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Technical assistance and capacity-building

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.

[23 May 2022]

* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



Human Rights Situation in Libya

Libya is currently witnessing a serious political turn towards achieving political and security stability, which the Libyan people have always dreamed of since 2011. In light of recent developments and the formation of the new government with research procedures to complete the road map and hold free and comprehensive elections, Elizka relief Foundation would like to shed light on the actions that Libya and the international community in general should consider in order to end the Libyan war as well as to promote and respect the human rights of its people.

Elizka Relief Foundation monitors the serious violations of human rights and international humanitarian law in Libya which is conducted in complete and total impunity. Although the situation is relatively stable, armed groups and authorities continue to be responsible for systematic violations, including long-term arbitrary detention, unlawful killing, torture and enforced disappearance.

Since the end of the 2019 Tripoli war, hundreds are still missing, and thousands are displaced due to damaged properties and the presence of explosive ordnance, including landmines. Migrants, asylum seekers, and refugees face arbitrary detention, ill-treatment, and extortion by armed groups linked to the authorities, armed groups, and smugglers.

In this context, Elizka participates with this intervention in an interactive dialogue on the comprehensive report of the independent fact-finding mission on Libya, to highlight the developments made in the human rights situation after the issuance of the report of the Independent Fact-Finding Mission on Libya issued on March 23, 2022. A number of recommendations to strengthen the human rights situation in Libya within the framework of strengthening technical support directed to the Libyan government.

Promoting Human Rights Situations in Libya

A. Violations of Freedom of the Press in Libya

Press freedom in Libya continues to suffer from violation and repression. Since May 2021 till May 2022, 14 violations against journalists have been recorded from enforced disappearance, arbitrary arrest and physical assault. The city of Sirte topped these violations by 40%, followed by Tripoli and Benghazi by 20%, then Sourman and Ajdabiya by 10%. and women journalists in Libya are also subjected to attack, as abused women journalists constitute 10% of the total violations against workers in the field. (1)

In addition, lawsuits for defamation, publishing classified news and inflaming public opinion, and other lawsuits found in Libya's Penal Code articles on freedom of the press, are still being brought against journalists despite international condemnations of these articles and the need to amend them.

B. Violation of the Right to Organize and Restriction Civil Society in Libya

Many claims emerged from civil society organizations at the end of April, calling for the lifting of arbitrary restrictions on the freedom to organize and form NGOs and the fulfilment of international obligations. In response to the circular issued by the Civil Society Commission in Tripoli, prohibiting organizations or individuals affiliated with it from participating in any activities outside Libya, including training and workshops, or from cooperating with or receiving support from international organizations.

These actions are part of a broad campaign aimed to intimidate civil society and muzzle human rights defenders. Libyan civil society has recently faced a systematic campaign by some security agencies against human rights defenders. (2)

C. Violations of the Right to Demonstrate

On March 19, 2022, about 30 people participated in a demonstration in Sirte, in which the protesters demanded the international community and local authorities to provide compensation to the victims of the NATO air raids in 2011. As a result of this participation,

elements of the Internal Security Service, a group of powerful armed groups operating in areas under the control of the Libyan Arab Armed Forces, arbitrarily detained at least nine peaceful and press demonstrators in isolation from the outside world after participating in the demonstration for two weeks. (3)

On April 15, 2022, demonstrations were held by the medical staff in front of the Council of Ministers demanding the disbursement of their financial entitlements and functional rights. The Stabilization Support militia physically and verbally assaulted assisted medical and medical staff working in isolation and filtration centers and used excessive force to disrupt peaceful demonstrations. (4)

D. Violations of Armed Militias in Libya Violate International Law

The Stability Support Organization militia in Libya, was established by government resolution, commits “serious crimes and violations of human rights. The entrenchment of impunity in Libya has encouraged the state-funded SSO militia to commit unlawful killings, arbitrarily detain individuals, Interdicting and arbitrarily detaining migrants and refugees afterwards, torture and forced labor and other horrific human rights violations and crimes under international law, militias detain migrants in the overcrowded Al Maya detention center, which lacks adequate ventilation and is under the control of the Stabilization Support Militia.

