

Libya

Decision adopted unanimously by the IPU Governing Council at its 205th session (Belgrade, 17 October 2019)



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Alleged human rights violations

- ✓ Abduction
- ✓ Threats, acts of intimidation
- ✓ Arbitrary arrest and detention
- ✓ Failure to respect parliamentary immunity
- ✓ Impunity

A. Summary of the case

Ms. Seham Sergiwa was abducted from her home on 17 July 2019. According to the complainant, masked armed men raided her house, wounding her husband and one of her sons as they captured her. The complainant claims that the abductors are members of the 106th Brigade of the Libyan National Army led by Mr. Khalifa Haftar, an assertion based on the *modus operandi* of the abductors and the SUV vehicles used. Moreover, following her abduction, the message “the army is a red line not to be crossed” was spray-painted across Ms. Sergiwa’s house. There is growing concern about her fate in the absence of any signs of life since her abduction.

The complainant alleged that the abduction of Ms. Sergiwa was in response to her political stance against the military operations in Tripoli, as she was taken from her home shortly after she gave an interview criticizing the military offensive and calling for an end to the bloodshed.

On 18 July 2019, the House of Representatives in Tobruk issued a statement “strongly condemning the abduction of Ms. Sergiwa by unknown individuals”, and “called upon the Ministry of the Interior, as well as all the security forces, to scale up their efforts to find Ms. Sergiwa, ensure her prompt release and hold to account those responsible for her abduction”. The first and

Case LBY-01

Libya: Parliament affiliated to the IPU

Victim(s): female, independent member of the House of Representatives

Qualified complainant(s): Section I 1(a) of the [Committee Procedure](#) (Annex I)

Submission of complaint(s): July 2019

Recent IPU decision(s): - - -

Recent IPU Missions: - - -

Recent Committee hearing(s): Hearing with the delegation of Libya at the 141st Assembly (October 2019)

Recent follow-up:

- Communication from the authorities: Letter from the Speaker of the House of Representatives (September 2019)
- Communication from the complainant: July 2019
- Communication addressed to the authorities: Letter addressed to the Speaker of the House of Representatives (August 2019)
- Communications addressed to the complainant: July and September 2019

second Deputy Speakers of the House of Representatives told the IPU Committee on the Human Rights of Parliamentarians on 13 October 2019 that the Minister of the Interior of the interim government in eastern Libya had said that terrorist groups may be responsible for the abduction of Ms. Sergiwa, that the House of Representatives continued to monitor the case, which was still under investigation, and that it could well be that Ms. Sergiwa would turn up alive.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Considers* the complaint concerning the situation of Ms. Sergiwa, a member of the House of Representatives at the time of her abduction, to be admissible under the Committee's Procedure for the Examination and Treatment of Complaints; and *declares itself* competent to examine the case;
2. *Thanks* the first and second deputy speakers of the House of Representatives for meeting with the Committee on the Human Rights of Parliamentarians and for the information provided at the 141st IPU Assembly; *regrets* nevertheless the lack of information provided by the delegation regarding the current situation of Ms. Sergiwa;
3. *Is shocked* that a member of parliament was brutally abducted from her home during a violent attack against her and members of her family and that, despite the fact that her alleged abductors vandalized and tagged her house with a clearly threatening message and that there were other indications hinting at their identity, the relevant authorities have still not been able to provide information on the attackers or her whereabouts; *is deeply concerned* about the serious allegation that Ms. Sergiwa's abduction came in response to the legitimate exercise of her parliamentary mandate and freedom of opinion;
4. *Is aware of* the formidable security challenges faced by the Libyan authorities; *considers* nevertheless that impunity poses a serious threat not only to parliamentarians but also to the people they represent, and that the State of Libya is duty-bound to do everything possible to find Ms. Sergiwa and to ensure that this attack will not remain unpunished and that the perpetrators will be held to account;
5. *Urges* the authorities, in particular the Ministry of the Interior and the House of Representatives, to ensure that all measures are taken to investigate the abduction of Ms. Sergiwa diligently and thoroughly in order to locate her; *stresses* in this regard that time is of the essence, as every further day without any sign of Ms. Sergiwa lessens the chances of finding her alive; *calls* on the House of Representatives, as the guardian of the human rights of parliamentarians, to monitor more forcefully the investigation and to require clear answers from the government authorities about the status of the investigation and the likely identity of the perpetrators;
6. *Requests* the Secretary General to convey this decision to the parliamentary authorities, the complainant and any third party likely to be in a position to supply relevant information;
7. *Requests* the Committee to continue examining this case and to report back to it in due course.