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Rachel
Borrell

Item 6:
Consideration of UPR reports

LIBYA

Mr. President,

Amnesty International acknowledges the huge challenges faced by the Libyan authorities in upholding human rights. However, we remain deeply alarmed at the scale and gravity of abuses perpetrated in the context of armed conflicts and the fight against terrorism, and the lack of accountability for these and past abuses.

We are pleased to note that Libya accepted general recommendations to guarantee respect for human rights and international humanitarian law.¹ Regrettably, Libya has rejected a specific recommendation to take measures to ensure that forces loyal to the government are made accountable for their indiscriminate targeting of civilians, civilian vessels as well as civilian property and infrastructure².

Over the past year, Amnesty International has documented a pattern of abuses by *Operation Dignity* forces aligned with the government. Such abuses include direct attacks against civilians and the deliberate destruction of their property, abductions, torture and other ill-treatment, as well as summary killings of civilians and fighters. *Operation Dignity* forces have also carried out indiscriminate attacks and airstrikes resulting in the death and injury of civilians, including using internationally-banned cluster bombs.

¹ Report of the Working Group on the Universal Periodic Review – Libya, A/HRC/30/16, recommendations 137.107 (Argentina), 137.111 (New Zealand), 137.112 (Chile), 137.113 (Portugal), 137.114 (Thailand), 137.115 (Ireland).

² Addendum to the Report of the Working Group on the Universal Periodic Review - Libya, A/HRC/30/16, recommendation 137.156 (Turkey)

Hundreds of thousands of persons have been displaced across Libya by persecution and conflict; since 2011, some have faced multiple displacement. Amnesty International calls on Libya to act on accepted recommendations to ensure the safe return of internally displaced persons to their homes.³

Mr. President,

We welcome Libya's acceptance of recommendations to ensure that the rights of migrants, asylum-seekers and refugees in Libya are protected, including by preventing violence against women and religious minorities.⁴ Currently, the ongoing violence and breakdown of the rule of law is exploited by a plethora of groups who subject foreign nationals to abductions, human trafficking, extortion and sexual violence. Foreign nationals continue to be subjected to indefinite detention in immigration detention centres. Anyone detained solely on the basis of their immigration status, nationality, religion or ethnicity should be released.

Amnesty International welcomes recommendations to end arbitrary detention and to close illegal detention centres, and stresses that thousands of perceived al-Gaddafi loyalists continue to be held without trial or charge.⁵ Where cases have been processed, trials were marred by serious flaws and have resulted in the death penalty. Amnesty International therefore regrets Libya's rejection of recommendations by 14 states to establish a moratorium on executions as a first step towards abolishing the death penalty.⁶

Finally, Amnesty International regrets Libya's refusal to take special measures in favour of gender equality and amend discriminatory legislation against women with regard to divorce, marriage and inheritance. Women continue to face discrimination in law and in practice⁷.

Thank you, Mr. President.

³ A/HRC/30/16, recommendations 137.189 (Costa Rica), 137.191 (Switzerland), 137.194 (Mexico), 137.197 (Uruguay), 137.198 (Germany).

⁴ A/HRC/30/16, recommendations 137.190 (Kazakhstan), 137.191 (Switzerland), 137.192 (Switzerland), 137.193 (New Zealand).

⁵ A/HRC/30/16, recommendations 137.128 (Switzerland), 137.129 (Chile), 137.130 (Chad), 137.141 (France),

⁶ A/HRC/30/16, recommendations 137.92 (Belgium), 137.93 (Australia), 137.94 (Costa Rica), 137.95 (Argentina), 137.96 (France), 137.97 (Benin), 137.98 (Uruguay), 137.99 (Spain), 137.100 (Lithuania), 137.101 (Nepal), 137.102 (Italy), 137.103 (Montenegro), 137.104 (Portugal), 137.105 (Namibia).

⁷ A/HRC/30/16, recommendations 137.23 (Angola), 137.84 (Estonia)