



Geneva International Centre for Justice

Libya: Towards a New Peaceful and Democratic Chapter?

Claudia González García

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GICJ

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Geneva, Switzerland

All correspondence should be directed to:

Geneva International Centre for Justice

Route de Ferney 150, 1211 Genève

Tel: 0041 22 788 19 71

Email: info@gicj.org

Website: www.gicj.org

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LIBYA - COUNTRY PROFILE

KEY FACTS

Population (2019) - 6.777.452

Land Area - 1,759,540 sq km

GDP (\$US, 2019) - 52,091,152.23 M

GDP Growth (2019) - 2.5%

Main Exports (2019) - Crude petroleum, petroleum gas, gold, refined petroleum, scrap iron

Languages - Arabic (official), Italian, English, Berber.

Life Expectancy (2018) - 72.7

Sources: World Bank, CIA Factbook, OEC

MAP



Source: UNSMIL

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Libya: Towards a New Peaceful and Democratic Chapter?

Introduction and Background of the Conflict

Libya has been immersed in violence and instability since the 2011 NATO-led intervention in the country. After a failed attempt at a democratic transition, violence spiked in 2014 and Libya became divided into two opposing governments: the Tripoli-based and UN-recognized Government of National Accord (GNA), which is led by Fayeze al-Serraj, and the Tobruk-based House of Representatives, whose leader appointed General Haftar as head of the Libya National Army (LNA) or Libyan Arab Armed Forces (LAAF). The GNA holds some western parts of the country, including Tripoli, and relies on the support of countries like Turkey, Italy and Qatar¹. The Benghazi-based LNA, in turn, controls the eastern parts of Libya and has been backed by Egypt, France, the UAE and Russia².

After years of conflict, violence escalated again in April 2019 when the LNA launched a military campaign to gain control of the capital. After months of renewed fighting and volatility, a “process of consultation on Libya”³ began in September 2019 at the request of former UN Special Representative for Libya, Ghassan Salamé, and the German Government. Such process involved the most prominent actors in the Libyan conflict, including Egypt, the UAE, Turkey, Italy, the five permanent members of the UN Security Council, the UN Support Mission in Libya (UNSMIL), the European Union (EU), and the African Union (AU)⁴. This led to the so-called Berlin Conference, which was held on January 19, 2020 and was aimed at building international consensus regarding the conflict in the oil-rich country. At the Conference, participants committed to respect the arms embargo imposed on Libya since 2011 and to refrain from interfering in the country, “call[ing] upon the UN to facilitate ceasefire negotiations between the parties”⁵.

Most recently, the situation in Libya has experienced some significant developments. On October 23, 2020, the 5+5 Joint Military Committee (JMC), which consists of five members of each opposing side, signed a permanent ceasefire agreement in Geneva, which was described as “a fundamental step towards peace and stability in

¹ Robinson, K., (2020), “Who’s Who in Libya’s War?”, *Council on Foreign Relations*. [Online] Available from: <https://www.cfr.org/in-brief/whos-who-libyas-war>

² Ibid.

³ UNSMIL, (no date), “Berlin International Conference on Libya - 19 January 2020”. [Online] Available from: <https://unsmil.unmissions.org/berlin-international-conference-libya-19-january-2020>

⁴ Ministerio de Asuntos Exteriores, Unión Europea y Cooperación del Gobierno de España, (2020), “Ficha País: Libia”, *Oficina de Información Diplomática*. [Online] Available from: http://www.exteriores.gob.es/Documents/FichasPais/LIBIA_FICHA%20PAIS.pdf

⁵ Bundesregierung, (2020), “The Berlin Conference on Libya: Conference Conclusions”. [Online] Available from: https://unsmil.unmissions.org/sites/default/files/berlin_conference_communique.pdf

Libya”⁶ by UN Secretary-General, António Guterres. After the signature of the agreement, Acting Special Representative for Libya, Ms. Stephanie Williams, launched the first round of negotiations of the so-called Libyan Political Dialogue Forum (LPDF), which was held in Tunis in November 2020. At the Forum, participants agreed to hold national elections on December 24, 2021, approved a roadmap to reach that end, and recognized “the need to reform the executive authority in line with the conclusions of the Berlin Conference”⁷.



