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Human rights situations that require the Council's attention

Written statement* submitted by Maat for Peace, Development and Human Rights Association, 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.



Human Rights violations in Libya

Preface

Maat for Peace, Development and Human Rights (Egypt) condemns the continuous military intervention in the Libyan matter since 2016. This intervention has contributed to undermining domestic and international efforts to reach a peaceful political solution in Libya. The association also condemns the decision of the Turkish Parliament after signing two memoranda of understanding between Turkey and Libya; by agreeing to Military deployment and sending fighters to Libya to support the Al-Wefaq government in Tripoli. The Turkish military intervention threatens to further deteriorate the humanitarian situation of Libyan citizens who have been living in the midst of armed conflict since 2014.

Against the increasing violations of human rights in Libya, especially the rights of civilians and vulnerable groups such as children and women, Maat provided this intervention to shed light on these violations resulting from the intense conflict between the two parties of the conflict, and the impact of Turkish intervention on undermining peace efforts and growing violations that require the attention of the Council.

Targeting civilians

Since April 2019, Libya has witnessed the killing of 284 civilians, the injury of 363 others, and the displacement of 140,000 Libyans across the country who are unable to return to their homes due to the ongoing battles, according to a United Nations (UN) report. Until August 15, the United Nations Support Mission in Libya recorded more than 37 attacks against health and medical personnel; 19 hospitals were attacked and 11 medical personnel were killed. This is a flagrant violation of international humanitarian law. Migrant detention centers were not spared from these attacks. In July, one of the official detention centers in Tajura was destroyed by aerial bombardment, killing 46 people and injuring 130.

The killings and displacement of civilians were a direct result of indiscriminate shelling and guided missiles that killed civilians, most of them are women and children. The Al-Wefaq government carried out a total of 250 air strikes on areas under the control of the Libyan National Army. While aircraft followed the Libyan National Army carried out 170 similar air strikes.

Moreover, the conflict has created a fertile environment for increased kidnappings based on political orientation and social identity. In line with an unfavorable climate for controlling security and combating crime in Tripoli, which is controlled by Al-Wefaq government. On January 18, 2020, journalist Mohamed Abu Rodos was kidnapped in Tripoli by armed militias. The National Human Rights Committee in Libya carried the Minister of Interior of Al-Wefaq government, Fathi Pasha Agha, the fate of revealing Rodos' kidnappers' identity. As he was reportedly arrested because of his political views that contradict with Al-Wefaq government's direction. On October 9, 2020, Libyan journalists were exposed to random shooting in Azizia Street in Tripoli, and seriously wounded; as they were going to cover the hostilities taking place near Tripoli.

Violations against children

The current conflict in Libya represented a real danger to the lives of thousands of children targeted by the indiscriminate attacks of the two conflicting parties. As of December 2019, about 90,000 children were forced out of their homes. 30 facilities for children, including hospitals and health units, were severely affected, 15 of which were once and for all closed. As well, children were deprived of their right to education as a result of the growing of conflict between the two parties to the conflict. 210 schools have been closed in the cities of Abu Salim, Ain Zara and the Thursday market area, and as a result, some 115,000 children left these schools. On January 7, 2020, the Directorate of Education in Misurata announced the suspension of studies at all educational levels due to the security situation.

It's not only the Libyan children who have been affected, but the conflict situation also posed a threat to the lives of about 60,000 refugee and migrant children in Libya, including 15,000 unaccompanied and detained in immigration centers. Those had lost their opportunity to obtain basic services due to the war. They are also among the vulnerable groups to the real risk under the current conflict situation. In addition, the detention centers suffer from severe shortage in basic services and from mistreatment by those in charge of managing these centers.

Turkish intervention and erode the peaceful solution

Foreign interventions in Libya, especially from Turkey, have led to the continuation and escalation of the internal Libyan conflict. On January 2, 2020, the Turkish parliament approved a presidential request to send Turkish soldiers to Libya. On January 5, the Turkish president confirmed his announcement that Turkish forces had already begun to go to Libya. As well, in earlier, Turkey had supported the Al-Wefaq government with drones and arms shipments, including fighter armored vehicles "Kirby", in addition to the Drones TB2. This act as Turkey's sending of these weapons is a violation of Security Council Resolution No. 2420, which imposes an embargo on the export of arms to and from Libya, and Resolution No. 1970 to inspect member states of the Security Council for ships heading to and coming from Libya with the aim of preventing the entry of weapons.

There is no doubt that Turkish interference in Libya has weakened peace efforts and the establishment of a comprehensive national reconciliation between the conflicting parties. Under sticking of each party to certain dictates and using Al-Wefaq government to Syrian fighters in Turkish coordination with salaries amounting to 2000 dollars per month reaching to a completed settlement has become a matter of doubt. Some of these fighters, who numbered more than 1000 fighters, arrived in Libya through the airport of Muaqaita and others arrived via unlisted flights between Misurata and Istanbul, which was implicitly confirmed by Fayez al-Sarraj, head of Al-Wefaq government. All of this may lead to continuation of conflict and civil war between the various parties in Libya. It also represents a violation of the United Nations strategy to combat terrorism, which confirms the countries' refraining of providing support to terrorist entities. It paves the way again for the emergence of ISIS, as well.

While the Turkish presence raised the anger in eastern Libya, causing the tribes to close the oil ports in eastern Libya. That's quickly, affected Libyan oil production, which reached its lowest levels since 2011. This situation portends a serious deterioration in the Libyan economy, which depends mainly on the oil exports. If the oil ports continue to be closed, the deterioration of the living conditions of the Libyan citizens will entail.

Recommendations

Maat association confirms that the only support that UN member states can provide to Libya to stop the conflict and revive a successful peace process is stopping any military support to the Libyan parties and pressuring on all warring parties for an immediate ceasefire. Maat also recommends that develop a national plan sponsored by the United Nations Support Mission in Libya, with the participation of civil society organizations, to formulate a unified vision towards restructuring state and security institutions in Libya. In addition, working to form an international investigation mechanism into serious violations of human rights and of international humanitarian law committed in Libya. Moreover, Maat recommends the necessity of establishing a unified national army and dismantling the militias of both parties in Libya, in particular, those operating in western Libya. While working to abolish Al-Wefaq government of the security agreement with the Turkish side, due to the results of the presence of foreign forces in Libya and the activity of the Syrian fighters who Turkey uses to inflame the conflict. Lastly, all parties should abide by Security Council resolutions 1970, 2420, which aim to prohibit the export of arms to and from Libya until the conditions are calm and a comprehensive settlement of the conflict is achieved.