

**Mandates of the Special Rapporteur on the situation of human rights defenders; the Working Group on Enforced or Involuntary Disappearances and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression**

REFERENCE:  
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2 July 2021

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on the situation of human rights defenders; Working Group on Enforced or Involuntary Disappearances and Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, pursuant to Human Rights Council resolutions 43/16, 45/3 and 43/4.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the abduction and potential enforced disappearance of human rights defender Mr. **Mansour Mohamed Atti Al-Maghrabi**.

Mr. Mansour Mohamed Atti Al-Maghrabi is a human rights defender and journalist, head of the Libyan Red Crescent Society and the Civil Society Commission in Ajdabiya.

According to the information received:

On 26 May 2021, Mr. Al-Maghrabi participated in a meeting of a joint committee formed by the Civil Society Commission and the High National Election Commission, which was aimed to prepare for civil society monitoring of the national elections scheduled for 24 December 2021. On 31 May 2021, Mr. Al-Maghrabi led a conference in Ajdabiya aimed at mobilizing citizen participation in these same elections.

On 3 June 2021, while driving in downtown Ajdabiya, Mr. Al-Maghrabi's car was intercepted by armed men in three Toyota vehicles. The unknown men proceeded to seize the human rights defender and take him to an unconfirmed location. Since this date, Mr. Al-Maghrabi's fate and whereabouts have been unknown. In the absence of any information, a group of human rights organisations addressed a letter on the matter to the Libyan authorities, urging immediate action to disclose Mr. Al-Maghrabi's whereabouts, in possible response to which a circular was issued by the Ministry of Interior of the Government of National Unity stating that the legal protections designed to safeguard the rights of detainees in the country should be protected. No direct reference to Mr. Al-Maghrabi's abduction was made in the circular.

Mr Al-Maghrabi had reportedly previously been subjected to intimidation and harassment by the Internal Security Agency in Ajdabiya. On 24 December 2020 and 13 February 2021, the human rights defender was summoned for

interrogation by the Internal Security Agency and questioned about his civil society work. During these interrogations, Mr. Al-Maghrabi was allegedly accused of being a dangerous individual promoting foreign agendas. On 7 April 2021, the human rights defender was arrested by Internal Security Agency agents at an event he had organised to promote youth participation in the planned December elections, and was again interrogated before being released.

Following Mr Al-Maghrabi's abduction, human rights defenders issuing calls online for information as to his fate and whereabouts have faced alleged hate speech and smears falsely associating them with 'ISIL'. At least one defender has been summoned by the Internal Security Agency in Ajdabija and interrogated on the subject of his relationship with Mr. Al-Maghrabi, while a media outlet reporting on the human rights defender's disappearance has been confiscated by the security agency, with its copies withdrawn from circulation.

While not wishing to prejudge the accuracy of the above-detailed allegations, we wish to express extreme concern at the abduction of Mr. Al-Maghrabi, which we fear to be directly connected to his civil society work, in particular his promotion of the electoral process scheduled for later this year. Our concern in this regard extends to the alleged harassment and intimidation of Mr. Al-Maghrabi by the Internal Security Agency in Ajdabiya in previous months, within the context of which we express our concern that Mr. Al-Maghrabi may be being held by the Internal Security Agency and that his abduction may amount to a case of enforced disappearance.

In light of the above-alleged facts and our related concerns, we would like to appeal to your Excellency's Government to take all necessary measures to guarantee the right of Mr. Al-Maghrabi not to be deprived arbitrarily of his liberty and to fair proceedings before an independent and impartial tribunal, in accordance with articles 9 and 14 of the International Covenant on Civil and Political Rights (ICCPR), acceded by your Excellency's Government on 15 May 1970.

In relation to the possibility that the alleged abduction of Mr. Al-Maghrabi may amount to his enforced disappearance, we wish to draw to the attention of your Excellency's Government the relevant provisions of the UN Declaration on the Protection of All Persons from Enforced Disappearances, which establishes that no State shall practice, permit or tolerate enforced disappearances. The Declaration also proclaims that each State shall take effective legislative, administrative, judicial or other measures to prevent and terminate acts of enforced disappearance in any territory under its jurisdiction. In particular, we wish to refer to article 10 of the Declaration which establishes the obligation of the detaining authorities to make available accurate information on the individual's detention, including specific places of detention and transfers, to his family, counsel or other persons with a legitimate interest.

Finally, we would like to refer Your Excellency's Government to Article 19 of the ICCPR protecting the right to freedom of opinion and expression, as well as the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally

Recognized Human Rights and Fundamental Freedoms, and in particular articles 1 and 2 which state that “everyone has the right individually or in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels” and that “each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms, inter alia, by adopting such steps as may be necessary to create all conditions necessary in the social, economic, political and other fields, as well as the legal guarantees required to ensure that all persons under its jurisdiction, individually and in association with others, are able to enjoy all those rights and freedoms in practice”.

The full texts of the human rights instruments and standards recalled above are available on [www.ohchr.org](http://www.ohchr.org) or can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency’s Government to safeguard the rights of the above-mentioned person in compliance with international instruments.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for the observations of your Excellency's Government on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide any available information, as a matter of urgency, as to the fate and whereabouts of Mr. Al-Maghrabi. In the case that he has been placed under arrest, please provide details as to the legal and factual base for this arrest and Mr. Al-Maghrabi's continued detention, as well as details of measures taken to ensure his access to a lawyer and communications with his family. In the case that he has not been placed under arrest, please indicate what steps have been taken to investigate his kidnapping and hold the perpetrators accountable.
3. Please indicate what measures have been taken to ensure that human rights defenders in Libya are able to carry out their peaceful and legitimate work in a safe and enabling environment without fear of threats or acts of intimidation and harassment of any sort.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

This communication and any response received from your Excellency’s Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

Please accept, Excellency, the assurances of our highest consideration.

Mary Lawlor  
Special Rapporteur on the situation of human rights defenders

Tae-Ung Baik  
Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances

Irene Khan  
Special Rapporteur on the promotion and protection of the right to freedom of opinion  
and expression