LPDF negotiations held in November 2020 in Tunis.
Source: UNSMIL (2020)

Three-Track Negotiations

Negotiations regarding Libya’s conflict are focused on three tracks. One is the political track, which corresponds to the negotiations of the LPDF. The Forum is comprised of more than 70 members “representing the full social and political spectrum of the Libyan society”⁸, and is focused on the road to national elections. The second one is the security track, which corresponds to the work of the 5+5 Joint Military Committee (JMC). As mentioned earlier, the Committee is formed of 5 representatives of the GNA and 5 of the LNA, and is focused on the implementation of the ceasefire agreement. Finally, the third is the economic and financial track, which is focused on advancing economic reforms in the country.

⁶ UN News, (2020), “UN salutes new Libya ceasefire agreement that points to ‘a better, safer, and more peaceful future’”, *Peace and Security*, [Online] Available from: <https://news.un.org/en/story/2020/10/1076012>

⁷ Security Council Report, (2020), “VTC Consultations on Libya”, *What’s in Blue*, [Online] Available from: <https://bit.ly/34dottH>

⁸ UNSMIL, (2020), “Libyan Political Dialogue Forum”. [Online] Available from: <https://unsmil.unmissions.org/libyan-political-dialogue-forum>

Political Track

Weeks after the first round of negotiations of the LPDF in Tunis, the Forum created an advisory committee that would prepare a proposal for the selection mechanism of an interim executive authority to run the country ahead of the December 2021 elections. On January 19, the proposal was put to vote and approved by 51 votes in favour, 19 votes against, and 2 abstentions⁹, which Ms. Williams described as a “significant step forward in the implementation of the roadmap adopted in Tunis in mid-November”¹⁰. The interim executive authority is to be formed by a Prime Minister and a Presidency Council, for which a week-long period of candidate submissions was opened.

Between February 1 and 5, 2021, the LPDF undertook a voting process to select the interim executive authority. Four lists of candidates were presented and voted for in the first round. However, no list met the required threshold of 60% of the votes¹¹. As a result, members of the LPDF proceeded to vote on the two winning lists in a second round, in which the threshold was 50% + 1, as established by the selection mechanism approved on January 19.



Woman votes during the fifth day of the LPDF in February 2021,
Source: UNSMIL (2021)

⁹ UNSMIL, (2021), “UNSMIL Announced that LPDF Approves the Proposal of Selection Mechanism of Executive Authority for the Preparatory Period”, [Online] Available from: <https://unsmil.unmissions.org/unsmil-announces-lpdf-approves-proposal-selection-mechanism-executive-authority-preparatory-period>

¹⁰ Ibid.

¹¹ UNSMIL, (2021), “The Libyan Political Dialogue Forum Moves to the Second Round of Vote on the Lists of Presidency Council and Prime Minister Candidates”, [Online] Available from: <https://unsmil.unmissions.org/libyan-political-dialogue-forum-moves-second-round-vote-lists-presidency-council-and-prime-minister>

After the new voting round, Ms. Williams announced the winning list, which was the one formed by Mohammad Younes Menfi as the President of the Presidency Council, Mossa Al-Koni and Abdullah Hussein Al-Lafi as members of the Council, and Abdul Hamid Mohammed Dbeibah as Prime Minister. Ms. Williams described the outcome of the voting process as “a historic moment”¹², and the UN Secretary-General praised the selection of the transitional authority, urged all actors involved in Libya “to respect the results of the vote”¹³, and welcomed some key commitments of the executive authority, including its pledge “to include no less than 30% of women in executive positions”¹⁴. The newly selected Government of National Unity was sworn in on March 15, 2021¹⁵.

Some important developments have also taken place with regards to the legal foundations for the holding of elections in December 2021. A legal committee was officially created on December 21, 2020 in order to “follow up on the constitutional basis necessary for the holding of elections”¹⁶ and to build consensus with regards to this issue. Moreover, on January 19, the constitutional committee started its second meeting in Hurghada (Egypt) in order to discuss the constitutional arrangements needed to hold the elections in late 2021. In her opening remarks, Ms. Williams emphasized the importance of reaching an agreement on these arrangements, as failing to do so would have negative consequences for the other negotiating tracks¹⁷. On January 20, members of the committee agreed “to hold a constitutional referendum before the national elections in December and to amend the referendum law reviewed by the House of Representatives at the end of 2018”¹⁸.

¹² UN News, (2021), “Libya: ‘Historic Moment’ as UN-led forum selects new interim leadership”, [Online] Available from: <https://news.un.org/en/story/2021/02/1084022>

¹³ Ibid.

