

LIBYA



THE ISSUE:

Since the self-proclaimed Libyan National Army (LNA), under the command of General Haftar, attacked the Government of National Accord (GNA) capital of Tripoli in March 2019, there has been a consistent deterioration in the human rights and humanitarian situation in Libya. The worsening crisis and tremendous suffering of people in Libya are compounded by the military stalemate and danger of a return to full-scale civil war.

The crisis in Libya continues to involve systematic and gross human rights violations by State and non-State actors. Those include: killing and injuring civilians through indiscriminate strikes, torture and ill-treatment, rape and other acts of sexual violence, arbitrary arrests and detention, forced displacement, enforced disappearances, and other unlawful killings.

Migrants and refugees also continue to face dangers from the conflict. According to Kate Gilmore, the United Nation's Deputy High Commissioner for Human Rights, of the 4,900 migrants detained in inhuman conditions in Libya, 3,500 are held in conflict areas, many in or next to militia compounds or ammunition stores. One in five of these detainees is a child. The Deputy High Commissioner has reported to the Human Rights Council that migrants are being subject to "unimaginable horrors," describing the reports of sexual violence, torture, and extortion against detained migrants as "the most harrowing accounts I have ever heard."

EXTERNAL FACTORS MAINTAIN ILLEGAL FLOW OF ARMS TO LIBYA

Recent fighting in Tripoli has killed and wounded over 100 civilians, including dozens of detained migrants and refugees caught in airstrikes and artillery barrages, and displaced over 100,000 civilians living near the city. Militias on both sides continue to launch indiscriminate strikes, often using inherently inaccurate weapons. Attacks have also been directed against health workers and health facilities. Both sides have shown utter disregard for the fundamental principles of international humanitarian law forbidding such attacks.

Most of the weapons used by the warring parties have been older munitions, likely obtained from pre-2011 stocks. However, both sides have also increasingly deployed new drones equipped with air-launched guided missiles against military and civilian targets. The GNA drones are provided and operated by Turkey, while the LNA uses Chinese drones operated by the United Arab Emirates. The provision, deployment, and use of these weapons constitute a violation of a UN arms embargo that has been in place since 2011.

THE HUMAN COST:

On July 17, 2019, Libyan parliamentarian and prominent women's rights defender Siham Sergiwa was abducted from her home in Benghazi by armed gunmen—allegedly associated with the LNA—after publicly criticizing the LNA's military campaign led by General Haftar to seize Tripoli. There are grave fears that she is at risk of torture and may have been killed.

Dr. Sergiwa is a member of the Libyan Parliament who advocated for women's rights and criticized General Haftar. She appears to have come under attack as punishment for peacefully expressing her opinions and criticizing the LNA's offensive on Tripoli.

Since 2014, Libyan women's rights defenders have routinely been targeted with assassination, attempted killings, abduction, physical assault, and sexual violence, as well as death threats, harassment, and smear

campaigns on social media.



TALKING POINTS:

- According to UN statistics, more than 284 civilians were killed and more than 140,000 displaced as a result of the armed conflict in Libya in 2019.
- Libya has become a battleground where Russia, Egypt, Turkey, the UAE, France, and Italy battle for influence at the cost of human lives.

RECOMMENDATIONS:

- The U.S. should instruct its Permanent Representative to the United Nations work within the United Nations system to demand full compliance with the United Nations Arms Embargo against Libya and strengthen mechanisms for uncovering violations of the embargo.
- The U.S. should dedicate financial and personnel resources to assist efforts undertaken by the Libyan government, the United Nations Support Mission for Libya (UNSMIL), and international institutions such as the African Court for Human Rights and the International Criminal Court to establish pathways to restoring the rule of law and an accountability mechanism in Libya and to investigate violations of international human rights and humanitarian law. Additional resources should be dedicated to ensuring that the Libyan government, the International Organisation for Migration (IOM), and the United Nations High Commissioner for Refugees (UNHCR) are able to establish and maintain a migration management and an asylum system throughout Libya that is consistent with international standards, including those pertaining to human rights.

ADDITIONAL RESOURCES:

- Oral update of the United Nations High Commissioner for Human Rights on Libya pursuant to Human Rights Council resolution <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25048&LangID=E>
- Libya's Relentless Militia War <https://www.amnesty.org/en/documents/mde19/1201/2019/en/>
- Amnesty International Siham Sergiwa Urgent Action <https://www.amnesty.org/download/Documents/MDE1912632019ENGLISH.pdf>

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