

## [NATO'S Craven Coverup of Its Libyan Bombing » Counterpunch: Tells the Facts, Names the Names](http://www.counterpunch.org/2012/03/15/natos-craven-coverup-of-it-libyan-bombing/)

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- March 15, 2012
- Investigations Around Libya

# NATO'S Craven Coverup of Its Libyan Bombing

by VIJAY PRASHAD

- Ten days into the uprising in Benghazi, Libya, the United Nations' Human Rights Council established the International Commission of Inquiry on Libya. The purpose of the Commission was to "investigate all alleged violations of international human rights law in Libya." The broad agenda was to establish the facts of the violations and crimes and to take such actions as to hold the identified perpetrators accountable. On June 15, the Commission presented its first report to the Council. This report was provisional, since the conflict was still ongoing and access to the country was minimal. The June report was no more conclusive than the work of the human rights non-governmental organizations (such as Amnesty International and Human Rights Watch). In some instances, the work of investigators for these NGOs (such as Donatella Rovera of Amnesty) was of higher quality than that of the Commission.

Due to the uncompleted war and then the unsettled security state in the country in its aftermath, the Commission did not return to the field till October 2011, and did not begin any real investigation before December 2011. On March 2, 2012, the Commission finally produced a two hundred-page document that was presented to the Human Rights Council in Geneva. Little fanfare greeted this report's publication, and the HRC's deliberation on it was equally restrained.

- Nonetheless, the report is fairly revelatory, making two important points: first, that all sides on the ground committed war crimes with no mention at all of a potential genocide conducted by the Qaddafi forces; second, that there remains a distinct lack of clarity regarding potential NATO war crimes. Not enough can be made of these two points. They strongly infer that the rush to a NATO "humanitarian intervention" might have been made on exaggerated evidence, and that NATO's own military intervention might have been less than "humanitarian" in its effects.

It is precisely because of a lack of accountability by NATO that there is hesitancy in the United Nations Security Council for a strong resolution on Syria. "Because of the Libyan experience," the Indian Ambassador to the UN Hardeep Singh Puri told me in February, "other members of the Security Council, such as China and Russia, will not hesitate in exercising a veto if a resolution – and this is a big if – contains actions under Chapter 7 of the UN Charter, which permits the use of force and punitive and coercive measures."

- *Crimes Against Humanity.*

The Libyan uprising began on February 15, 2011. By February 22, the UN Human Rights Chief Navi Pillay claimed that two hundred and fifty people had been killed in Libya, "although the actual numbers are difficult to verify." Nonetheless, Pillay pointed to "widespread and systematic attacks against the civilian population" which "may amount to crimes against humanity." Pillay channeled the Deputy Permanent Representative to the UN from Libya, Ibrahim Dabbashi, who had defected to the rebellion and claimed, "Qaddafi had started the genocide against the Libyan people." Very soon world leaders used the two concepts interchangeably, "genocide" and "crimes against humanity." These concepts created a mood that Qaddafi's forces were either already indiscriminately killing vast numbers of people, or that they were poised for a massacre of Rwanda proportions.

Courageous work by Amnesty International and Human Rights Watch last year, then much later the 2012 report from the UN belies this judgment, (as does my forthcoming book [Arab Spring, Libyan Winter](#), AK Press), which goes through the day-by-day record and show two things: that both sides used excessive violence and that the rebels seemed to have the upper hand for much of the conflict, with Qaddafi's forces able to recapture cities, but unable to hold them.

The UN report is much more focused on the question of crimes committed on the ground. This is the kind of forensic evidence in the report:

- (1) In the military base and detention camp of Al Qalaa. "Witnesses, together with the local prosecutor, uncovered the bodies of 43 men and boys, blindfolded and with their hands tied behind their backs." Qaddafi forces had shot them.



- Going over many of these kinds of incidents, and of indiscriminate firing of heavy artillery into cities, the UN Report notes that these amount to a war crime or a crime against humanity.
- (2) "Over a dozen Qadhafi soldiers were reportedly shot in the back of the head by *thumar* [rebel fighters] around 22-23 February 2011 in a village between Al Bayda and Darnah. This is corroborated by mobile phone footage." After an exhaustive listing of the many such incidents, and of the use of heavy artillery against cities notably Sirte, the UN report suggests the preponderance of evidence of the war crime of murder or crimes against humanity.
  - There is *no* mention of genocide in the Report, and none of any organized civilian massacre. This is significant because UN Resolution 1973, which authorized the NATO war, was premised on the "the widespread and systematic attacks currently taking place in the Libyan Arab Jamahiriya against the civilian population" which "may amount to crimes against humanity." There was no mention in Resolution 1973 of the disproportionate violence of the *thumar* against the pro-Qaddafi population (already reported by *al-jazeera* by February 19), a fact that might have given pause to the UN as it allowed NATO to enter the conflict on the rebels' behalf. NATO's partisan bombardment allowed the rebels to seize the country faster than they might have had in a more protracted war, but it also allowed them *carte blanche* to continue with their own crimes against humanity.
  - With NATO backing, it was clear that no one was going to either properly investigate the rebel behavior, and no-one was going to allow for a criminal prosecution of those crimes against humanity. Violence of this kind by one's allies is never to be investigated as the Allies found out after World War 2 when there was no assessment of the criminal firebombing of, for example, Dresden. No wonder that the UN Report notes that the Commissioners are "deeply concerned that no independent investigation or prosecution appear to have been instigated into killings committed by *thumar*." None is likely. There are now over eight thousand pro-Qaddafi fighters in Libyan prisons. They have no charges framed against them. Many have been tortured, and several have died (including Halah al-Misrati, the Qaddafi era newscaster).
  - The section of the UN report on the town of Tawergha is most startling. The thirty thousand residents of the town were removed by the Misratan *thumar*. The general sentiment among the Misratan *thumar* was that the Tawerghans were given preferential treatment by the Qaddafi regime, a claim disputed by the Tawerghans. The road between Misrata and Tawergha was lined with slogans such as "the brigade for purging slaves, black skin," indicating the racist cleansing of the town. The section on Tawergha takes up twenty pages of the report. It is chilling reading. Tawerghans told the Commission "that during 'interrogations' they were beaten, had hot wax poured in their ears and were told to confess to committing rape in Misrata. The Commission was told that one man had diesel poured on to his back which was then set alight; the same man was held in shackles for 12 days." This goes on and on. The death count is unclear. The refugees are badly treated as they go to Benghazi and Tripoli.
  - To the Commission, the attacks against Tawerghans during the war "constitute a war crime" and those that have taken place since "violate international human rights law" and a "crime against humanity." Because of the "current difficulties faced by the Libyan Government," the Commission concludes, "it is unlikely that the government will be able to bring justice for the Tawerghans and to undermine the "culture of impunity that characterizes the attacks."
  - *NATO's Crimes.*

