



'Dignity, Freedom, and Justice for All in Libya'

March 2023

During 2022/23, a series of inclusive human rights dialogues, involving over 500 Libyan women and men, including youth, was facilitated by the co-chairs of the Working Group on International Humanitarian Law and Human Rights (IHL/HL WG) of the International Follow-Up Committee on Libya (IFCL) of the Berlin Process. The series included focus group dialogues, individual consultations, written responses, and an online digital dialogue, aimed at informing a rights-based political and reconciliation process in Libya.

The co-chairs are pleased to present to Libyan authorities the key principles on human rights which were consistently articulated by the over 500 Libyans involved in the dialogue, including civil society actors, human rights defenders, activists, lawyers, women's groups, government actors, workers, youth including students, victims' groups, experts and academics, and journalists. The series of dialogues solicited their views on the most pressing human rights issues as well as actions required to protect gains, overcome obstacles, and ultimately, to advance human rights in Libya. The principles and recommendations summarised below represent dialogue participants' views and voices, including solutions to achieve dignity, justice, and freedom for all, and ultimately to secure sustainable peace, built on a foundation of human rights.

Key principles and recommendations

Human rights are a solution to solving the challenges in Libya. "We care for the homeland, for civil rights, and we want our living conditions to be improved", said Libyan women, men and youth involved in the dialogue. Human rights abuses, exclusion and marginalisation were viewed as the root causes of nearly every driver of conflict and instability in Libya. If left unaddressed, human rights challenges, said Libyans, will fester and emerge as new drivers of conflict, feeding into toxic cycles of revenge. As such, the protection of human rights is also viewed as *the* solution to addressing challenges and to preventing further conflict.

Widespread impunity and lack of accountability must be addressed. Impunity for violations of international humanitarian law and abuses of human rights, against Libyans and non-Libyans, undermines the rule of law and the State and its institutions. Widespread impunity further serves to deny Libyans their rights to truth, justice, and accountability. Dialogue participants stressed the need for the justice system to be reformed and strengthened, with emphasis on investigations and prosecutions of alleged perpetrators. Libyan participants also highlighted the need for international accountability mechanisms and the targeted use of sanctions which should complement, not replace, efforts towards criminal accountability.

Security sector reform is crucial. Libyans consistently raised concerns about armed groups and militias that have mushroomed in Libya since the February Revolution and who undermine human rights and the rule of law. Many of these armed actors have been legitimised and control security and law enforcement agencies and perpetrate widespread violations of international humanitarian law and human rights with impunity. Libyans unanimously called for a comprehensive security-sector reform process, stressing that it is critical to regulate armed groups, dismantle militias, and create a unified army. Vetting processes, they further noted, are crucial to ensure a professionalised security sector that is accountable to the people it is meant to serve and advances, not undermines, people's fundamental rights.



Access to fundamental rights and basic services should be ensured. Around 80 per cent of dialogue participants stated that living conditions and provision of services have deteriorated in 2022, with a profound impact on their lives – in summer, in searing heat, students are unable to study due to power cuts, and in the south people spoke of the lack of access to even basic healthcare. Obstacles to citizenship and legal documentation further marginalise vulnerable groups. All people in Libyan, regardless of gender, region, perceived political affiliation, cultural background, disability, or legal status – including those displaced, should have access basic services such as adequate healthcare, access to education, electricity, food, and housing.

Freedom of expression, opinion, and association must be protected and promoted. More than 60 per cent of the participants involved in the digital dialogue said they do not feel safe to freely express their opinions. Dialogue participants asserted that freedom of expression, opinion and association are not only fundamental rights but are critical for elections and the political and reconciliation process, where everyone should be able to participate and express their views freely in dignity and safety. Dialogue participants further stressed that arbitrary restrictions that limit civic space and civil society organisations should be lifted, as these organisations “represent the strength of Libyan society”. They called for efforts to address (online) hate speech which serves to silence those who speak out about inequality, injustice, and human rights violations, hindering their participation in public life and eroding civic space.

Libyans political rights must be respected. The majority of Libyans stressed that the political crisis must end, and that their political rights must be guaranteed through elections – a young person, for example, highlighted how he has never been able to exercise his right to vote. An agreement on a constitutional framework for elections is needed, said Libyans, as well as support from the international community in realising Libyan-led elections. Political rights also include representation at all levels in politics and society, as emphasized by persons with disabilities, women, youth, and ethnic minorities, who consistently expressed their frustration at being ignored or underrepresented in the political process.

Widespread violence against women and girls must end. Violence against women, including violence enabled by increasing insecurity, so-called ‘honour killings’, and an increase in online harassment, hate speech and threats must be addressed urgently, said both women and men involve in the dialogue. Gender approaches to national policies and programmes are needed to address violence against women and laws to protect women and their rights are crucial, said both Libyan women and men. Participants also spoke of women’s role in society and the limitations imposed on them, stating that “we should guarantee women’s rights to participate in public and political life, including in the political and national reconciliation process”.

Towards a “Libya where everyone enjoys their rights” without distinction

2023 marks the 75th anniversary of the Universal Declaration of Human Rights – this is a unique moment to reflect and celebrate our intrinsic human rights. The 75th anniversary also provides an opportunity to foster a country-wide consensus on human rights as a basis to tackle Libya’s many political, human rights and development challenges and to generate joint commitments to protect and promote human rights across society, at a time when the rights of all Libyans are under threat. 75 years after the establishment of the Universal Declaration of Human Rights, Libyans unanimously call for dignity, freedom, and justice.