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Human rights situations that require the Council's attention

Written statement* submitted by Conseil International pour le soutien à des procès équitables et aux Droits de l'Homme, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[11 February 2019]

* Issued as received, in the language(s) of submission only.



Torture in Libyan prisons and detention centers

Over nine years of violence and security chaos, Libya has been transformed into a country full of prisons, some of which are declared, while others are still in complete secrecy, that was a result to presence hundreds of thousands of victims and cases of misery, ill-treatment, torture, abuse and Violations.

The proliferation of militias and armed gangs supported by all sides contributed to the increase in the number of prisons in Libya, and absence of controlling the prisons from the government authority, which are also supported by foreign countries to further disturb the security situation and delay the process of stability in the region, as well as detention centers run by the National Accord Government, where torture, arbitrary detention and human trafficking are carried out.

The prisons in Libya have taken the form of retaliation or liquidation of the accounts from civilians, military personnel or Prisoners of conscience.

The detainees are subjected to unprecedented conditions of detention that are contrary to the minimum international standards for the treatment of prisoners, the prisons have met in one principle by reprisals and torture in various ways was too great to bear a human mind, unfortunately: the practice of retaliation and torture in various ways that were too great to be tolerated by a human mind:

beating with whips and Ironing with fire, hanging from hands and feet, breaking bones and electrocution Deprivation of sleep and sexual harassment in some cases and deprivation of treatment and burning cigarettes and hot rods, in addition to the killing of thousands under torture and throwing their bodies and Abuse it outside the prisons and extrajudicial executions and the disappearance of hundreds who is not known his fates to date, and many other brutal practices, gross violations and overtaking against human rights, which reflect the extent the criminality of militias, armed gangs and even the current government, who have Imposed their presence on Libyan territory.

Although human rights and human rights organizations have sought reliable statistics on the number of detainees in Libyan jails and detention centers, poor security conditions and strong reservations from the government and militias prevent access to the real number of detainees.

Violations in Libyan prisons:

Considering that, the Libyan State, is a party of many of the basic UN human rights treaties, is obliged to respect, protect and consider human rights, and ensure that all individuals enjoy their full civil and fundamental rights. All armed parties in Libya must abide by international humanitarian law.

Libyan prisons and detention centers have witnessed serious violations and overtaking of human rights. The most prominent violations occurring behind the bars of these prisons are:

- **Arbitrary detention and deprivation of liberty without recourse to a fair trial or legal basis:**

Raiding homes, and the abduction and detention of citizens, including children, without any charges, trials or even legal proceedings, and hiding them in secret prisons subject to all means of torture outside the framework of international law. In addition, that is a gross violation of human rights, and it is also an absence of judicial authority in the country and Stripped of their full powers.

- **Torture:** which sometimes resulting in death, and ill-treatment in those prisons, is an affront to the human person, and put the detainees in places of detention that do not meet the minimum standards for the treatment of prisoners.
- **Enforced disappearance:** The fate of thousands of detainees in prisons remains unknown, after being subjected to illegal interrogations and severe torture. According to article 5 of

the International Convention for the Protection of All Persons from Enforced Disappearance, "the practice of general or systemic enforced disappearance constitutes a crime against humanity, as defined in applicable entails international law, and Their consequences will be as provided for by this act".

- **Detention of children:** The Libyan prisons were not free of children who were incarcerated with adults in the same prison or detention and tortured in the same brutal manner. the detention of children and arbitrary deprivation of liberty is a serious violation of the legitimate rights of the child. according to Article 37 of the Convention on the Rights of the Child states, it may not be in any way Robbery the freedom of the child, and subjected to torture.
- **Detention of women and girls:** armed elements in Libya have not hesitated to kidnap and arrest women and girls, trafficking them after the rape and turning them into a commodity for the exchange them with other prisoners, or to obtain the wanted men.

Offenses and Violations behind the prison bars and detention centers in Libya are innumerable, in those places, human beings are deprived of all human values, dignity and self-respect, to become mere bodies subject to humiliating torture.

The International Council Supporting Fair Trial and Human Rights strongly condemns all violations committed in Libyan prisons and detention centers, after exceeding an unreasonable limit as a result of the support of the current government of armed groups, and the financial support that led to impunity and the extension of its control, In addition to the negligence of the concerned bodies and the competent bodies of the United Nations towards the violations that have increased the suffering of the Libyan people.

The Council demands the immediate and unconditional release of all detainees arbitrarily in the official and illegal prisons of armed militias. and transfer of all detainees to prisons subject to judicial authority, and an impartial investigation based on a legal basis that meets international fair trial standards, and an end to the phenomenon of Random detention of illegal categories. It also demands that the fate of the disappeared be revealed in prisons and detention centers.

The council considers that it is necessary to investigate the means of torture used, which is cause of physical mutilation, mental illness and often fatalities. And to ensure respect for all basic and legitimate rights of detainees in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners.