For the past several months, the Russians have asked for a proper investigation through the UN Security Council of the NATO bombardment of Libya. "There is great reluctance to undertake it," the Indian Ambassador to the UN told me. When the NATO states in the Security Council wanted to clamor for war in February-March 2011, they held discussions about Libya in an open session. After Resolution 1973 and since the war ended, the NATO states have only allowed discussion about Libya in a closed session. When Navi Pillay came to talk about the UN Report, her remarks were not for the public.

- Indeed, when it became clear to NATO that the UN Commission wished to investigate NATO's role in the Libyan war, Brussels balked. On February 15, 2012, NATO's Legal Adviser Peter Olson wrote a strong letter to the Chair of the Commission. NATO accepted that the Qaddafi regime "committed serious violations of international law," which led to the Security Council Resolution 1973. What was not acceptable was any mention of NATO's "violations" during the conflict,

"We would be concerned, however, if 'NATO incidents' were included in the Commission's report as on a par with those which the Commission may ultimately conclude did violate law or constitute crimes. We note in this regard that the Commission's mandate is to discuss 'the facts and circumstance of...violations [of law] and...crimes perpetrated.' We would accordingly request that, in the event the Commission elects to include a discussion of NATO actions in Libya, its report clearly state that NATO did not deliberately target civilians and did not commit war crimes in Libya."

- To its credit, the Commission *did* discuss the NATO "incidents." However, there were some factual problems. The Commission claimed that NATO flew 17,939 armed sorties in Libya. NATO says that it flew "24,200 sorties, including over 9,000 strike sorties." What the gap between the two numbers might tell us is not explored in the report or in the

press discussion subsequently. The Commission points out that NATO did strike several civilian areas (such as Majer, Bani Walid, Sirte, Surman, Souq al-Juma) as well as areas that NATO claims were "command and control nodes." The Commission found no "evidence of such activity" in these "nodes." NATO contested both the civilian deaths and the Commission's doubts about these "nodes." Because NATO would not fully cooperate with the Commission, the investigation was "unable to determine, for lack of sufficient information, whether these strikes were based on incorrect or outdated intelligence and, therefore, whether they were consistent with NATO's objective to take all necessary precautions to avoid civilian casualties entirely."

- Three days after the report was released in the Human Rights Council, NATO's chief Anders Fogh Rasmussen denied its anodyne conclusions regarding NATO. And then, for added effect, Rasmussen said that he was pleased with the report's finding that NATO "had conducted a highly precise campaign with a demonstrable determination to avoid civilian casualties." There is no such clear finding. The report is far more circumspect, worrying about the lack of information to make any clear statement about NATO's bombing runs. NATO had conducted its own inquiry, but did not turn over its report or raw data to the UN Commission.
- On March 12, UN Secretary General Ban Ki-moon went to the UN Security Council and stated that he was "deeply concerned" about human rights abuses in Libya, including the more than eight thousand prisoners held in jails with no judicial process (including Saif al-Islam Qaddafi, who should have been transferred to the Hague by NATO's logic). Few dispute this part of the report. The tension in the Security Council is over the section on NATO. On March 9, Maria Khodyskaya-Golenishcheva of the Russian Mission to the UN in Geneva noted that the UN report omitted to explore the civilian deaths caused by NATO. "In our view," she said, "during the NATO campaign many violations of the standard of international law and human rights were committed, including the most important right, the right to life." On March 12, Russia's Foreign Minister Sergei Lavrov accused NATO of "massive bombings" in Libya. It was in response to Lavrov's comment that Ban's spokesperson Martin Nesirky pointed out that Ban accepts "the report's overall finding that NATO did not deliberately target civilians in Libya."

NATO is loath to permit a full investigation. It believes that it has the upper hand, with Libya showing how the UN will now use NATO as its military arm (or else how the NATO states will be able to use the UN for its exercise of power). In the Security Council, NATO's Rasmussen notes, "Brazil, China, India and Russia consciously stepped aside to allow the UN Security Council to act" and they "did not put their military might at the disposal of the coalition that emerged." NATO has no challenger. This is why the Russians and the Chinese are unwilling to allow any UN resolution that hints at military intervention. They fear the Pandora's box opened by Resolution 1973.

