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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Technical assistance and capacity-building

Written statement* submitted by Organisation internationale pour les pays les moins avancés (OIPMA), 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.

[20 August 2020]

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



Dimensions of the transfer of mercenaries and foreign terrorist fighters from the Syrian Arab Republic to Libya and its impact on international peace, security and human rights

The picture today in the Middle East and North Africa region is that of a region in which the influence political Islam exerted by the Muslim Brotherhood can no longer be denied by adoption of such so-called armed or military jihad operations, which often involve arming of terrorist groups to pave the way for the Muslim Brotherhood to achieve their key goal of seizing political power.

According to the global terrorism index, religious extremism has become the main driver of the spread of terrorism through the expansion of the Muslim Brotherhood's influence in the region and their support of the spread of radical Islamist groups predominantly in Iraq, Afghanistan, Pakistan, Nigeria, Yemen, the Syrian Arab Republic, Yemen, Libya and the Sahel .

The outcome has been an unprecedented escalation in the flow of Syrian and foreign mercenaries and fighters into Libya via Istanbul, including members of ISIS, Al Qaeda and the Al-Nusra Front. Libya, as a result has become an ideal enabling environment for the influx of terrorist groups and a safe haven for them to pursue their activities with impunity .

According to statistics from the Syrian Observatory for Human Rights on 19 June, 2020, the number of mercenaries transported from the Syrian Arab Republic via Istanbul to Libya to fight alongside the Libyan Government of National Accord, was about 15,000 Syrian mercenaries, while some 1,800 arrived in Turkey for military training. Of the total number recruited in Libya, some 300 were aged between 16 and 18 years. Other recruits have used the fighting in Libya as a pretext to escape to Europe. 400 of such recruits were able to smuggle themselves into Europe via Italy. The total number of mercenaries killed in military operations in Libya rose to 417, including 30 children under the age of 18, as of June 2020.

Libya has become a transit area for members of these groups to Europe. For these least developed Sahel countries, they are hindered significantly in achieving sustainable development goals, and even more seriously are the threats to human rights their security, peace and stability.

An even more disturbing impact is the support extended these groups to relocate unhindered in many of the less developed countries located in the Sahel region, namely Chad, Mali, the Niger, the Sudan, Mauritania, Burkina Faso and Cameroon. In addition, through strengthened coordination with extremist groups in the Sahel region ,

Increased funding for Muslim Brotherhood-oriented groups has led to a two-fold increase in the number of jihadist groups in the least developed countries in Africa as well as a 300% increase in attacks. Isis, al-Qaeda and Boko Haram have also expanded their presence in various parts of the Sahel.

The United Nations (UN) Secretary-General in his report of August 2019 (No. S/2019/682) to the Security Council, stated that ISIS had recorded a significant increase in the number of attacks against the Libyan National Army. He reported that there were between 500 and 700 ISIS fighters in Libya, including Libyan and foreign nationals. He stressed that the Libyan National Army in the south was working to dismantle ISIS and al-Qaeda cells, where ISIS had had claimed responsibility for attacks launched attacks on a Libyan National Army camp in Sabha, and had engaged in clashes with Libyan National Army units in the Al-Harwaj area.

Participants at the 19 January 2020 Berlin Conference on Libya concluded that the conflict in Libya has allowed al-Qaeda and ISIS to flourish by carrying out operations in Libya and neighboring countries. They called for the implementation of Security Council Resolution 2368, which prohibits the financing, recruitment and training of ISIS and al-Qaeda elements.

On 17 June 2020, the UN Working Group on the use of mercenaries warned that reliance on mercenaries has contributed to the escalation of the conflict in Libya and undermined prospects for a peaceful resolution, “all at a tragic cost for the local population” and said that

"the violations related to mercenary activities must be investigated". The UN Working Group added that "thousands of Syrian men, including boys under 18 years, have reportedly been sent to Libya via Istanbul in recent months," and added "reports have emerged that the Republic of Turkey has engaged in large-scale recruitment and transfer of Syrian fighters to take part in hostilities in support of the Government of National Accord and these fighters were recruited through armed factions affiliated with the Syrian National Army that have been accused of serious human rights abuses in Syria."

