

Libya / ICC

UN Security Council members must pledge to implement arrest warrants

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Description:

The International Federation for Human Rights (FIDH) welcomes the report presented today by the Prosecutor of the International Criminal Court (ICC) to the United Nations Security Council. FIDH supports the Prosecutor's recommendation to the Security Council that it provides full support to the implementation of arrest warrants, once they have been issued. Such implementation will be key to deter further atrocities and to protect civilians.

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The report is submitted following Security Council referral of the situation in Libya to the ICC, in accordance with resolution 1970 of 26 February 2011, which led to the opening of an investigation by the ICC on 3 March 2011. FIDH stresses that this was an unprecedented move: it was the first unanimous referral the ICC has ever received from the Security Council and this referral led to the opening of an investigation within only 5 days.

The preliminary findings of the investigation, which the Prosecutor has shared with the Security Council today, confirmed findings made by FIDH's member organisation in Libya, the Libyan League for Human Rights (LLHR), with respect to the situation in Libya since 15 February 2011. FIDH has repeatedly denounced the large-scale attacks launched against the civilian population, the massive displacement brought about by the conflict, as well as attacks specifically targeting foreign migrants. Today's report confirms that there is evidence that crimes against humanity and war crimes have been committed in Libya. These include murder, crimes of sexual violence, recruitment of child soldiers, as well as attacks deliberately targeted at persons or facilities protected by International Humanitarian Law.

The ICC Prosecutor has confirmed that the investigation has focused on those who bear the greatest responsibility for the crimes, including those who have financed, incited and otherwise planned the incidents. FIDH welcomes the Prosecutor's announcement of an imminent request for three arrest warrants to be issued for crimes committed in Libya. FIDH urges the ICC Prosecutor to continue his investigation in order to identify other alleged perpetrators.

FIDH supported the early opening of an ICC investigation in Libya, considering that such an investigation, culminating in the prosecution and arrest of key perpetrators, could play a fundamental role in deterring the commission of further atrocities. FIDH calls upon the relevant ICC Chamber to issue a decision on the Prosecutor's application for arrest warrants without delay.

If and when arrest warrants are issued, the cooperation of all relevant parties, including the Security Council, in ensuring their implementation will be paramount. FIDH urges Security Council members to express full support for the ICC investigation in Libya and commit to implementing arrest warrants in accordance with Security Council Resolution 1970, adopted under Chapter VII of the United Nations Charter.

FIDH stresses that the civilian population in Libya must be protected in accordance with International Humanitarian Law. Civilians and civilian objects may never be the object of attacks and all parties to the ongoing conflict must take measures to minimize harm to civilians and civilian objects. FIDH underlines that all those responsible for war crimes, committed by all sides to the conflict, including the North Atlantic Treaty Organisation (NATO) forces, should be held accountable, including before the ICC.