- **Vijay Prashad's** new book, [Arab Spring, Libyan Winter](#) (AK Press) will be out in late March. On March 25, he will be speaking at the plenary panel of the United National Anti-War Coalition National Conference in Stamford, CT, alongside Bill McKibben, Richard Wolff and Nada Khader on "Global Economic Meltdown, Warming and War."

### [Libya militias pose threat to precarious stability - latimes.com](#)

<http://www.latimes.com/news/nationworld/world/la-fg-libya-militias-20120308,0,6006445.story>

## • **Libya militias pose threat to precarious stability**

**Libya's former rebels have become a law unto themselves. They have refused to disarm, fearing they will be marginalized in the post-Kadafi political order.**

- By Glen Johnson, Los Angeles Times  
March 7, 2012, 7:06 p.m.
- Reporting from Tripoli, Libya—

The revolution is long over in Libya, but gunfire still crackles in the night, echoing down empty streets and alleys.

- Swaggering men in Che Guevara-style berets patrol the outskirts of once-besieged Misurata with anti-aircraft guns affixed to the back of their pickup trucks, stalking those they believe are responsible for their city's misery.
- A militia based in mountainous Zintan refuses to hand over Moammar Kadafi's son and once heir-apparent, Seif Islam Kadafi, and encircles Tripoli's airport, holding both as bargaining chips to extract concessions and avoid being marginalized in the country's emerging political order.
- Six months after Kadafi was ousted, well-armed militias made up of former rebels present an increasing threat to Libya's precarious stability.

Amnesty International describes the militias as "largely out of control." Others view them as a temporary scourge in a country torn by retribution and tribal rivalries.

- Traveling in reckless caravans across deserts and through cities, the militias defy easy categorization and represent a direct challenge to the overwhelmed Transitional National Council.

The distrusted and opaque interim authority lacks the muscle to rein in the armed groups numbering in the hundreds, which have become a law unto themselves.

- "The core issue is legitimacy," said William Lawrence, the North Africa director of the International Crisis Group. The transitional council "is not representative of the Libyan people."
- The secrecy surrounding the council's decision-making and membership has provided little incentive for Libya's militias, still traumatized by the uprising and fearing political marginalization, to disarm.

"When we have security, a new president and government, we will put our weapons away," said Ayman Kikly, from a Tripoli militia.

- Rising inter-tribal violence has left scores dead. About 100 people were reported killed last month when rival tribes battled with machine guns and rocket-propelled grenades in the remote southern town of Kufra, probably for control of

lucrative arms-smuggling and human-trafficking routes in the vast empty spaces near the Chadian and Sudanese borders.

- The surge in violence has raised fear of spreading chaos as weapons continue to flow out of the country to Egypt, Tunisia, Chad and Algeria.
- The militias' actions and "the refusal of many to disarm or join the regular forces are threatening to destabilize Libya," says a recent report by Amnesty International. The report says armed gangs "hinder the much-needed building of accountable state institutions based on the rule of law, and jeopardize the hopes of millions of people who took to the streets a year ago to demand freedom, justice and respect for human rights and dignity."
- A spate of torture, arbitrary arrests, wanton destruction of property and summary execution has beset the country, engendering an environment of impunity while ensuring that Libya's people remain trapped within the violent logic of last year's insurgency.
- "The blanket impunity afforded to militias is sending the message that such abuses are tolerated and is contributing to making such practices accepted practice," Donatella Rovera, a senior crisis response advisor at Amnesty, said in a statement.
- In one recent attack that spotlighted the chaotic violence, Khaled Nouri and five other militiamen guarding an abandoned naval compound on the outskirts of Tripoli came under fire from a convoy of 20 pickup trucks carrying another militia, believed to be from Misurata.
- They scattered as more gunshots rang out. By the assault's end, a 63-year-old woman had been shot in the head and two boys, their bodies riddled with bullets, were lying face down on a nearby beach. Four other bodies lay strewn in the compound, where 2,600 Tawurghans, African descendants of black slaves suspected of collaborating with the Kadafi regime, had taken shelter after their town had been burned and looted.
- "They came for one thing," said Nouri: "To kill the Tawurghans."
- "I am afraid they will come back after dark," said Abdul Raouf, who guards the compound by night, while nervously clutching his rifle. "We are six people with Kalashnikovs, how can we stop them?"

Moves to integrate militia members into the armed forces have met some success. Yet 100 militias recently formed a collective, establishing a rival power center that challenges the transitional council's authority.

- Many people prefer to place their faith in local military councils and the militias. Both have legitimacy and superior knowledge of the local context, and often residents feel the militias are best-equipped to provide security.

"Everything is perfect," said Ali Mohammed, a taxi driver who shuttles passengers from Zintan to Tripoli and from Misurata to Benghazi. "The militias have made the country safe. You can walk down the streets at night."

Most analysts agree that the militias, none of whom can decisively defeat their rivals, will not tear Libya apart just yet. People are focused on elections, scheduled for June. As with other uprisings throughout the region, the promise of a tangible barometer of democratic gain has done much to defuse tension.

- But elections may have a flip side.

As Ahmed Musrati, a fighter from Misurata who laid down his weapons after the fall of Tripoli in August, said: "The people have seen a lot of blood, so elections are a big thing for us. We have to be very careful about the government we choose.

"If it's no good, I still have my guns."

*Johnson is a special correspondent. Times staff writer Jeffrey Fleishman in Cairo contributed to this report.*

### [Libya: Bolster Security at Tawergha Camps | Human Rights Watch](http://www.hrw.org/news/2012/03/05/libya-bolster-security-tawergha-camps)

<http://www.hrw.org/news/2012/03/05/libya-bolster-security-tawergha-camps>

- [Libya: Bolster Security at Tawergha Camps](#)

#### Survivors Describe Fatal Attack

March 5, 2012

- (Tripoli, March 5, 2012) – The Libyan government should urgently increase security for the roughly 12,000 displaced people from Tawergha in western Libya, Human Rights Watch said today. Nearly a month after militias raided a Tawergha camp in Janzur, shooting dead one man, three women, and three children, that camp and others still lack adequate protection, Human Rights Watch said.

