Mr President,

The final report of the Fact-Finding Mission is a harrowing read. The Mission found that crimes under international law and other serious human rights violations continue unabated, including arbitrary detention, rape and other forms of torture, enslavement, sexual slavery, extrajudicial killings and enforced disappearance. According to the Mission, “there were reasonable grounds to believe crimes against humanity” were perpetrated against Libyans and migrants alike.

The prevailing impunity in Libya has fuelled patterns of horrific crimes committed by armed groups and militias across Libya. Successive governments and those in de facto control of territory have relied on such groups to retain power, and have sought their allegiance through integrating them in state institutions and/or paying them salaries, instead of ensuring that those suspected of criminal responsibility for such crimes are investigated, suspended from any position that would enable them to commit further violations or interfere in investigations, pending the outcome of investigations and, when there is sufficient evidence, prosecuted.

With civil society and the rights to freedom of expression and peaceful assembly under increased attack since the mandate of the FFM began, and with the judiciary unwilling and unable to investigate crimes committed by powerful armed actors, it is impossible to overstate the importance of an independent international body to monitor and report on violations, and to identify those reasonably suspected of criminal responsibility. We fully support the Mission’s recommendation to the Council to mandate an independent investigative mechanism to follow up on its findings.

The Council’s decision to end the mandate of the Mission at a time when the human rights situation in Libya is deteriorating is a betrayal of the rights of people in Libya to truth, justice and reparation. Adopting a capacity-building resolution, with no ongoing monitoring and investigative component, instead, is shameful. It sends to message to abusive militias and armed groups that they can continue to perpetrate crimes under international law without fear of consequences. The FFM’s report confirm Amnesty International’s consistent findings that justice remains elusive in Libya. While building the capacity of Libyan institutions is integral, it is not a replacement to accountability.

We ask the Council – amid the abject failure of the Libyan authorities and the international community to implement the Mission’s recommendations, what avenues for justice are there for countless victims in Libya?

We thank you.