¹⁴ Ibid.

¹⁵ UNSMIL, (2021), “Special Envoy Ján Kubis Welcomes the Swearing-In of the Government of National Unity as Important Step Towards a Unified, Democratic and Sovereign Libya”, [Online] Available from: <https://unsmil.unmissions.org/special-envoy-ján-kubis-welcomes-swearing-government-national-unity-important-step-towards-unified>

¹⁶ UNSMIL, (2021), “Acting Special Representative of the Secretary-General for Libya Stephanie Williams Remarks Following the Closing of the Vote on the New Executive Authority - LPDF, 5 Feb 2021”, [Online] Available from: <https://unsmil.unmissions.org/acting-special-representative-secretary-general-libya-stephanie-williams-remarks-following-closing>

¹⁷ UNSMIL, (2021), “Libya’s Constitutional Committee Begins its Second Meeting in Hurghada to Discuss Constitutional Arrangements Leading to Upcoming Elections”, [Online] Available from: <https://unsmil.unmissions.org/libya-s-constitutional-committee-begins-its-second-meeting-hurghada-discuss-constitutional>

¹⁸ UNSMIL, (2021), “Acting Special Representative of the Secretary-General for Libya Stephanie Williams Briefing to the Security Council”, [Online] Available from: <https://unsmil.unmissions.org/acting-special-representative-secretary-general-libya-stephanie-williams-briefing-security-council>

Security Track

As mentioned earlier, members of the 5+5 Joint Military Committee signed a ceasefire agreement on October 23, 2020. According to the terms of the agreement, all foreign fighters had to abandon the country within three months, and “foreign military training”¹⁹ had to be suspended immediately. Moreover, the agreement also included “issues of disarmament, demobilization and reintegration of armed elements”²⁰, as well as the intent to establish a body to oversee its implementation.



Ahmed Ali Abushahma, head of the GNA's military delegation, signs the ceasefire agreement.
Source: AllAfrica (2020)

As Ms. Williams noted in her last briefing to the UN Security Council as Acting Special Representative for Libya, implementation of the ceasefire agreement continues to be monitored²¹. However, the deadline for the departure of all foreign fighters and mercenaries from Libya, which was set on January 23, 2021, has not been met despite the Committee's emphasis on the importance of accelerating their "immediate repatriation"²². Along this same line, the UN Secretary-General has urged all “regional and international actors to respect [the provisions of the agreement]”²³, an appeal joined by Ms. Williams in her briefing statement²⁴.

¹⁹ Security Council Report, (2020), “VTC Consultations on Libya”, *What's in Blue*, [Online] Available from: <https://bit.ly/34dottH>

²⁰ Ibid.

²¹ UNSMIL, (2021), “Acting Special Representative of the Secretary-General for Libya Stephanie Williams Briefing to the Security Council”, [Online] Available from: <https://unsmil.unmissions.org/acting-special-representative-secretary-general-libya-stephanie-williams-briefing-security-council>

²² Ibid.

²³ UN News, (2021), “‘Rejuvenation of Libyan Patriotism’ deserves full Security Council support, says UN Mission Chief”, *Peace and Security*, [Online] Available from: <https://news.un.org/en/story/2021/01/1083282>

²⁴ UNSMIL, (2021), “Acting Special Representative of the Secretary-General for Libya Stephanie Williams Briefing to the Security Council”, [Online] Available from: <https://unsmil.unmissions.org/acting-special-representative-secretary-general-libya-stephanie-williams-briefing-security-council>

During her speech on January 28, the head of UNSMIL also expressed her concern regarding various activities that “undermine the 5+5 process”²⁵, including the “continued fortifications and defensive positions created by the LAAF in [Sirte and Central Libya]”²⁶. Moreover, she also referred to the increase of “security agencies under the leadership of armed groups, with overlapping responsibilities [and] unclear lines of command and control”²⁷, which weaken the country's security scheme, and hamper potential security reforms and the “demobilisation [and] reintegration [...] of armed groups”²⁸.

Between February 4 and 7, 2021, the 5+5 JMC held a new round of negotiations in order to continue its work towards the implementation of the ceasefire agreement²⁹. In this particular round, the parties focused on the “opening of the [country’s] coastal road,”³⁰ which strategically links eastern and western Libya. Moreover, representatives also discussed “the deployment of UN monitors in support of the Libyan ceasefire monitoring and verification mechanism”³¹.