In Tripoli and other western areas, Tawerghans have been subjected to [attacks, arrests and harassment](#) since August 2011, mostly by militias from Misrata, Human Rights Watch said. Human Rights Watch has found no evidence that the government is investigating these crimes or the shooting deaths in Janzur.

- "The displaced people of Tawergha are exposed to the violent whims of militias in western Libya," said [Sarah Leah Whitson](#), Middle East and North Africa director at Human Rights Watch. "The government needs to get serious about providing more official forces to protect these camps and to investigating the killings there."
- Human Rights Watch interviewed nine witnesses to the violence at and around the Janzur camp on February 6, 2012, among them family members of people who were killed and three people who were wounded, as well as camp leaders and a Defense Ministry official. Human Rights Watch also reviewed death reports and medical records of the wounded.
- According to the United Nations High Commissioner for Refugees, approximately 35,000 people from Tawergha are displaced around Libya. Tawergha leaders say 16,000 of their people are in eastern Libya and 12,000 are in the west, mostly in Tripoli. Tawerghans in eastern Libya, further from Misrata, appear less vulnerable to attack.
- The town of Tawergha near Misrata has been abandoned since mid-August 2011. Militias from Misrata are blocking residents from returning because they accuse Tawerghans of rape and other atrocities in Misrata during the war, together with forces loyal to Muammar Gaddafi.

A Commission of Inquiry on Libya appointed by the UN Human Rights Council recently concluded that Misrata militias

had committed crimes against humanity of torture and killings of Tawerghans. "The Misrata *thumar* [anti-Gaddafi forces] have killed, arbitrarily arrested and tortured Tawerghans across Libya," said the [report](#), issued on March 2, 2012. "The destruction of Tawergha has been done to render it uninhabitable."

- The Libyan government and international actors who support it should ensure that sufficient security forces protect the Tawergha camps and that legal authorities promptly investigate crimes against displaced persons, Human Rights Watch said. The government should also take urgent steps to help Tawerghans safely return home.
- Security at Tawergha camps in western Libya should come from the central government, such as the national army, which has lawful authority to carry out security measures, rather than quasi-official local military councils, frequently consisting of unaccountable militias, Human Rights Watch said.
- Another camp for displaced Tawerghans, on Airport Road in Tripoli, with about 300 people, was also raided twice in February by unknown militias. Three men were detained, one of whom was later released, camp residents said. Camp leaders said that four guards assigned to the camp by local militias lack the power to resist such raids and abductions by other armed groups.

The violence at the Tawergha camp in Janzur on February 6 began after heavily armed fighters from various militias, some of them apparently from Misrata, entered the Janzur Marine Academy, where about 2,000 Tawerghans were taking shelter. Camp residents said that militia fighters told them they had come to search for weapons.

- The camp was guarded at that time by about six Marine Academy cadets who operate under the authority of the Libyan Army. When Human Rights Watch visited the camp in late February, the number of guards had not increased, although a new 14.5mm gun stood at the gate.

Witnesses said that men with pistols and AK-47s entered the camp around 9:30 a.m. with up to 10 vehicles mounted with 14.5mm guns and 23mm artillery pieces. Four witnesses said that some of the vehicles had the markings of militias from Misrata. One person who was wounded claimed that the people attacking him were yelling "*Misrata hurra! Misrata hurra!*" ("Free Misrata! Free Misrata!").

Some of the vehicles remained at the gate, but others went into the camp near a cluster of buildings where Tawergha families live. There the armed men invading the camp abducted three male camp residents, camp leaders said, all of whom were released within two weeks.

- The militia vehicles that entered the compound returned to the gate, which is when the shooting took place, witnesses said. Najma Abdulgadar Faraj, 60, a homemaker and mother of eight, and Juma al-Gaddafi, 55, were shot dead near the gate in unclear circumstances.

After camp residents learned of the two deaths, some of them started throwing stones at the militia fighters, one witness said.

In the late morning, camp residents began marching outside the camp to protest the killings. Militias in the area near the camp fired into the air to force the protesters back, witnesses said. When the protesters continued to march, members of another militia opened fire on the crowd for about two minutes, killing three people, including a 12-year-old girl, two witnesses said. One of the witnesses described the scene:

- We were marching. We saw some people from Misrata and they told us to go back ... The *shabab* [youth activists] refused to turn back and sat down in the middle of the road. When we reached the guys from Misrata, near a clinic, there was a place near a wall. But we got shot at before we reached the wall. We decided to turn back. A guy was injured in his side but said to us, "Leave me and just go." After that, another girl got injured. I grabbed Fatima (not her real name) by her arm and said we have to leave. Fatima told Haneen to leave with us. But Haneen was shot in the neck from the front, and the bullet exited her shoulder. I didn't see who shot her. There were four or five guys shooting, one of them was carrying a handgun and the rest had Kalashnikovs.
- Haneen Salah Agily, the 12 year-old girl, died instantly. Two others, Nureddin Beleid al-Agmaty, 21, and Nasseradin Muhammad al-Agmaty, 25, were also killed at the scene, according to the two witnesses. Death records viewed by Human Rights Watch confirmed the names, dates, and cause of the deaths.

