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Written statement* submitted by Elizka Relief Foundation, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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* Issued as received, in the language(s) of submission only.



The Human Rights Situation in Libya

Preamble

Elizka Relief Foundation presents this written intervention to highlight the recent developments of the human rights situation in Libya during the last months, record the most prominent violations that have occurred, and provide a set of recommendations for the attention of the Human Rights Council within the framework of the recommendations submitted to the Independent Fact-Finding Mission on Libya.

Since over 10 years, Libya has been going through a real crisis regarding the democratic path and the achievement of political stability in general, as well as several accelerating political, economic, and social curves, which led to the deterioration of the human rights situation inside the territory of the State, particularly in light of the ongoing clashes among the opposing parties, whether internally or externally, which resulted in flagrant human rights violations regarding the rights of women and girls on the one hand, and human trafficking on the other.

First: The rights of women and girls

Women and girls faced sexual and gender-based violence, amidst failure to provide them with protection and remedies. Victims of rape and sexual violence have faced numerous obstacles in their pursuit for justice, including the risk of prosecution for having affairs, which is a crime in Libya, and taking revenge on alleged perpetrators. Women activists and politicians faced gender-based violations and threats online.

In June 2021, one of the victims said that “Interior Ministry guards raped and subjected women to sexual violence, including forcing them to have sex for food or their freedom,” which highlights the continuation of physical and sexual violence against women in prisons.

Second: Rights of Migrants

In early May, Libya was accused of having the coast guards beat people in a rubber boat to return them to Libya against their will, where the Libyan naval forces declared, earlier, the rescue of 132 illegal migrants, most of them of African nationalities, who were on rubber boats on their way to the European coasts. As the elements of the Coast Guard and Port Security in Libya were able to arrest the migrants within the framework of humanitarian and legal efforts to protect the Libyan coasts and secure the lives of illegal migrants. The total number of migrants rescued was 132, including 5 women, their nationalities from Pakistan, Eritrea, and Egypt.

In the first week of May 2021, UNICEF declared the rescue of 125 children, including 114 unaccompanied children at sea off the coast of Libya. After their rescue, refugees and migrants languish in overcrowded detention centers in Libya, living in extremely difficult conditions where water and health services are either limited or non-existent. There are approximately 1,100 children in these centers, including a large number of girls.

51,828 migrant children live in Libya, in addition to about 14,572 refugee children, many of whom are girls, most of whom do not have access to services and are vulnerable to exploitation and maltreatment inside the country. They are also deprived of access to clean water, electricity, education, health care, and other adequate health facilities, besides the spread of violence and exploitation.

Third: Human Trafficking

Human trafficking is one of the most prominent human rights problems to which Libya is subjected during the current period, between countries that seek to transfer mercenaries to fight among their loyalists inside the Libyan country, such as Turkey, and between the issue

of illegal immigration that causes flagrant violations, the problem of human trafficking grows and is considered to be from the thorny problems that we must stand against and seek to reduce. In the third week of June 2021, Turkey withdrew a number of its Syrian mercenaries from Libya to replace them with other fighters, in light of the complete cease of the expulsion of mercenaries from this country, as about 140 fighters of the factions loyal to Ankara returned from Libyan territory to Syria during mid-June.

However, their return doesn't fall within the framework of withdrawing mercenaries from Libya, as they were replaced and about 200 mercenaries were expelled in their place, as the talk was about the members of the "Al-Amashat", "Sultan Murad" and "Firqat Al-Hamza" factions.

Later, at the end of June, a new transfer of Syrian mercenaries was monitored to and from Libyan territory, as about 200 mercenaries returned to Syrian territory, while more than 300 members of the Turkish camps inside Syria were still preparing to set out at a later time.

A similar number of mercenaries joined the factions fighting in Libya, on the same day of the arrival of the last batch via a military transport plane, at a time Turkey was accused of recruiting mercenaries in Libya for a monthly salary and transporting them by military and civil planes. Other sources indicated that the number of mercenaries in Libya has increased since early June 2021 to more than 500 elements.

During the mentioned period, prisoners complained about the violation of their rights in prisons by the guards, particularly through their torture of girls and women for their freedom, this sheds new light on the suffering of persons who were intercepted at sea and returned to Libya, where they are immediately taken to arbitrary detention and systematically subjected to torture, sexual violence, forced labor, and other forms of exploitation, with complete impunity for perpetrators.

Conclusion and recommendations

In light of the foregoing, it can be said that the situation of women's and girls' rights, on the one hand, and the issue of human trafficking, on the other hand, in Libya during the previous period, is more quiet compared to the situation during previous years, and in light of the clash between many parties, some of which are not primarily governmental, and others funded by external parties.

This didn't negate the fact that Libya suffered clear violations during the mentioned period, as several incidents occurred confirming that the rights of women, the issue of migrants, and human trafficking still need further protection and that the Libyan government still has a lot to do in this regard.

The situation in Libya was very worrying over the last three months, and regarding the rights of women, children, and human trafficking issues, a large number of girls missed and most of them were deprived of access to basic services, and the conditions of women needed a lot of effort to advance them. On the other hand, the issue of human trafficking remained a troubling issue, especially with Turkey's continuation to transfer mercenaries to Libya, and in light of the fact that many illegal migrants continue to take Libya as a gateway to Europe.

In the framework of the foregoing, Elizka Relief Foundation recommends the following:

- a. Call on Turkey to cease transferring illegal migrants and mercenaries from Syria to Libya to join terrorist groups and irregular armed groups.
- b. Establishing training and educational programs for children of illegal migrants, particularly girls, while placing them in centers more appropriate to their needs other than detention centers in which adults are present.
- c. Ending the service of guards and security personnel who are proven to have bargained with women detainees for their freedom.