They are frequently assaulting migrants and detained refugees, forcing them into forced labor, raping them and exercising other sexual violence, including forced prostitution.

E. Violations of Migrants

Libya, wracked by a decade of conflict and chaos, has become a major departure point for African and Asian migrants trying to reach Europe. Migrants often endure appalling conditions in Libya before heading north on overcrowded, unseaworthy boats that often sink or get into trouble.

On April 4, about 100 migrants died in mysterious circumstances after leaving Libya on an overcrowded boat. It is said that the Libyan Coast Guard had a hand in this, due to its close cooperation with the European Union in order to reduce the number of migrants crossing the Libyan shores to Europe. (5)

On May 10, 2022 a demonstration took place, hundreds of Moroccan families demanded to know the fate of their immigrant children in Libya, who are still in detention or hiding in Libyan accommodation centers with the lack of international interaction to investigate the cases of migrants detained in Libya. In addition to, the verbal violations they are subjected to, and their freedom to remain in Libyan detention centers. Their children have had no news of them inside Libyan prisons for months, and that the bodies are rotting, and the fate of dozens is still unknown. Despite, the efforts made by families with their own money with the Libyan government, the fate of their children is still the same. (6)

Conclusion and Recommendation

Libya is going through a critical stage witnessing serious and ongoing violations of human rights, and the spread of a culture of impunity in various parts of the country, impeding the ability of the Libyan people to move to peace, democracy and the rule of law. In this context, the Elizka Relief Foundation makes the following recommendations to urge an investigation Facts on Libya in bringing these recommendations to the Libyan government and taking them into account:

First: Elizka recommends that parties in Libya ensure compliance with United Nations Security Council resolution 2510 on a ceasefire and arms embargo, thereby enhancing the right to life of the Libyan people and halting violations of international law led by Libyan militias.

Second: Elizka recommends that the Government and international actors in Libya, including the UN Commission of Inquiry, work towards capacity-building, thereby strengthening the

integrated psychosocial support system, especially for migrants and displaced persons who have suffered violence, especially in detention centers.

Third: Elizka notes the situation of impunity, especially in the migrant camps in Libya, which includes forced labor, beatings, rape and torture, and calls on the Libyan parties, with the assistance of the United Nations Mission in Libya (UNMIL), to establish an investigative mechanism to strengthen Libya's current much-needed accountability.

Fourth: Elizka urges prompt and serious investigations to create practical and effective mechanisms that decisively end impunity for crimes against human rights defenders, journalists and media in Libya and end incitement and hatred campaigns.

Fifth: Elizka calls upon the Libyan Government to strengthen cooperation with the fact-finding mechanism established by the Human Rights Council and to identify those responsible for violations of justice and abuses against migrants and refugees. To abide by the international conventions of the Convention relating to the Status of Refugees of 25 July 1951 and the International Convention for the Protection of Migrants' Rights, which entered into force on 1 July 2003.

(1) Libyan journalists warn of continued restrictions, <https://bit.ly/3MoLXjn>

(2) TWENTY ONE HUMAN RIGHTS ORGANIZATIONS AND 57 LIBYAN PUBLIC FIGURES CALL ON THE AUTHORITIES TO LIFT THE ARBITRARY RESTRICTIONS IMPOSED BY THE CIVIL SOCIETY COMMISSION ON CIVIL ASSOCIATIONS, <https://bit.ly/3PqwYYh>

(3) Human rights, dissenters face uphill struggle in Libya, <https://bit.ly/3PsC3zn>

(4) Libya: Authorities in East and West Unite in Imposing Crackdown on Civil and Political Freedoms, <https://bit.ly/3FZeOZY>

(5) A new tragedy"... About 100 migrants drowned in the Mediterranean, <https://bit.ly/3MtcfkF>

(6) families of missing and detained Moroccan immigrants in Libya, <https://bit.ly/3yFK3XP>