Witnesses said the militias then forcibly held some protesters for at least two hours in a nearby medical clinic. More than 10 others managed to escape the area, walking several kilometers to the coast. A journalist who visited the clinic while the Tawerghans were there said he heard some of the militia members say, "There are a bunch of guys on the beach – let's go." Members of the militia then left for the beach, he said.

Two of the people who made it to the beach told Human Rights Watch that militia fighters arrived there in the early afternoon and opened fire on the escaped protesters, killing two boys, Muhammad Atiya Erhuma, 13, and Farayj Abdulmullah Farayj Muhammad, 15.

One of the protesters who made it to the beach recalled the shooting:

- We walked until we reached the seaside outside the Tourist Village. It was around 1 p.m. But then a *katiba* [militia] came to us again, and they started shooting. They were around 50 meters away. We had nothing to defend ourselves. We just tried to hide. Two kids, Muhammad and Farayj, were injured with bullets. We tried to help them, but [the militia] started shooting at us again. The group split up, and my friend and I hid in a place until 7 p.m. – we covered ourselves with blankets and stones.

The families said they found the two boys' bodies in the hospital later that day. A relative of Muhammad said he had one bullet wound in his torso – the entry wound was in his back and the exit wound in the chest – and another in his leg. A relative of Farayj said he had three entry wounds in his back and one in his upper right arm. The death records of both boys reviewed by Human Rights Watch confirmed the dates and causes of death.

- Following the deaths in and near the camp, the United Nations mission in Libya [called](#) on the government to increase protection for the displaced people of Tawergha and to investigate the February 6 attack.

Human Rights Watch urged the government to ensure that its formal criminal justice authorities conduct a prompt and thorough investigation into the killings in and around the camp, leading to the prosecution of those responsible.



"A key way to protect displaced Tawerghans is to arrest and prosecute those who use violence against them," Whitson said.

## [Both sides in Libya 'committed war crimes'](http://news.smh.com.au/breaking-news-world/both-sides-in-libya-committed-war-crimes-20120303-1u9g2.html)

<http://news.smh.com.au/breaking-news-world/both-sides-in-libya-committed-war-crimes-20120303-1u9g2.html>

# • Both sides in Libya 'committed war crimes'

[March 3, 2012](#)

## • AP

A UN expert panel says in a draft report that forces loyal to late Libyan leader Muammar Gaddafi and opposition fighters both committed war crimes during the conflict in the country last year.

The UN-appointed International Commission of Inquiry on Libya concluded that "international crimes, specifically crimes against humanity and war crimes, were committed by Gaddafi forces".

"Acts of murder, enforced disappearance and torture were perpetrated within the context of a widespread or systematic attack against a civilian population," it said.

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Anti-Gaddafi forces also committed serious violations "including war crimes and breaches of international human rights law", according to the report.

- Human rights abuses by former rebels are continuing, particularly against those perceived to have sided with Gaddafi, it said.

The panel led by Canadian judge Philippe Kirsch was appointed by the UN Human Rights Council on February 25, 2011, to investigate allegations of serious crimes in Libya during and after the conflict.

It also examined claims that NATO's air campaign had resulted in civilians being killed, and the circumstances surrounding the deaths of Gaddafi and his son Mutassim.

The panel said it was unable to reach a conclusion on either of those issues citing lack of evidence.

The report said that Gaddafi and his son, who were captured separately on October 20 by fighters from the port city of Misrata, died in unclear circumstances.

"Though wounded, both were alive on capture and subsequently died in *thuwar* (revolutionary) custody," read an unedited version of the report submitted to the UN Council on Human Rights.

- "The commission has been unable to confirm the death of Muammar Gaddafi as an unlawful killing and considers that further investigation is required," it said, making the same recommendation in the case of Mutassim.

The experts urged further investigation, noting that the new government would need outside support to conduct credible probes.

Libyan authorities declined to provide the commission with access to Gaddafi's autopsy report despite "numerous requests", it said, noting that its pathologist could not conclude the cause of death from images of the corpse.

In Mutassim's case, the commission was unable to obtain any "account of the circumstances of his death" but reviewed footage "showing him alive" after his capture.

"Both were killed in unclear circumstances after capture but it is apparent that both were initially captured alive," the report said, recommending further investigation in both cases to determine the cause of death.

The UN report concluded that the subsequent display of the Gaddafi corpses in a meat locker in Misrata "constituted a breach of international customary law".

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### [UN report faults NATO over civilian deaths in Libya - The Globe and Mail](#)

[http://www.theglobeandmail.com/news/world/un-report-faults-nato-over-civilian-deaths-in-libya/article2357511/?utm\\_medium=Feeds%3A%20RSS%2FAtom&utm\\_source=World&utm\\_content=2357511](http://www.theglobeandmail.com/news/world/un-report-faults-nato-over-civilian-deaths-in-libya/article2357511/?utm_medium=Feeds%3A%20RSS%2FAtom&utm_source=World&utm_content=2357511)

## • UN report faults NATO over civilian deaths in Libya

**NEIL MacFARQUHAR**

**BEIRUT— The New York Times News Service**

**Published Friday, Mar. 02, 2012**

- NATO has not sufficiently investigated the air raids it conducted on Libya that killed at least 60 civilians and wounded 55 more during the conflict there, according to a UN report released Friday.

Nor has Libya's interim government done enough to halt the violence perpetrated by revolutionary militias seeking to exact revenge on loyalists, real or perceived, to the government of Moammar Gadhafi, the report concluded.

