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The Chairperson and Members of the
African Commission on Human
and Peoples' Rights (ACHPR)
African Commission on Human and Peoples' Rights
Brusubi Layout
Banjul, The Gambia

Your Excellency, Madam Chairperson and Honourable Commissioners

FORUM ON THE PARTICIPATION OF NGOs IN THE 51ST SESSION
ORDINARY SESSION OF THE AFRICAN COMMISSION ON HUMAN AND
PEOPLES' RIGHTS AND 25TH AFRICAN HUMAN RIGHTS BOOK
14-16 APRIL, 2012 - BANJUL - THE GAMBIA

The participants at the above-mentioned Forum present their compliments to the African Commission on Human and Peoples' Rights and request the latter to establish a mechanism to monitor the implementation of the recommendations of the International Commission of Inquiry on Libya formulated in its report released in March 2012.

At the 19th session of the United Nations Human Rights Council, the Commission of Inquiry on Libya established by Resolution S-15/1 of February 2011 presented its report. The Commission of Inquiry had the mandate "to investigate all alleged violations of international human rights law in the Libyan Arab Jamahiriya, establish the facts and circumstances of such violations and of the crimes perpetrated and where possible, to identify those responsible, to make recommendations, in particular, on accountability measures, all with a view to ensuring that those individuals responsible are held accountable."

The report investigated violations occurred under Gaddafi regime, those committed during the armed conflict and the ongoing human rights violations.

In its conclusions, the Commission of Inquiry found that international crimes, specifically crimes against humanity and war crimes, were committed by Gaddafi forces in Libya, particularly acts of murder, enforced disappearance, and torture were perpetrated within the context of a widespread or systematic attack against a civilian population. Additional violations include unlawful killing, individual acts of torture and ill-treatment, attacks on civilians, and rape.

The *thumar* (Gaddafi forces) also committed serious violations, including war crimes against humanity and breaches of international human rights law, unlawful killing, arbitrary arrest, torture, enforced disappearance, indiscriminate attacks, and pillage.

Furthermore, the Commission also found civilian casualties caused by the North Atlantic Treaty Organization (NATO) and found as well targets that showed no evidence of military utility.

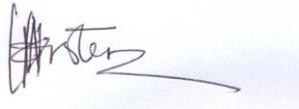
Following its investigation, the Commission of Inquiry made important recommendations concerning the human rights protection in Libya and respect of democracy. Among them a call upon the African Commission on Human and Peoples' Rights to establish a mechanism to monitor the implementation of recommendations, in particular measures taken to ensure respect for human rights, in the longer term.

The African Commission has been deeply involved in the resolution of the Libyan crisis. Establishing a monitoring mechanism, as recommended by the Commission of Inquiry, would be the best way for the African Commission to ensure adequate follow up of the fragile human rights situation in the country and would contribute to the fight against impunity for past abuses in Libya.

We therefore strongly encourage the African Commission to accept the Commission of Inquiry's recommendation and establish a monitoring mechanism for the implementation of the Commission of Inquiry's recommendations without delay.

We thank you for the attention you give to this request and remain at your disposal should you need further information.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Hannah Forster', with a long horizontal flourish extending to the right.

Hannah Forster (Mrs)
Executive Director, ACDHRS
Chairperson, NGO Forum Steering Committee
On behalf of the participants of the NGOs Forum