



Inter-Parliamentary Union
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Libya

Decision adopted unanimously by the IPU Governing Council at its 207th session (Virtual session, 25 May 2021)



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LBY-01 – Seham Sergiwa

Alleged human rights violations

- ✓ Abduction
- ✓ Threats, acts of intimidation
- ✓ 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 complainants, more than a dozen masked armed men raided her house, shooting her husband in the legs and wounding his eye and beating up one of her sons as they captured her. The complainants claim 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. The perpetrators allegedly spray-painted the message “the army is a red line [not to be crossed]” and the name of the Brigade responsible for Ms. Sergiwa’s abduction, “*Awliya al-Dam*” (Avengers of Blood) across her house.

Ms. Sergiwa’s abduction was allegedly 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. The complainants believe that Ms. Sergiwa’s abduction was not a random act of violence, given her vocal criticism of Mr. Khalifa Haftar and the circumstances in which the attack took place. They explained that at 2 a.m. Ms. Sergiwa’s house was plunged into darkness, as if electricity had been cut off, and an explosion took place inside the house. The complainants added that several Libyan officials living nearby, including the mayor of Benghazi, could have

Case LBY-01

Libya: Parliament affiliated to the IPU

Victim: female independent member of the House of Representatives

Qualified complainant(s): Section I.1(a) of the Committee Procedure (Annex I)

Submission of complaint: July 2019

Recent IPU decision: February 2021

Recent IPU mission(s): - - -

Recent Committee hearing: Hearing with the Libyan delegation to the 141st IPU Assembly (October 2019)

Recent follow-up:

- Communication from the authorities: Letter from the Speaker of the House of Representatives (July 2020)
- Communication from the complainants: January 2021
- Communication addressed to the authorities: Letter addressed to the Speaker of the House of Representatives (April 2021)
- Communication addressed to the complainants: April 2021

intervened with their armed guards to prevent or at least thwart the attack, but deliberately refrained from doing so. The complainants also added that the attackers allegedly arrived in cars belonging to Libya's Criminal Investigation Department of the interim government in eastern Libya. Following the attack, Ms. Sergiwa's husband and her son were taken to hospital, where they were not permitted to receive any visits. The complainants also alleged that the militia had confiscated the telephones belonging to Ms. Sergiwa's family in order to prevent them from alerting the media about the attack.

On 18 July 2019, the House of Representatives in Tobruk issued a statement strongly condemning Ms. Sergiwa's abduction by unknown individuals, and called on 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 Second Deputy Speakers of the House of Representatives informed 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 indicated that terrorist groups might be responsible for Ms. Sergiwa's abduction, 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.

In a statement to the United Nations Security Council on 5 May 2020 regarding the situation in Libya, the Prosecutor of the International Criminal Court, Ms. Fatou Bensouda, indicated that "her office has obtained recent information which may point to those responsible for Ms. Sergiwa's disappearance".

In a letter dated 27 July 2020, the Speaker conveyed the decision adopted by the Committee in the case to the Minister of the Interior of the interim government in eastern Libya. In December 2020, the complainants stated that Ms. Sergiwa's case had been referred to a "specialized prosecution service". This statement was supported by a video statement delivered by the Minister of the Interior, who claimed that Ms. Sergiwa's case had been referred to the competent prosecution service on 20 September 2020. The complainants added that the Libyan authorities did not inform Ms. Sergiwa's family about the conclusion of the investigation, the results obtained or the fact that the case had been referred to a "specialized prosecution service".

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Remains shocked* by the brutal abduction of a member of the House of Representatives in evident reprisal for expressing her political stance against the violence in Libya and in favour of an end to the bloodshed;
2. *Deplores* the lack of cooperation from the Libyan House of Representatives, which has failed to provide detailed information on the status and outcome of the criminal investigation relating to the abduction of one of its members; *reiterates* in this regard that this state of affairs fuels suspicions that the parliamentary authorities are unwilling to help establish the truth about Ms. Sergiwa's fate;
3. *Is deeply alarmed* that, despite many clues hinting to the identity of Ms. Sergiwa's abductors, who, according to the complainants and several international bodies, were members of "Awliya al-Dam", a Brigade allegedly affiliated to the Libyan National Army led by Mr. Khalifa Haftar, the relevant authorities have still not been able to hold those responsible to account or to provide information on her whereabouts; *reiterates* in this regard that the authorities have yet to produce evidence to convincingly refute the claim about the alleged identity of the culprits and to provide concrete information on the steps taken to investigate Ms. Sergiwa's abduction;
4. *Points out* that impunity, by shielding those responsible from judicial action, decisively encourages the perpetration of further human rights violations, and that attacks against the life of members of parliament, when left unpunished, not only violate the fundamental rights of individual parliamentarians and of those who elected them, but also affect the integrity of parliament and its ability to fulfil its role as an institution – even more so when leading figures of parliament are targeted for their political views, as in the present case;
5. *Urges once again* the authorities to provide clarification on the "specialized prosecution service", to disclose and share the findings of the investigation report allegedly produced by the Ministry

of the Interior, first of all with Ms. Sergiwa's family; *further urges* the Libyan House of Representatives to make use of its oversight power to ensure that an effective and thorough investigation has been conducted by the Ministry of the Interior and to request clear answers from the Government on the identity of the perpetrators; and *wishes* to be kept informed in this respect;

6. *Requests* the Secretary General to convey this decision to the parliamentary authorities, the Ministry of the Interior, the complainants 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.