- Published without publicity on the website of the UN Human Rights Council, based in Geneva, the report details the results of an investigation by a three-member commission of distinguished jurists. It paints a generally gloomy picture of the level of respect for human rights and international law in Libya, while acknowledging that the problem is a legacy of the years of violent repression under Mr. Gadhafi.
- NATO air raids that killed civilians in Libya have been criticized by rights groups, and the alliance's refusal to acknowledge or investigate some of the deaths has been the subject of earlier news reports. The new report represents the first time that NATO's actions in Libya have been criticized under the auspices of the United Nations, where the bombing campaign in the name of protecting civilians from Colonel Gadhafi's forces was authorized by the Security Council.

The report concluded that Col. Gadhafi's forces had perpetuated war crimes and crimes against humanity, including murder, torture and attacks on civilians using excessive force and rape.

But the armed anti-Gadhafi militia forces in Libya also "committed serious violations," including war crimes and breaches of international rights law that continue today, the 220-page report said.

- Through January, militia members continued with the mass arrests of former soldiers, police officers, suspected mercenaries and others perceived to be Gadhafi loyalists, the report said. Certain revenge attacks have continued unabated, particularly the campaign by the militiamen of Misrata to wipe a neighbouring town, Tawergha, off the map; the fighters accuse its residents of collaborating with a government siege.
- Such attacks have been documented before, but the report stressed that despite previous criticism, the militiamen were continuing to hunt down the residents of the neighbouring town no matter where they had fled across Libya. As recently as Feb. 6, militiamen from Misrata attacked a camp in Tripoli where residents of Tawergha had fled, killing an elderly man, a woman and three children, the report said.

The commission remains "deeply concerned" that no independent investigations or prosecutions appear to have been instigated into killings by such militias, the report said.

- "Libyan authorities can break with the Gadhafi legacy by enforcing the law equally, investigating all abuses – irrespective of the perpetrator," the report said.

The commission members tried to ascertain how Col. Gadhafi had died but said the Libyan authorities did not give them access to the autopsy report, so further investigation was needed. Graphic videos of his last day alive Oct. 20 suggest that the revolutionaries who captured him near his tribal hometown, Sirt, beat him and executed him with gunfire.

There was no immediate reaction from the Libyan government to the UN report. Adel Shaltut, the deputy chief of the Libyan mission in Geneva, said his government was studying the report.

- The report gives some sense of the obstacles the Libyan government faces in trying to meet the lengthy list of recommendations that entail rebuilding the criminal justice system from the ground up. Government officials meeting with the commission emphasized the precariousness of the security situation, the weakness of the national police and the inability of the central authorities to enforce the rule of law, the report said.
- The newest parts of the report were the questions raised about NATO attacks that killed and wounded civilians.

The commission of inquiry concluded in its report that NATO had sought to avoid civilian casualties in "a highly precise

campaign" involving thousands of attack sorties.

But it also noted that in a few cases it had "confirmed civilian casualties and found targets that showed no evidence" of any military function.

Oana Lungescu, the spokeswoman for NATO, said the organization had reviewed its target selection and data collected during the air strikes.

"This review process has confirmed that the specific targets struck by NATO were legitimate military targets selected consistently with the UN mandate, and that great care was taken in each case to minimize risk to civilians," she said in a statement.

New York Times News Service

### [AFP: Libya tribe offers olive branch to Misrata](#)

<http://www.google.com/hostednews/afp/article/ALeqM5himCh7DGsIoMr6R14qDnveH7UHHA?docId=CNG.28a53cf883b6a06ef4a5724a08609e32.9d1>

- Libya tribe offers olive branch to Misrata

(AFP)

- BENGHAZI, Libya — Libya's Tawarga tribe apologised to Misrata's people for damage caused in the coastal city during last year's war, according to a statement received by AFP on Friday.

"We the Tawarga tribes of Libya apologise to our brothers in Misrata for any action committed by any resident of Tawarga," tribal elders said in a joint statement issued after a meeting in the eastern city of Benghazi late Thursday.

Tensions between the people of Tawarga and Misrata, who fought on opposite sides of the nine-month conflict that toppled the regime of Moamer Kadhafi, are widely viewed as a major obstacle to stability in Libya.

"We affirm that their honour is our honour, their blood our blood, and their fortune our fortune," the statement added.

The elders urged all of those accused of committing crimes, regardless of their tribal affiliation, to present themselves to judicial authorities to receive "punishment."

More than 1,000 people attended the meeting, including senior officials of the ruling National Transitional Council, tribal elders, and displaced people from Tawarga now living in Benghazi.

Absent from the gathering were representatives of Misrata, where officials accuse the Tawarga of playing a central role in a brutal siege by Kadhafi's regime against the port city.

- "We extend our hands and our hearts in the interest of all of Libya and building together a prosperous future and brighter tomorrow," it read.

A senior official representing NTC chairman Mustafa Abdel Jalil at the meeting welcomed the gesture.

"The National Transitional Council welcomes these steps that will heal the rift between the disputing brothers," said Mohammed al-Mufti, who heads an advisory committee.

"The national reconciliation between the Tawarga and the people of Misrata concerns all Libyans and has their support," he said, adding it was a requirement for stability.

- Tensions have been running high between people from Tawarga and militia-rich Misrata since October, when Kadhafi was killed in his hometown of Sirte.

Many fear the animosity between the two could spark more fighting.

Human Rights Watch said Tuesday that authorities in Misrata are barring thousands of displaced people, accused of being Kadhafi backers during the war, from returning home. It estimates 30,000 Tawargans were violently displaced.

Sheikh Bakr al-Mahdi, who heads a committee for national reconciliation, urged the people of Misrata to accept the olive branch on offer.

"The committee asks God for Misrata and its wise rulers to accept this great honour by agreeing to peace and tolerance," he said.