As documented in reports on financing and recruiting and transferring mercenaries and foreign terrorist fighters from the Syrian Arab Republic to Libya to have been clearly direct ties to Turkey, the Libyan Government of Accord and Qatar, the Security Council should, in addition, hold these member states responsible for breaching international humanitarian law and Security Council resolution 2178 on foreign terrorist fighters, and for human rights violations committed by mercenaries. The urgent need to put pressure on Turkey, Qatar and the Libyan Government of Accord cease financing, recruiting, and transporting mercenaries from the Syrian Arab Republic to Libya and to withdraw mercenaries and foreign terrorist fighters from Libya.

The International Organization of Least Developed Countries (IOLDCs) believes that, failure to respond by the international community on the matter of transfer of terrorist fighters and mercenaries from the Syrian Arab Republic to Libya, their deployment and positioning in Libya, would not only pose an undeniable threat to peace, security and human rights in the country, but also in the Sahel, Europe and ultimately globally. Concern has been expressed by neighboring countries in North Africa, the Sahel and Europe on the influx of Syrian mercenaries that is making Libya a safe haven for terrorist groups and may push the conflict in Libya into a regional conflict with unpredictable repercussions.

IOLDCs is therefore alerting as well as drawing the attention of the international community:

- to the potential dangers in breaching of Security Council Resolution 2178 on foreign terrorist fighters;
- to the significance danger of the emerging new phenomenon of financing, recruitment and transportation of mercenaries and foreign terrorist fighters from the Syrian Arab Republic to Libya to fight alongside the Libyan Government of Accord by some member states;
- to the possible catastrophic situation that could result from failure by the relevant United Nations bodies to put in place early effective warning mechanisms to stem the flow of thousands of mercenaries and foreign terrorist fighters being repositioned and deployed in the Sahel region.

IOLDCS further seeks to draws the attention of the Human Rights Council, and through it, all the concerned international bodies, to ensure Libya is not made a safe haven for terrorist groups, and platform from which to threaten the neighboring countries and launch into African countries in the Sahel region.

The International Organization of Least Developed Countries (IOLDCs) ultimately calls on the international community to address the threat posed by mercenaries and foreign terrorist fighters, and to take decisive and immediate action to comprehensively address the underlying causes in the spread of terrorism, namely, ban in recruitment, transportation, financing of foreign terrorist fighters, on the one hand. On the other, promote political and religious tolerance, economic development, social harmony and armed conflict resolution and thereby restore security, peace and stability.

The International Organization of Least Developed Countries also recommends that:

1. The Human Rights Council puts pressure on Turkey, the Libyan Government of Accord and Qatar to:
 - (a) stop financing and recruiting mercenaries and foreign terrorist fighters and transferring them from the Syrian Arab Republic to Libya, and

- (b) stop supporting extremist elements in Libya.
 2. The International Commission of Inquiry on Libya gives priority to investigating:
 - (a) recruitment and transference of Syrian mercenaries and foreign terrorist fighters to Libya;
 - (b) the violations committed by these mercenaries;
 - (c) the violations and war crimes committed by militias under the Libyan Government of Accord.
 3. The UN Security Council and its subsidiary bodies and the Committee on Terrorism, take immediate action to withdraw mercenaries and foreign fighters from Libya, and to dismantle extremist militias in Libya.
 4. The UN Security Council puts an effective plan of action and undertakes immediate measures to root out violent terrorist and militant groups in Libya so as not to adversely affect the rights of the Libyan people and the people of the region.
 5. The UN Secretary-General strengthens early warning systems and other international mechanisms to monitor and prevent terrorism and extremism in Libya.
 6. The Working Group on Mercenaries be charged to undertake investigations, in light of the escalation in mercenary transportation to Libya, violations of the International Convention against the Recruitment, Use, Financing and Training of Mercenaries and the violation of Security Council Resolution 2178 on foreign terrorist fighters.
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