

Fact-Finding Mission on Libya

Chair's statement/remarks at press conference

Peace be upon you,

Allow me to welcome you today, in my capacity as Chair of the Independent Fact-Finding Mission on Libya. My name is Mohamed Auajjar, and I am present here with my colleagues Chaloka Beyani and Tracy Robinson. We share with you today the second report of our Mission on the human rights situation in Libya. We do this in advance of the interactive dialogue that will take place in the Human Rights Council on Wednesday morning.

I start by acknowledging and thanking all those who have engaged with the Mission in the six months since our first report to the Council, in October 2021. Those who have given us their personal testimonies, written submissions and other information – in some cases, at risk to their safety – and those who have provided us with practical support, to arrange and facilitate our investigative missions.

[As you have just heard] The mandate that the Human Rights Council has given to our Mission is to document alleged human rights violations and abuses, as well as violations of international humanitarian law, committed by all parties in Libya since the beginning of 2016. Although we were established in June 2020, for budgetary reasons, we could not commence our investigations until a year later, in June 2021.

Our October 2021 report summarised the initial findings that we had been able to reach after our first few months of investigating. Today's report is a follow-up to that report. I encourage you to read the two reports together, especially since the restrictions on their length have required us to be economical about what we repeat. I also draw your attention to the fact that the Mission is due to present a comprehensive report to the Human Rights Council in June. At that time, we will have the opportunity to address some of these important issues more expansively.

We will now briefly highlight some key themes and findings of the report we release today.

First, there were significant political developments in Libya in the period that this report covers. During this time, the elections that were originally scheduled for December 2021 were postponed. They have still not occurred. There are again, effectively, two competing governments. Tension is high. Against this backdrop, violence and violations and abuses of international human rights law continued.

These developments have led us to direct our fact-finding efforts towards human rights violations and abuses, and crimes, that can especially hamper Libya's transition to peace, democracy and the rule of law. At present, in our view, the culture of impunity that is prevailing in different parts of Libya is impeding that transition.

Among other specific incidents, we have examined the reported arrest and detention by armed groups of people who expressed views about the elections, or support for candidates. We are investigating efforts to prevent a court from reviewing candidates' eligibility for election and other reported attacks against the judiciary. We have noted the ongoing impunity for attacks against women politicians, which undermines women's meaningful political participation. And we have highlighted restrictions and attacks on civil society organizations; on activists; on human rights defenders; and on journalists.

Alongside these issues, we have continued to direct investigations particularly to the apparent or alleged violations, of both international human rights and international humanitarian law, that are the most serious. By the time of our first report, last October, we had found reasonable grounds to believe that war crimes have been committed in Libya, and that violations perpetrated in prisons and against migrants there may amount to crimes against humanity.

Since that report, we have uncovered further evidence that the human rights violations experienced by detainees in Libya are widespread, systematic, or both. The report describes our examination of violations occurring in 20 detention facilities, official and unofficial, and our ongoing investigation of secret prison networks that are allegedly controlled by armed militias.

We have also continued to document consistent patterns of serious violations against migrants, refugees and asylum seekers, which occur in Libya's migration detention centres, in trafficking hubs, and in other contexts. The incidents we investigated included the raid in Tripoli in early October 2021 targeting foreigners and migrants, and abductions, torture and rapes perpetrated by human traffickers.

Finally, as in our first report, we have given particular attention to the situation of other vulnerable groups such as ethnic and religious minorities, and to human rights violations and abuses specifically affecting women.

I close by saying, as I did in October, that – of necessity – the findings we present in the report are not exhaustive. This Fact-Finding Mission’s mandate is very broad and further investigations are needed to address comprehensively the human rights situation Libya since 2016. To this end, today’s report again recommends that the Human Rights Council extend the mandate of the Mission.

Thank you. We are at your disposal to answer your questions.