He added the National Transitional Council had a responsibility to "speed up the judicial process so that perpetrators of violence are punished and people calm down and the fires of sedition are put out."

### [Libya: Displaced People Barred from Homes | Human Rights Watch](#)

<http://www.hrw.org/news/2012/02/21/libya-displaced-people-barred-homes>

- [Libya: Displaced People Barred from Homes](#)

**Misrata Authorities Failing to Stop Destruction of Nearby Villages**

February 21, 2012



- (Tripoli) - Authorities in and around Misrata are preventing thousands of people from returning to the villages of Tomina and Kararim and have failed to stop local militias from looting and burning homes there, Human Rights Watch said today.

The abuse mirrors the treatment of roughly 30,000 displaced people from the nearby town of Tawergha, who have also been blocked from returning home for at least five months, Human Rights Watch said.

- Officials in Misrata have sought to justify the violations to Human Rights Watch, contending that people from Tomina, Kararim, and Tawergha fought with Gaddafi forces and committed atrocities against Misratans during the 2011 conflict.

"Tomina and Kararim are ghost towns because Misrata officials are blocking thousands of people who fled from returning home," said Peter Bouckaert, emergencies director at Human Rights Watch, who recently visited the villages and met with displaced residents. "Armed groups from Misrata are openly looting and destroying their homes, as they have been doing for months in Tawergha."

- Tomina and Kararim are ghost towns because Misrata officials are blocking thousands of people who fled from returning home. Armed groups from Misrata are openly looting and destroying their homes, as they have been doing for months in Tawergha.

Peter Bouckaert, emergencies director at Human Rights Watch

- *Video: Militias from the city of Misrata terrorized the displaced residents of the nearby town of Tawergha in October, 2011.*
- The Misrata authorities should issue immediate orders to the militias they control to stop the looting and home destructions, and should deploy a protective security forces in the affected area to facilitate the return of displaced people, Human Rights Watch said.
- The transitional Libyan government and its international supporters should press the Misrata authorities and militias to cease their abusive conduct against displaced people, Human Rights Watch said. Commanders and members of the militias responsible for crimes, including preventing people from returning home, should be investigated and prosecuted.

The National Transitional Council and transitional government have been unable to assert control over the hundreds of militias operating in Libya, Human Rights Watch said. But in Misrata local military authorities, including the military council, appear to have influence over many of the city's 250 militias. The Misrata Military Council apparently operates checkpoints, including one 80 kilometers south of the city.

- "The Misrata authorities can definitely do a lot more to allow returns now and to protect civilian property," Bouckaert said. "They are required to take action to stop these crimes under international law."

Ramadan Zarmuh, head of the Misrata Military Council, told Human Rights Watch in early February that the problems in Kararim and Tomina are between the residents of the towns, or "between neighbors." He said that solving the problems will require the former residents of the two villages to surrender their "criminals" so they can be brought to justice.

- The National Transitional Council chairman, Mustafa Abdeljalil, made a similar point in February, telling media that families could return to the areas around Misrata "as soon as those who are wanted face justice."

Allowing communities to return to their homes should not be linked to the prosecution of individuals who may be implicated in wrongdoing, Human Rights Watch said. Action is needed now to ensure that displaced people can return before their homes are occupied or destroyed and their displacement becomes permanent. Preventing the return of an entire community amounts to unlawful and arbitrary collective punishment, Human Rights Watch said.

- In Tomina and Kararim, Human Rights Watch saw militia members looting and burning homes on two visits in late January. In both villages, Human Rights Watch saw spray-painted signs on at least a dozen homes saying that the Security Committee (*Lejna Amniya*) of Kararim had reassigned the homes to new "owners." Other homes had the names of the original owners replaced with new names.

In Kararim, 25 kilometers south of Misrata, Human Rights Watch found a few dozen families who had remained during the conflict or returned afterward, apparently because they had supported anti-Gaddafi forces. A significant militia presence was in the town, consisting of Kararim residents who had fought with the anti-Gaddafi militias. In Tomina, about 10 kilometers south of Misrata, Human Rights Watch saw no inhabited homes, although officials there said that 20 percent of the former population had returned. Tawergha remained completely abandoned.

- Displaced residents of Tomina and Kararim told Human Rights Watch that Gaddafi forces had ordered the civilian residents of both villages to evacuate their homes on May 12, 2011. The residents of Tawergha fled with retreating Gaddafi forces in mid-August.

Some residents of Tomina and Kararim who tried to return to their homes in recent months told Human Rights Watch that Misrata militia members had stopped them at the checkpoint 80 kilometers south of Misrata. Gunmen checked the villagers against lists of those wanted for collaboration with Gaddafi forces or direct involvement in crimes committed during the war, they said. The villagers interviewed by Human Rights Watch said they were not on the list, but they were still prevented from going home. Instead, militia members took them to a fenced-in complex just outside Tawergha called the Emirates apartments, where the displaced villagers have remained.

- Human Rights Watch visited the apartment complex in late January 2012 and saw between 60 and 100 families there guarded by militia members from various cities. A militia commander there said his men protect the residents and help them get food and other assistance. His men prevent residents from leaving without an escort to protect them from attacks, He said.

The villages of Tomina and Kararim previously had about 5,000 residents each, many of them loyal to the former Libyan leader Muammar Gaddafi, displaced villagers said. Many villagers lived on small farms that their families had owned for about 60 years. Gaddafi forces used the two villages, Tawergha, and other towns and villages near Misrata, as staging grounds for attacks on rebel-held Misrata during the war, including a siege in April and May that [gravely impacted civilians](#).

