



United Nations Support Mission In Libya
بعثة الأمم المتحدة للدعم في ليبيا

Tunis, 4 June 2016

Open letter to all parties engaged in fighting in Benghazi

I wish to express my deep concern about repeated violations of international humanitarian law, some of which may amount to war crimes, which are recurring in Benghazi. Recent weeks in particular have witnessed the shelling of residential areas with civilians killed in the streets and a hospital being hit.

On 7 May 2016, the shelling of a demonstration in al-Kish square reportedly resulted in six civilians being killed, including one woman and a 12-year-old child, and over 30 injured. Earlier on 23 October 2015 nine were killed and over 40 injured in the same square in similar circumstances.

In the course of the month of May 2016, the Benghazi Medical Centre (BMC) has repeatedly come under fire. According to information received by UNSMIL, on 27 May shells damaged the intensive care unit. On 1 June a car was hit in the hospital compound. The BMC operates already under extremely difficult conditions.

I wish to remind all parties that direct attacks against civilians or medical facilities and other civilian objects, as well as indiscriminate attacks (attacks which do not distinguish between civilians and fighters and civilian objects and legitimate military targets) are war crimes under international humanitarian law. All parties must desist from such attacks.

Parties to a conflict are also required to adopt precautionary measures to ensure the protection of the civilian population and objects. In particular, parties to the conflict must avoid placing military objectives within or near hospitals, other civilian objects and densely populated areas.

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I would also like to reiterate my call to ensure the safe evacuation of any civilians still trapped and wishing to leave the areas where hostilities are taking place, and to ensure that all civilians, including relatives of suspected fighters, are protected from arbitrary detention and any other reprisals. Those deprived of their liberty, including fighters, should be treated humanely and protected from torture or other ill-treatment. The wounded must be cared for. Collective punishments are also prohibited. UNSMIL has been trying for months now to seek the agreement of the warring parties to a humanitarian ceasefire to ensure the evacuation of civilians and the wounded. Our offer of assistance in facilitating such an agreement still stands.

I urge you to ensure the full respect for the rules of international humanitarian law. Military actions in breach of such rules should be investigated. Commanders should remove from duty any one suspected of carrying out unlawful attacks pending the investigation. All perpetrators should be brought to justice.

In this context I wish to reiterate my full support for the International Criminal Court. Last month I met Prosecutor Fatou Bensouda to convey to her such support. I welcome the Prosecutor's intention to expand investigations in Libya.

I appeal to all parties to the conflict in Libya to fully abide by the rules of international humanitarian law.

A handwritten signature in blue ink, reading "Martin Kobler".

Martin Kobler

Special Representative of the Secretary-General