. Mohamed Auajjar, Chair of the Fact-Finding Mission (FFM) Libya, presented to the Council his third report on findings on **violations and abuses of IHRL and IHL**, as well as **international crimes committed** in the town of **Tarhuna**. The report also outlines recommendations. It affirms that the current **culture of impunity** poses a significant obstacle towards achieving national reconciliation, and justice, truth and reparations for victims and their families. This also poses a challenge to Libya's transition to peace, democracy and the rule of law.

Some of the violations identified included **direct attacks on civilians** during the conduct of hostilities, arbitrary detention, enforced disappearances, sexual and gender-based violence, torture, violations of fundamental freedoms, persecution and violations against journalists, human rights defenders, civil society, minorities, internally displaced persons, migrants, refugees and asylum seekers, and violations of the rights of women and children. Current and former **detainees** in prisons informed the FFM about **crimes against humanity**, such as murder, torture, imprisonment, enforced disappearances and other inhumane acts. Moreover, Mr. Auajjar reported that evidence and findings show that **al-Kaniyat militia** exerted absolute dominance over the town of Tarhuna, generating and perpetuating a **climate of lawlessness, control, punishment, oppression, fear and terror**. He reported that such militia committed **crimes against humanity** and **war crimes**. The Chair of the FFM affirmed that the human rights situation in Libya **calls for urgent action** to stop immediately human rights violations and abuses, to ensure that victims are restored in their rights and obtain reparations, and that all those who have violated human rights and committed international crimes are held to account.

Libya (Concerned Country) commended the progress made by the FFM on Libya on its specific mandate and welcomed the report that highlights serious challenges facing Libya, including political division, insecurity, the proliferation of weapons and the increasing phenomenon of irregular migration and external intervention. Despite these circumstances, Libya **affirmed progress** in protecting and promoting human rights. This commitment had been reflected in many political, legal, and practical initiatives. It also included the creation of a **permanent national authority** to coordinate the drafting of reports to human rights mechanisms. Libya stated the decision to submit a **draft resolution** through the African Group to **extend the Mission's mandate for an additional term**, ending within nine months. The road to promoting human rights is an arduous and long path, and Libya emphasised the need for the Council, as well as the OHCHR, to continue and **intensify technical support** and capacity building to national institutions. Libya relied on the recommendations of the FFM to promote human rights and fight impunity, under the national project of reconciliation and justice.

Interactive dialogue

All the delegations who took the floor during the interactive dialogue said the human rights situation in Libya remained deeply concerning. It was unacceptable that reports of torture, extrajudicial killings, enforced disappearances and SGBV **remained largely unaddressed**. The resurgence of **politically motivated violence** was condemned. All actors should work towards a **peaceful political transition** in Libya and adopt a holistic **national human rights plan of action**. This will ensure full respect for human rights and a sustainable transition to peace and democracy through **fair elections**. The conditions in which **asylum seekers, migrants and refugees** were detained in Libya were deeply alarming.

Several countries, including **Saudi Arabia, Tunisia**, and the **EU**, called for the mandate of the FFM to be extended. They said the renewal of this critical mandate enabled strengthened cooperation between the international community, the FFM and Libyan institutions. It also provided the opportunity to strengthen capacity building and technical assistance to advance the protection of human rights and accountability processes across the country. Several countries also affirmed that the

fight against impunity is vital for transitional justice to be effective. Libya's long-term stabilization was supported, and all parties should contribute towards this progress. Ensuring accountability would provide a stable foundation for the future protection of human rights. **Czech Republic** commended Libya for its work on human rights, including establishing a national human rights plan. It also followed up on recommendations made by the UPR and treaty bodies.

UN Women was deeply concerned at the reports of widespread human rights violations and abuses against migrants, refugees, displaced people, and against women and girls, including SGBV, both offline and online. These violations and abuses prevent women in Libya from fully enjoying their human rights and meaningfully participating in public life. This is vital to effective and inclusive processes for sustainable peace and reconciliation. Women played a key role in the Libyan Political Dialogue Forum.

NGOs expressed deep concern about the violations and abuses of human rights in Libya committed by armed groups that are rampant and impunity for past abuses continues. The rights of children needed to be further defended. They also affirmed that the Libyan judiciary is both not fully functional and under attack. Justice actors are under constant threat when investigating crimes under international law, particularly when armed groups are the subject of their investigations. This is to the point where they cannot deliver justice. Moreover, the **Cairo Institute for Human Rights Studies** expressed concern about the draft resolution submitted to this Council for the abbreviated operational time frame of nine months. This may send a dangerous message to militias, mercenaries and other armed groups that the international community lacks the political will required to ensure accountability for past and ongoing war crimes and other serious violations of international law committed in Libya.

Delegations that took the floor during the Interactive Dialogue (38 country delegations):

Algeria, Bahrain, Belgium, China, Cote d'Ivoire (on behalf of the group of African States), Cyprus, Czech Republic, Egypt, European Union, France, Germany, Greece, Iceland (on behalf of Nordic and Baltic countries), Iraq, Ireland, Italy, Jordan, Jordan (on behalf of Group of Arab States), Liechtenstein, Luxembourg, Malta, Mauritania, Morocco, Netherlands, Qatar, Saudi Arabia (on behalf of GCC group: Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, United Arab Emirates), Senegal, Sierra Leone, South Sudan, Sudan, Spain, Switzerland, Tunisia, Türkiye, UK, United States, Venezuela, Yemen.

NHRIs and NGOs that took the floor (10):

Amnesty International, Cairo Institute for Human Rights Studies, Human Rights Solidarity Organization, Human Rights Watch, Institut International pour les Droits et le Développement, International Commission of Jurists, Maat for Peace, Development and Human Rights association, partners for transparency, Rencontre africaine pour la defense des droits de l'homme, World Organisation Against Torture.

International organizations (1): UN Women

To watch full meeting refer to [UN Web TV](#) and to [UN Web TV](#).