Economic Track

Negotiations with regards to the economic track have also experienced some important advances. Between December 14 and 15, 2020, Ms. Williams convened a meeting in Geneva that brought together members of Libya’s main economic bodies to discuss and elaborate economic reforms for the country³². During the meeting, participants “developed recommendations to unify the exchange rate to ensure greater stability of the Libyan currency and combat corruption”³³, and discussed the “steps to consolidate the national budget”³⁴. Moreover, participants committed to “work in good faith to restore access to oil revenues”, and urged all parties to cease any intimidation against the NOC (National Oil Corporation)³⁵.

Following the two-day session, the Central Bank of Libya (CBL) Board of Directors held its first meeting in five years and “decided to unify the country’s

²⁵ UNSMIL, (2021), “Acting Special Representative of the Secretary-General for Libya Stephanie Williams Briefing to the Security Council”, [Online] Available from: <https://unsmil.unmissions.org/acting-special-representative-secretary-general-libya-stephanie-williams-briefing-security-council>

²⁶ Ibid.

²⁷ Ibid.

²⁸ Ibid.

²⁹ UNSMIL, (2021), “UNSMIL Welcomes the 7th Round of the 5+5 JMC Talks in Sirte”, [Online] Available from: <https://unsmil.unmissions.org/unsmil-welcomes-7th-round-55-jmc-talks-sirte>

³⁰ Ibid.

³¹ Ibid.

³² UNSMIL, (2020), “UNSMIL Convenes Libyan Economic Meeting to Agree on Critical Reforms”. [Online] Available from: <https://unsmil.unmissions.org/unsmil-convenes-libyan-economic-meeting-agree-critical-reforms>

³³ Ibid.

³⁴ Ibid.

³⁵ Ibid.

exchange rate”³⁶. These reforms as well as the advancements “in the financial review of the CBL”³⁷ and the “launching of the first comprehensive audit of the Libyan Investment Authority”³⁸ are central in establishing a more robust and equitable economic scheme in the country³⁹. However, in her January 2021 address to the Security Council, Ms. Williams noted that two important measures were still pending—one dealing with “the banking crisis through the issuance of loans to commercial banks”⁴⁰, and the other “[unifying] the national budget for 2021”⁴¹.

Recent developments have led to positive advances in these respects. On February 1, 2021, the Board of Directors of the CBL decided to “allocate a no-interest loan to Libyan commercial banks”⁴². While this is not a panacea for Libya’s economic problems, it will relieve some pressure from the country’s banking system⁴³. Moreover, on February 3, a 2-month national budget was approved by the Council of Ministers, making it Libya’s first unified budget since 2014⁴⁴. This will enable the newly selected executive authority to design and present its full national budget for 2021⁴⁵. As reported by UNSMIL, altogether, these reforms “are vital components [...] needed to regularise the management of Libyan oil revenue”⁴⁶. This is important for the country’s economy, as both oil and gas are Libya’s main sources of income.

³⁶ UN News, (2020), “Peace dividend for Libya economy, as oil flows and Central Bank unifies exchange rate after years of deadlock”, *Peace and Security*, [Online] Available from: <https://news.un.org/en/story/2020/12/1080272>

³⁷ UNSMIL, (2021), “IFCL Economic Working Group Convenes Meeting to Address Urgent Economic Issues”, [Online] Available from: <https://unsmil.unmissions.org/ifcl-economic-working-group-convenes-meeting-address-urgent-economic-issues>

³⁸ UNSMIL, (2021), “Acting Special Representative of the Secretary-General for Libya Stephanie Williams Briefing to the Security Council”, [Online] Available from: <https://unsmil.unmissions.org/acting-special-representative-secretary-general-libya-stephanie-williams-briefing-security-council>

³⁹ UNSMIL, (2021), “IFCL Economic Working Group Convenes Meeting to Address Urgent Economic Issues”, [Online] Available from: <https://unsmil.unmissions.org/ifcl-economic-working-group-convenes-meeting-address-urgent-economic-issues>

⁴⁰ UNSMIL, (2021), “Acting Special Representative of the Secretary-General for Libya Stephanie Williams Briefing to the Security Council”, [Online] Available from: <https://unsmil.unmissions.org/acting-special-representative-secretary-general-libya-stephanie-williams-briefing-security-council>

⁴¹ Ibid.

