

## **ACHPR / Res. 418 (LXIV) 2019: Resolution on the Human Rights Situation in the State of Libya**

*The African Commission on Human and Peoples' Rights (the Commission), meeting at its 64<sup>th</sup> Ordinary Session held from 24 April to 14 May 2019 in Sharm El Sheikh, The Arab Republic of Egypt;*

**Recalling** its mandate to promote and protect human and peoples' rights in Africa under the African Charter on Human and Peoples' Rights (the African Charter);

**Mindful** of the obligations of Libya as a Member State of the African Union (AU), and State Party to the African Charter;

**Considering** that the objectives of the AU include the promotion of peace, security and stability, human and peoples' rights, democratic principles and institutions, and popular participation and good governance;

**Bearing in mind** Article 23 of the African Charter which provides for the right of all peoples to national and international peace and security;

**Reaffirming** Articles 2, 3, 4, 5, 6, 12, 16, and 18 of the African Charter which guarantee the right to be protected against discrimination, the right to equal protection of the law, the right to life, the right not to be subjected to torture and other ill-treatment, the right to liberty and security, the right to freedom of movement, the right to the best attainable state of physical and mental health, and protection of vulnerable persons;

**Recalling** its Resolution *ACHPR/Res.181 (EXT.XIX) 11* on the Human Rights Situation in Libya, adopted during its 9<sup>th</sup> Extra-Ordinary Session, held in Banjul, The Gambia, from 23 February to 3 March 2011;

**Further recalling** its Statement of 25 February 2011 on the Human Rights Situation in North Africa, as well as its Statement of 21 November 2017 on Trafficking in Persons and Slavery in Libya;

**Taking Note** of Communiqué *PSC/PR/COMM.(DCCCXXXIX)* issued by the Peace and Security Council (PSC) of the AU on 9 April 2019, expressing concern over the deteriorating security and humanitarian situation in Libya, as well as the worsening conditions of migrants stranded in camps in Libya, as a result of the escalation of the military actions of the various militia and terrorist groups;

**Further noting** Communiqué *PSC/PR/COMM.(DCCCXLIV)* of 24 April 2019, in which the AU PSC deplored the continued mobilisation and supply of weapons to the warring parties;

**Mindful** of the appeal by the AU PSC for the warring parties to protect civilians, create a safe passage and facilitate humanitarian access, as well as its appeal on the parties and other actors to facilitate the repatriation of stranded African migrants and continue to extend humanitarian support;

**Concerned** by the fighting that broke out in early April 2019 around the city of Tripoli, the seat of the UN recognised Government, resulting in the deaths of more than 340 people, injuries to more than 1, 600, and the displacement of over 40, 000 people in Tripoli;

**Further concerned** by reports of attacks in residential areas, including the use of artillery, rockets and airstrikes, putting the lives of thousands of civilians, including women and children at risk;

**Disturbed** by reports that thousands of people are trapped in Tripoli's southern outskirts;

**Deeply concerned** about the safety of thousands of migrants and refugees, who are still held in detention centres near the conflict-affected areas;

The Commission:

1. **Strongly condemns** the deteriorating security, humanitarian, and human rights situation in Libya;
2. **Reiterates** the appeal by the AU PSC for the warring parties and other actors to protect civilians, create a safe passage and facilitate humanitarian access, and to facilitate the repatriation of stranded African migrants and continue to extend humanitarian support;
3. **Calls on** the UN - recognised "Government of National Accord" in Tripoli and General Khalifa Haftar's "Libyan National Army" to take all necessary measures to ensure the safety and protection of civilians;
4. **Calls on** the international community as well as missions in Libya to carry out their operations in a manner that ensures respect for the lives and dignity of the people of Libya, and generally observe basic human rights principles and standards;
5. **Urges** all parties to engage in genuine dialogue to bring about lasting peace and security in Libya; and

6. **Urges** all parties to refrain from any form of incitement and acts of violence.

**Done in Sharm El Sheikh, The Arab Republic of Egypt, on 14 May  
2019**