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Technical assistance and capacity-building

Written statement* submitted by World Organisation Against Torture, 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.

[19 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.



Migrant Detention in Libya: Rebranded Governmental Approach, Unchanged Inhuman Practices

The Libyan Anti-Torture Network (LAN) and the World Organisation Against Torture (OMCT) welcome the report of the Fact-Finding Mission (FFM) on Libya at the last session of the Human Rights Council on March 30, 2022. In an oral statement delivered during the interactive dialogue with the FFM, the LAN and the OMCT expressed concern over the numerous human rights violations perpetrated against migrants, refugees, and asylum seekers in a staggering number of secret prisons and detention centers. These violations have been witnessed and documented in several locations by a number of organizations including the Libyan Anti-Torture Network.

Our organisations condemned the re-opening of two detention centers targeting specific groups of migrants, namely the Women and Children Migrants Detention center and the Arab Migrants Detention Center under the Directorate for Combatting Illegal Migration (DCIM), as well as the migrant situation in the Al Mayah area.

The Women and Children Detention center is located in Abu Salim, south of Tripoli. It was officially opened on 23 January 2022 in the presence of both the Minister of Interior and the Minister of Foreign Affairs and International Cooperation, who announced that the center is well equipped and has the capacity to host 1.500 people. Before its renovation and re-opening, this center was well-known for the serious human rights violations and killings perpetrated against migrants between 2017 and 2021. Despite initial announcements that the security and management of the center will be carried out by female police officers and a staff made up of women, the Libyan Anti-Torture Network found that the staff of the center were men and that female officers were brought in only for official visits.

Tareeq al-Matar (Airport Road) Detention center or the Arab Migrants Detention center is also located south of Tripoli, and was officially opened on 09 March 2022 in the presence of both the Prime Minister Dbeibah and the Interior Minister. According to the Prime Minister Dbeibah, the detention center will accommodate “illegal” male migrants from Egypt, Morocco, Algeria, and Tunisia and has a capacity of 1.500 people.

We are extremely troubled by the recent actions taken by the National Government of Unity (GNU) regarding the targeting of specific groups of migrants through the reopening of yet another two detention centers in Tripoli and the potential impact for migrants in the months to come. The GNU is seeking to polish its image by promoting a more “caring” approach towards “illegal” migrants and providing “renovated and better equipped” centers.

At the same time, these policies are perpetuating, even encouraging, and fostering discrimination, racism, and normalization of violence and ill-treatment of foreigners in Libya, including among the most vulnerable groups who are detained in breach of international standards.

Despite the many reassurances of the National Government of Unity claiming that these “rehabilitation centers or shelters” are “well equipped to take care of the migrants”, we cannot help but be concerned about the government’s handling of the migrants’ situation in the Tripoli region since the beginning of the year in regard and about the grim record of violations previously witnessed and documented in such centers. For the last decade, women and children have been detained in overly crowded centers mixed with men resulting in inhumane and unlivable detention conditions.

Furthermore, in October 2021 in the neighborhoods of the Gargaresh area armed groups and police units raided the area where many migrants and UNHCR-registered asylum seekers resided, allegedly to crack down on drug trafficking networks. Following this incident, around 5.000 people, including women and children, were arrested, ill-treated, hungered, and transferred to overly jammed detention centers with limited access to food and sanitary facilities.

The Libyan Anti-Torture Network and the World Organisation Against Torture also deplore the decision of the National Government of Unity and the Presidential Council for expanding the Stability Support Apparatus’s (SSA) mission to manage detention centers and place migrants intercepted at sea into the remote informal detention locations in Al Mayah about

30 km west of Tripoli, mainly in a recently repurposed old pharmaceutical factory. This is not only because SSA has committed mass violations against migrants especially in the last three years, but also because these detention locations fall outside of the jurisdiction of the Department for Combating Illegal Immigration and are inaccessible to local and international humanitarian organizations.

The LAN documented numerous instances of torture and other human rights violations that occurred in the detention locations of the Al Mayah area, where thousands of migrants from different nationalities, including women and children, have been reported as being held in inhuman conditions. The exact number of migrants detained in the Al Mayah area remains unknown.

We call on the Human Rights Council to urge the Libyan government to:

- Take all necessary steps to protect migrants, refugees and asylum seekers from torture and other ill-treatment.
- Guarantee access to detention centers to humanitarian organizations.
- Immediately release the most vulnerable groups of migrants, especially children and hold accountable those responsible for human rights violations against migrants in detention centers and prisons.

We also call on the international community to:

- Suspend cooperation with the Libyan government pending its full compliance with international human rights and international humanitarian laws.
- Take serious steps to hold Libyan authorities accountable
- Strengthen coordination between the different actors of the international community in Libya to address the issue of illegal migration across the Mediterranean.

The Libyan Anti-Torture Network (LAN), NGO(s) without consultative status, also share the views expressed in this statement.

1. The Libyan Anti-Torture Network (LAN) is a group of five Libyan civil society organizations from different regions/towns facilitated by the OMCT. The mandate of LAN is to advance the documentation, victim assistance, and advocacy for institution-building, protection, and prevention against torture in Libya mainly in the context of immigration detention.
2. The Torture Roads: The cycle of abuse against people on the move in Africa, page 39, paragraphs 54 & 55, <https://www.omct.org/en/resources/reports/africa-new-report-exposes-torture-as-a-defining-feature-of-the-migration-journey>
3. Opening of a shelter center for Illegal migrant women and children, Al Wasat, <http://alwasat.ly/news/libya/346800>
4. Libya opens center for migrants in Tripoli, AfricaNews, <https://www.africanews.com/2022/03/10/libya-opens-center-for-migrants-in-tripoli/>
5. Directorate for Combatting Illegal Migration's statement on the opening of the Arab migrants' center, https://www.facebook.com/permalink.php?story_fbid=3222856918038923&id=1596449284013036
6. Asylum Seekers, Refugees Need Crisis Response, paragraph 5, Human Rights Watch, <https://www.hrw.org/news/2021/11/03/libya-asylum-seekers-refugees-need-crisis-response>
7. Al Mayah prison west of Tripoli, InfoMigrants, <https://www.infomigrants.net/ar/post/37983/-سجن-المايا-غرب-طر-البلس-الاف-ينتظرون-من-ينظر-بحالهم-بينهم-نساء-واطفال>