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A ‘very critical time’ for Libya: UN probe details egregious human rights violations

By Liv Martin

A UN appointed mission to Libya said it has uncovered evidence of a wide array of gruesome human rights violations in the country, such as extrajudicial killings, forced imprisonment, disappearances, torture, violence against women, and the country’s longstanding absence of a free, democratic election process.

Members of the Independent Fact Finding Mission (FMM) on Libya, which will submit its findings to the Human Rights Council this week, presented a complicated portrait of the country to press in Geneva on Monday.

The FFM was established by the United Nations Human Rights Council in June 2020 to investigate violations and abuses of human rights in Libya dating back to 2016. The Council will vote at the end of this week on a resolution to renew the mission’s mandate for “for a final, non-extendable period of nine months”.

“Libya is at a very critical time,” Chaloka Beyani, one of three overseeing the FFM, told Geneva Solutions. “This will go into the next nine months.

We are not so clear about what that will mean for us, to fulfill our mandate completely."

Years of instability

The Libyan government has been unstable since an Arab Spring-inspired civil war led to Qaddafi's ousting and subsequent NATO-sponsored killing in October 2011. With no plan set in place for the aftermath of Qaddafi's removal, Libya's leadership became increasingly fragmented, splintering into militias, and an intense power grab transpired.

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The UN has been involved since 2011, when the Security Council launched a special political mission, the United Nations Support Mission in Libya (UNSMIL). Since 2016, the fact-finding mission has been documenting human rights abuses in Libya to the Human Rights Council.

In October 2020, a ceasefire between Libya's rival factions was agreed in what was seen as a historic turning point for the country. However, Libya's social-political situation continues to be precarious, with the country mired by another tumultuous period of attempting to conduct democratic elections

Parliamentary and presidential elections planned for 24 December last year, under UN-led efforts, did not take place and the electoral process collapsed, further plunging the country into turmoil and the fate of its interim government in doubt.

A damning report

The new report, published 29 June, reiterates Libya is in the midst of a pressing humanitarian crisis. To compile the report, the UN investigators conducted hundreds of interviews. Its findings detail extra-legal prisons where thousands are being kept under horrifying conditions and without having received due process. The mission cites 27 locations detaining thousands in east and west Libya.

The report also describes mass graves found close to and in Tarhuna, western Libya, where so far 247 bodies were found. The mission has also identified multiple other potential mass grave sites using satellite imagery.

The report also brings attention to abductions and disappearances, citing the case of Sihem Sergiwa, a Libyan politician and women's rights defender, who disappeared in 2019 after being taken from her Benghazi home by masked, armed men. It appears to be a widespread issue, with the report mentioning instances of disappearances in the Libyan cities of Tripoli, Benghazi, Murzuq and elsewhere.

Though the report cites "draconian laws and regulations" leading to the suppression of rights of freedom of expression, association, peaceful assembly, and participation in public life amongst most Libyans, it specifically highlights egregious treatment of women and girls, and migrants.

According to the report, sexual mistreatment, gender and sexual-based violence is a pervasive problem in Libya. The mission learned of reports of rape amongst all genders, situations of women forced into sex in exchange for basic needs, and targeted sexual violence based on sexual orientation. Women are targeted online and offline. In some cases, the report said, women have been killed or arrested for expressing their political beliefs.

Migrants, refugees and asylum-seekers are experiencing systematic human rights violations, the mission found. After conducting over 80 interviews, the FFM's investigation confirms migrants were subject to crimes against humanity, including "murder, enslavement, torture, imprisonment, rape and other inhumane acts".

Escalating unrest

Since the report was published, civil unrest in Libya has only escalated further. On 1 July, thousands of protestors fled the streets in major cities Tripoli and Benghazi. In Tobruk, where the eastern government is based, people stormed and set fire to a government building, The Guardian reported.

The broad public discontent follows multiple failed attempts to establish a framework for Libyan presidential elections. In June at UN headquarters in Geneva, UN special advisor on Libya Stephanie Williams facilitated talks between Libyan officials Aguila Saleh and Khaled al-Meshri, representing the east and west-based governments respectively. Ultimately, neither side could agree on new criteria for presidential candidates.

"There's clearly frustration. This is the sense we have had in our hundreds of interviews with Libyans, inside and outside, and with migrants as well. We have sensed it with the stalemate and deadlock, politically, and their inability to have meaningful fulfillment of both their civil and political rights," Tracy Robinson, another key member of the FFM, told Geneva Solutions.

An interactive dialogue between the FFM and the Human Rights Council is planned for 6 July, and voting on the mission's mandate renewal is set for the end of the week.

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