⁴² UNSMIL, (2021), “Libyan Parties Agree on a Two-Month Unified National Budget and Work to Address the Banking Crisis”, [Online] Available from: <https://unsmil.unmissions.org/libyan-parties-agree-two-month-unified-national-budget-and-work-address-banking-crisis>

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ Ibid.

Human Rights and Humanitarian Situation in Libya

The conflict in Libya between April 2019 and June 2020 resulted in hundreds of civilian deaths and caused the displacement of thousands of people. Conflicting forces and armed groups perpetrated grave human rights violations and serious breaches of international law, including indiscriminate bombardments and airstrikes, arbitrary executions, enforced disappearances, abductions⁴⁷, and other crimes such as the looting of property in cities like Tarhouna and Alasabaa⁴⁸.

Despite the halting of fighting in mid-2020, Libyans continue to face enormous challenges as they deal with the consequences of conflict, the impact of the country's political and economic crises, and the effects of Covid-19⁴⁹. According to the Humanitarian Response Plan 2021 issued by the UN's Office for the Coordination of Humanitarian Affairs (OCHA) and its partners in the country, there are 1.3 million Libyans in need of aid⁵⁰, especially "internally displaced persons, non-displaced [people], returnees, and migrants and refugees"⁵¹, which are in a particularly vulnerable situation.

Migrants and refugees face serious security perils and grave human rights violations⁵². Many have been killed, injured and placed in detention centres⁵³, where they are subject to abuses such as sexual violence⁵⁴, forced labour, ill-treatment, overcrowding and severe malnutrition⁵⁵. Migrants held in these facilities are particularly vulnerable to Covid-19 transmission as a result of the overcrowding and the lack of optimal sanitary conditions within the centres⁵⁶. Moreover, they have also been subject to violent attacks, such as the May 2020 assault against a group of migrants in the city of Mazda, which resulted in at least 24 Bangladeshi migrants dead⁵⁷.

⁴⁷ UN Human Rights Council, (2020), "Oral Update of the United Nations High Commissioner for Human Rights on Libya Pursuant to Human Rights Council Resolution 40/27", *43rd Session of the HRC, Address by Ms. Nada Al-Nashif, Deputy High Commissioner for Human Rights*, [Online] Available from: <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=25973&LangID=E>

⁴⁸ UNSMIL, (2020), "UNSMIL Statement on Recent Developments in Libya", [Online] Available from: <https://unsmil.unmissions.org/unsmil-statement-recent-developments-libya>

⁴⁹ OCHA, (2021), "Humanitarian Response Plan: Libya", *Humanitarian Programme Cycle 2021*, [Online] Available from: https://reliefweb.int/sites/reliefweb.int/files/resources/libya_hrp_2021-final.pdf

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² Ibid.

⁵³ Ibid.

⁵⁴ OIM, (no date), "Libya", [Online] Available from: <https://www.iom.int/countries/libya>

⁵⁵ OCHA, (2021), "Humanitarian Response Plan: Libya", *Humanitarian Programme Cycle 2021*, [Online] Available from: https://reliefweb.int/sites/reliefweb.int/files/resources/libya_hrp_2021-final.pdf

⁵⁶ Global Detention Project, (2021), "Libya", [Online] Available from: <https://www.globaldetentionproject.org/countries/africa/libya# covid-19-updates>

⁵⁷ Al Jazeera, (2020), "Bangladeshis killed in Libya were abducted, tortured: Ministers", [Online] Available from: <https://www.aljazeera.com/news/2020/5/29/bangladeshis-killed-in-libya-were-abducted-tortured-minister>

The situation of migrants that attempt to cross the Mediterranean Sea is particularly worrying. Many of them are intercepted at sea and returned to Libya, where they are arbitrarily detained and held in the aforementioned detention centres in deplorable conditions, while many others die in their attempt to reach Europe. Libya is a key transit point of the so-called central Mediterranean route, and has been referred to by UNHCR as “the most dangerous migration route in the world”⁵⁸. In 2020 alone, hundreds of migrants died off the Libyan coast while trying to reach European shores, and more than 11,000 people were intercepted at sea and returned to the country⁵⁹. Prospects for 2021 are not encouraging. On January 19, 2021, 43 migrants from various African countries died at sea in what constituted the first human catastrophe of the year in the Mediterranean⁶⁰. Moreover, as of January 31, UNHCR reported the interception of 469 people⁶¹, and IOM’s spokesperson Safa Msehli informed on February 6 that Libyan coastguards had intercepted around 1,500 migrants in just four days⁶². The European Union has been and continues to be complicit of these acts as it “continue[s] to collaborate with abusive coast guard forces to intercept and return thousands of people to Libya”⁶³, despite calls by the OIM to end these practices.

