

HUMAN RIGHTS COUNCIL – 56th SESSION

Interactive dialogue on the Office of the High Commissioner’s Report on the enhancement of technical cooperation and capacity-building in the field of human rights in Libya

09 July 2024

Mr. Volker Türk, United Nations High Commissioner for Human Rights, reported that Libya stands at a crossroads plagued by deep insecurity. Its people continue to endure the misery of economic hardship coupled with political exclusion.

Informed that the limitation on access to the country, the denial of access to detention facilities and other specific locations across the country, and the lack of cooperation from the authorities, make the Council’s support to improve the human rights situation difficult. The ongoing regular budget liquidity crisis presents an additional challenge to the capacity to carry out our work. Moreover, he identified key areas where Libyan institutions and civil society needed human rights support. This included contributing to the country’s first national human rights action plan, an important step for the implementation of a number of recommendations of the independent fact-finding mission.

The HC reaffirmed its support to victims, civil society, and local communities to participate in the design of transitional justice processes and mechanisms ensuring the inclusion of women’s voices and others traditionally excluded and marginalized.

The report outlined some disturbing developments, *first*, an escalation in arbitrary arrests and detentions in forced disappearances and detention-related violations. This is also further eroding freedom of expression, association, and assembly in the context of deteriorating civic space and the rule of law. *Second*, widespread human rights violations against migrants, refugees, and asylum seekers. The dehumanization of these individuals who are in a vulnerable situation continues to take place at the hands of both state and non-state actors, often working in collusion. Trafficking, torture, forced labor, extortion, starvation in intolerable conditions of detention, mass expulsions, and the sale of human beings including children perpetrated at scale with impunity. *Third*, the ongoing delays in the transitional justice and reconciliation process.

Finally, the HC urged the Libyan authorities also to adopt a comprehensive legal and policy framework on refugees and migrants that is in line with Libya’s human rights and refugee law obligations. He also called upon the international community to review and if necessary, suspend cooperation on asylum and migration with those authorities involved in human rights violations. He urged the Libyan authorities to implement the recommendations in our report and I underline one decisive step, the adoption of a legislative framework to protect the right to freedom of assembly and association.

Libya (concerned country) stressed that the position of the National Unity Government is firm and unwavering towards human rights, which it seeks to protect and promote. Protecting and promoting human rights is the responsibility of states, national governments, and international institutions. They must support national efforts on Agenda Item 10 in relation to providing technical support and capacity building, which leads to the desired results in the field of human rights. However, it affirmed that the report’s reference to the widespread phenomenon of impunity does not reflect the truth and the efforts made by the judiciary to prosecute those responsible for gross human rights violations and refer them to justice; the mention of the prison conditions ignores the efforts of the Ministry of Justice to improve the conditions of inmates and guarantee their rights; the report neglected to mention the issuance of many national legislations and plans to the protection and promotion of human rights, including a path of national reconciliation and transitional justice, and institutional reform of the security and justice sectors.

In conclusion, the country rejected the recommendations contained in the report concerning the disarmament, demobilization and reintegration, and irregular migrants. These recommendations infringe the national sovereignty.

Interactive dialogue

33 country delegations took the floor during the interactive dialogue. All delegations recognized challenges, widespread violations of human rights and international humanitarian law, sexual and gender-based violence, enforced disappearances, arbitrary arrests and detentions, and reports of arrests and acts of intimidation targeting civil society, in particular women human rights defenders. The report's findings about the conditions of detention remain of serious concern. **Belgium** stated that the resolution of these problems will be key to ensuring the sustainability of technical cooperation services. It encouraged the Libyan authorities to continue and strengthen their commitment to this council, OHCHR, and the UN on the ground and to take the necessary measures to ensure the promotion and protection of human rights in the country. **The EU and Switzerland** called on Libyan authorities to fully cooperate with the UN human rights system and the ICC and to facilitate their access including to places of detention. The perpetrators of human rights violations must be held responsible and brought to justice. **Iceland** called on Libyan authorities to immediately cease all human rights violations and to foster transitional justice, reconciliation, and respect for human rights. Comprehensive and targeted efforts are not only crucial for promoting accountability and justice in Libya but also a necessary precondition for sustainable peace. In this vein, **Egypt** supported the draft resolution submitted by the African Group about technical assistance to Libya in the field of human rights. This is the right track to stop violations, promote the rule of law, and respect human rights, affirmed **Gambia**.

Russian Federation, Venezuela, and Sudan agreed that the OHCHR should provide Libyan authorities with the necessary assistance on the basis of requests. They rejected the politicization of any questions related to technical assistance. Considered unacceptable when the provision of assistance is accompanied by political demands that have nothing to do with the promotion and protection of human rights. **China** believed that discussions must adequately consider the current situation on the ground and fully respect the country's sovereignty, independence, and territorial integrity. It is essential to enhance counterterrorism cooperation to prevent the terrorist and extremist forces from regaining strength and to provide human rights technical assistance and capacity building in accordance with the needs of the Libyan government and people.

NGOs reiterated the report's call on the Libyan authorities to adopt a single national reconciliation law that complies with international human rights law and standards. They also urged the Council to establish an independent international investigative mechanism for Libya. Such a mechanism is particularly needed as domestic remedies for grave human rights violations and abuses remain unavailable. **The Cairo Institute for Human Rights Studies** stated that the resolution neglects the urgent need to end impunity for widespread, grave human rights violations throughout the country. In conclusion, **Interfaith International**, condemned the serious attacks on freedom of expression and demonstrations, the continuation of torture, cases of arbitrary detentions, forced disappearances, sexual violence, and the harassment of journalists and human rights defenders in Libya. Continued impunity of armed groups has effectively shuttered civic space, and NGOs and activists continue to be the target, reported **Human Rights Watch**.

Delegations that took the floor during the Interactive dialogue (33 country delegations):

EU, Egypt (on behalf of the Arab States), Iceland (on behalf of the Nordic-Baltic Country), Gambia (on behalf of the African Group), Ireland, Sierra Leone, Qatar, Kuwait, Belgium, Egypt, Nigeria, Netherlands, Iraq, United States of America, Luxembourg, Malta, Russian Federation, Bahrain, Albania, Tunisia, Senegal, Jordan, Yemen, UK, Switzerland, China, Venezuela, Sudan, Mauritania, Kenya, Algeria, Türkiye, Botswana.

NHRIs and NGOs that took the floor during the Interactive dialogue (10):

Aman against discrimination, Cairo Institute for Human Rights Studies, International Commission of Jurists, Human Rights Watch, International Council Supporting Fair trial and Human Rights, Reformaf, Interfaith International, Amnesty International, Rencontre Africaine pour la defense des droits de l'homme, Shaanxi Patriotic Volunteer Association.

To watch the full meeting refer to the [UN WEB TV](#).