

## Libya: impunity prevails 10 years on from the revolution

17 February 2021 marks the tenth anniversary of the Libyan revolution. Back then, protestors had taken to the streets calling for an end to Gadhafi's authoritarian rule: a regime beset by the commission of widespread and systematic gross human rights violations, including arbitrary arrest and detention; enforced disappearances; torture and other ill-treatment; the oppression of women, minority groups, political dissidents and government critics; and the curtailment of freedom of expression, association and assembly.

Libyans who supported the 2011 revolution hoped it would usher in a nascent democracy and present an opportunity to address the country's bleak legacy. A decade on, however, the pursuit of justice and [accountability](#) remains unfulfilled, and the cycle of impunity unbroken, as a multitude of State actors and armed groups continue to perpetrate crimes under international law, including against thousands of migrants, refugees, asylum seekers and stateless persons.

Attacks against [human rights defenders](#), lawyers and activists, including extrajudicial executions, enforced disappearances and torture, are pervasive, particularly so against [women](#). The post-2011 period has also witnessed an increasingly brutal [crackdown](#) on civil society, journalists and bloggers, in addition to the violent suppression of peaceful protests through excessive use of force and arbitrary arrests.

Against a backdrop in which domestic accountability efforts are hindered by cycles of violence, weak and ineffective law enforcement agencies, and by the arbitrary exercise of policing and detention powers by armed groups, international efforts to fight impunity in the country are underway. The Office of the Prosecutor of the International Criminal Court (ICC) is currently investigating some of the crimes under international law committed after 2011, including war crimes committed in the context of armed conflicts. However, certain individuals against whom ICC arrest warrants have been issued, including [Mahmoud Al-Werfalli](#), remain at large.

In June 2020, the UN Human Rights Council [established](#) an International Fact-Finding Mission (FFM) tasked with investigating violations and abuses of international human rights law and international humanitarian law committed by both State and non-State actors in Libya since 2016. The FFM's work will be key in addressing impunity in the country and will complement national efforts to address the accountability vacuum.

The country's interim executive, [selected](#) by the Libyan Political Dialogue Forum on 5 February 2020, and any future elected government must put the peoples' demands for justice and accountability at the forefront. In particular, the Libyan authorities

must commit to implementing a [transitional justice](#) process, neglected so far, that could genuinely pursue accountability, and guarantee full participation of victims and the public in the process, and thereby realize the right to truth and reparations of the victims of past and ongoing human rights violations and abuses.

To this end, the International Commission of Jurists and the Defender Center for Human Rights call on the Libyan authorities to:

- Guarantee freedom of assembly, association and expression of all persons, and protect human rights defenders, activists and journalists from reprisals and unwarranted prosecutions;
- Protect all persons from arbitrary arrest and detention, extrajudicial executions, torture and other ill-treatment, and enforced disappearances;
- Effectively investigate and prosecute crimes under international law, and ensure that no amnesty, immunity or statute of limitations apply to such crimes;
- Reform the security sector to ensure effective civilian oversight over security and armed forces;
- Set up a concrete plan to disband and disarm all militias and armed groups;
- Guarantee the independence of the judiciary, the respect of international fair trial standards, and refrain from trying civilians before military tribunals;
- Protect refugees, asylum seekers, stateless persons and migrants in line with international law;
- Ensure that the right to an effective remedy and adequate reparations are granted to victims of human rights violations;
- Cooperate fully with the ICC and support their efforts to obtain custody of any suspects;
- Provide the FFM with full support and access to victims, witnesses and any other interested persons throughout Libya's territory.