Libyans continue to face significant challenges stemming from the effects of the conflict. One of the most notorious is the widespread presence of explosive devices, which constitutes a significant risk to the life of many Libyans, including those who have been able to return to their homes as a result of the interruption of fighting⁶⁴. Certainly, as Ms. Williams noted in her address to the Security Council in January 2021, “the proliferation of arms, ammunition, and explosive ordnance continues to pose a major threat”⁶⁵ in Libya, where war remnants, especially landmines, cause insecurity and continue to deter people from going back to their homes.

Other consequences of the prolonged conflict and the human rights violations perpetrated in the country are also being felt in cities like Tarhouna, where numerous mass graves have been discovered. The al-Kani militia controlled the city between 2015

⁵⁸ Al Jazeera, (2021), “Dozens of Migrants Killed in Shipwreck off Libya’s coast”, [Online] Available from: <http://bit.ly/37nRmoy>

⁵⁹ Global Detention Project, (2021), “Libya”, [Online] Available from: <https://www.globaldetentionproject.org/countries/africa/libya/#covid-19-updates>

⁶⁰ The Guardian, (2021), “Shipwreck claims the lives of at least 43 migrants off the coast of Libya”, [Online] Available from: <https://www.theguardian.com/global-development/2021/jan/21/shipwreck-claims-the-lives-of-at-least-43-migrants-off-the-coast-of-libya>

⁶¹ UNHCR, (2021), “Libya: Activities at Disembarkation, monthly update”, [Online] Available from: https://reliefweb.int/sites/reliefweb.int/files/resources/2021_01_LBY_UNHCR_Disembarkation.pdf

⁶² @msehlisafa, (Safa Msehli), “Nearly 1,500 migrants were intercepted in the past four days by Libyan entities”, *Twitter*, 6 February 2021, [Online] Available from: <https://twitter.com/msehlisafa/status/1358117740624699397>

⁶³ Human Rights Watch, (2021), “Libya”, *World Report 2021*, [Online] Available from: <https://www.hrw.org/world-report/2021/country-chapters/libya>

⁶⁴ OCHA, (2021), “Humanitarian Response Plan: Libya”, *Humanitarian Programme Cycle 2021*, [Online] Available from: https://reliefweb.int/sites/reliefweb.int/files/resources/libya_hrp_2021-final.pdf

⁶⁵ UNSMIL, (2021), “Acting Special Representative of the Secretary-General for Libya Stephanie Williams Briefing to the Security Council”, [Online] Available from: <http://bit.ly/2NmktSi>

and June 2020, perpetrating serious human rights violations and abducting hundreds of people⁶⁶. In January 2021, another mass grave was found with more than ten corpses, adding to the 120 bodies already exhumed in the city⁶⁷. The lack of accountability for the grave violations of human rights perpetrated in the city led to protests on January 23, which slipped into rising tension and violence⁶⁸.

Freedom of expression has also been significantly curtailed in Libya. In August 2020 groups related to the GNA used excessive force against demonstrators protesting poor conditions of life and lack of access to basic services, perpetrating serious violations of human rights and injuring several protesters⁶⁹. Similarly, September demonstrations in eastern Libya were also met with excessive force, reportedly leaving one civilian dead and at least three injured⁷⁰. Another notorious case was that of lawyer and activist Hanan Al-Barassi, who was shot and killed on November 10, 2020 in the city of Benghazi. Al-Barassi had spoken up against corruption in eastern Libya, abuse of power and human rights abuses⁷¹.



Lawyer and activist Hanan Al-Barassi.

Source: Al-Bawaba (2020)

Finally, the effects of Covid-19 have aggravated the humanitarian situation in the country and have deteriorated the living conditions of thousands of people. Many have lost their livelihoods and struggle to cover their basic needs. Moreover, prices of essential goods have increased substantially, and the weakening of the country's health system has reduced the capacity of authorities to deal with the virus⁷². In order to meet the needs of the most vulnerable, the UN and its humanitarian partners have estimated that \$189 million are needed⁷³.

⁶⁶ Reuters, (2021), "Libya Releases Bodies Found in Mass Graves for Burial", [Online] Available from: <https://www.reuters.com/article/libya-security-tarhouna-int-idUSKBN29K27C>

⁶⁷ Al Jazeera, (2021), "Ten More Bodies Discovered in Libya Mass Grave", [Online] Available from: <https://www.aljazeera.com/news/2021/1/21/10-more-bodies-found-in-libya-mass-grave>

⁶⁸ UNSMIL, (2021), "Acting Special Representative of the Secretary-General for Libya Stephanie Williams Briefing to the Security Council", [Online] Available from: <https://bit.ly/2NmktSi>

⁶⁹ UNSMIL, (2020), "UNSMIL Statement on Protests in Tripoli on August 2020", [Online] Available from: <https://unsmil.unmissions.org/unsmil-statement-protests-tripoli-23-august-2020>

⁷⁰ UNSMIL, (2020), "UNSMIL Statement on the Protests in Al-Marj City on 12 September 2020", [Online] Available from: <http://bit.ly/2QwF5J3>

⁷¹ UNSMIL, (2020), "UNSMIL Statement on the Killing of Lawyer Hanan Al-Barassi", [Online] Available from: <https://unsmil.unmissions.org/unsmil-statement-killing-lawyer-hanan-al-barassi>

⁷² OCHA, (2021), "Humanitarian Response Plan: Libya", *Humanitarian Programme Cycle 2021*, [Online] Available from: https://reliefweb.int/sites/reliefweb.int/files/resources/libya_hrp_2021-final.pdf

⁷³ Ibid.

Final Remarks and GICJ Position

Recent political, economic and security-related developments in Libya are certainly a cause for optimism for 2021. With the country gradually moving closer to peace and stability, this year is likely to be crucial for Libya's future. Nevertheless, much work is yet to be done.

Geneva International Centre for Justice (GICJ) welcomes the selection of the new interim executive authority and encourages all parties to continue working on the implementation of the roadmap agreed in November 2020 ahead of the general election. Moreover, we join UN Secretary General's call for all relevant actors to respect the terms of the ceasefire agreement, and recognise the importance of working towards the departure of all foreign fighters and mercenaries from Libyan territory. Additionally, we welcome the economic reforms adopted recently and join UNSMIL in hoping that "Libya [will] be able to move closer to an equitable management of its oil resources for the benefit of all"⁷⁴ with the establishment of the new interim executive authority.

GICJ is concerned about the humanitarian situation in the country. In this respect, we emphasise the importance of allocating sufficient resources to alleviating human suffering, especially given the socioeconomic effects of Covid-19 on Libya's population. Moreover, we reject the continued violations of human rights in the country, including the return of migrants intercepted at sea to the country and the dire conditions in detention centres. Such abuses must end, and accountability for current and past crimes must be made a priority in order to reach sustainable peace. Impunity for the serious abuses committed in the country since 2011 has been the norm in Libya. Justice for war crimes and other violations has not been served, and perpetrators have not been held accountable for their crimes. Justice must be a central part of Libya's transition towards peace, and the new interim government must not include alleged perpetrators in positions of power. In June 2020, a fact-finding mission was appointed to investigate crimes committed in Libya since 2016, and the International Criminal Court is investigating alleged war crimes and crimes against humanity perpetrated since 2011. Cooperation with both the Mission and the Court is key in order to advance justice and attain lasting peace in the North African country, and Libya must take all necessary steps towards the ratification of the Rome Statute.

Finally, GICJ reiterates its call on the international community to enforce the arms embargo imposed on Libya through UN Security Council Resolution 1970 (2011), an appeal GICJ has repeatedly made in relevant international human rights bodies. The EU has recently announced an extension of its arms embargo until 2023, and while we welcome such decision, we emphasise the importance of respecting these international agreements in order to ensure the maintenance of peace in Libya.

⁷⁴ UNSMIL, (2021), "Libyan Parties Agree on a Two-Month Unified National Budget and Work to Address the Banking Crisis", [Online] Available from: <https://unsmil.unmissions.org/libyan-parties-agree-two-month-unified-national-budget-and-work-address-banking-crisis>

GENEVA INTERNATIONAL CENTRE for JUSTICE

Independent, International Non-Governmental
Organisation



Postal Address

Postal Address
P.O. Box: GICJ 598 Vernier CH- 1214 Geneva
Switzerland

Telephone

022 788 19 71

Email

info@gicj.org

Office Address

The Ecumenical Centre 150, Route de
Ferney CH 1211 Geneva 2 Switzerland

Website

www.gicj.org