- The situation for the estimated 30,000 residents of Tawergha is even worse than in Tomina and Kararim, Human Rights Watch said. The town is empty, and displaced Tawerghans have been harassed, attacked, and arrested by Misrata militias, sometimes leading to deaths in detention, as [previously documented](#) by Human Rights Watch. On February 6, a group of militias attacked a camp of displaced Tawerghans in the Janzour district of Tripoli. According to 10 witnesses, seven men, women, and children were killed and more than 15 were wounded.

On more than a dozen visits to Tawergha by Human Rights Watch between September and January, Human Rights Watch researchers saw Misrata militia members burning and destroying homes. In late January, Human Rights Watch found almost no properties in Tawergha that were undamaged by fire.

- "Deportation" or the "forcible transfer of population" can be a crime against humanity by virtue of Article 7(d) of the Rome Statute establishing the International Criminal Court. It is defined as the "forced displacement of the persons concerned by expulsion or other coercive acts from the area in which they are lawfully present, without grounds permitted under international law." Preventing a displaced population from returning could be a "coercive act" leading to forced displacement. This is a crime against humanity if committed on a widespread or in a systematic manner, as part of a deliberate policy by an organized group such as the military councils.
- Under the law of armed conflict, the evacuation of a population during an armed conflict is permitted under limited circumstances, but the evacuated people must be permitted to return once the conflict has ceased. Ordering the displacement of a civilian population, the wanton destruction of civilian property, and the collective punishment of civilian populations can amount to war crimes.
- Libya's transitional government, as well as the Misrata authorities and local military commanders, are under an international obligation to prevent and investigate such crimes, and to facilitate the post-conflict return of civilian populations to their homes, Human Rights Watch said. Military and civilian officials with command responsibility, who fail to stop these ongoing crimes, could find themselves investigated and prosecuted domestically or by the International Criminal Court.
- "The new Libya is not a safe place if you are from Tawergha, Tomina, or Kararim," Bouckaert said. "Some Misrata militias took up arms to get rid of oppression, and they are now bringing it back by oppressing others."
- **Evidence from Tomina and Kararim**

Human Rights Watch interviewed six residents of Tomina and Kararim separately, and dozens more in four groups. They all said that Gaddafi forces were present in their villages during the siege of Misrata in April and May 2011. They said that Gaddafi forces ordered the mass evacuation of both villages on May 12, giving residents a few hours to leave their homes.

Most Tomina and Kararim residents fled with just a few of their possessions, residents said, leaving their livestock behind. Because of fierce fighting at the front line between their towns and rebel-held Misrata, and the control exerted over their area by Gaddafi forces, the residents said they had no choice but to flee southward into Gaddafi-held areas, such as al-Hisha, Wadi Zam-Zam, and Sirte.

Most of the village residents remain displaced in these areas today, living in extremely difficult conditions, because Misrata officials refuse to allow them to return home.

- "Mustafa" (not his real name), a 40-year-old farmer from Tomina who now lives in a tiny rented apartment in Sirte, explained to Human Rights Watch that 35 people from six families had lived together on a 10-acre farm in Tomina. He said that when Gaddafi forces arrived at the beginning of the siege of Misrata in April, they let the families stay, but said the families would be held responsible for any shooting from the area of the farm. Because of ongoing fighting, the families decided to flee on April 14. "We couldn't move toward [rebel-held] Misrata because of the heavy fighting on the front lines," Mustafa said. "The only direction to leave was [south], so we all left and came to Sirte."

Mustafa said his family left behind some 250 sheep, representing virtually their entire wealth. After the war, the family members returned home, Mustafa said, but a Misrata militia forced them to the Emirates Apartment building outside Tawergha and told them they needed written permission from all their neighbors before they could go home. Three neighbors gave their permission, but a fourth, whose son had fought with the rebels and was killed, refused to sign.

- "Ahmed" (not his real name), 45, a farmer with three children, told Human Rights Watch that his family fled their five-hectare farm in Tomina, owned by his family since 1966, on May 13, fleeing toward Sirte. "We didn't flee in this direction because we were loyalist; it was impossible to cross the front line, so we had to flee [south]," he said. In late January, Ahmed was living in the Emirates Apartment building. The Military Council in Kararim refused to allow him and his neighbors to return home, he said:

I have been here since November 24. None of us can go back to our land. If I try to go back to my farm, they will arrest me and send me to prison. They say we are displaced traitors. There is a security committee in Kararim, and they refuse anyone permission to return. Everyone who tries to return is refused. Even those who are living in Misrata cannot go back to their farms.

- Ahmed said he tried once to return home from Sirte but Misrata officials stopped him at the 80-kilometer checkpoint, and took him to the Emirates Apartment compound, which he and others were rarely allowed to leave:

I came back from Sirte in my own private car [on November 24]. At the [80-kilometer] checkpoint, the officials stopped us and took us here to the apartments. They only allow us to leave this place in the cars of the [militia guarding us], not on our own. The militia brings us food, but it is very basic, no meat or fruits.... We have lost everything – our cars, houses, land, agricultural machines, household properties, and animals. And all of this [looting and destruction] took place after the liberation, not during the war.

- "Ibrahim" (not his real name), a 60-year old man from Kararim with 12 children, said he had rented a farm from the government since 1948. When Gaddafi came to power in 1969, his family was granted title to the land, he said. He told Human Rights Watch what happened in the first half of 2011:
- Between February and May things were fine. The soldiers didn't stay on my farm; they were about two kilometers away, so we were in the middle. I didn't give the soldiers any information about my neighbors, and they didn't demand any food.

On May 12 the army came to my place and ordered me to leave. We left in my own cars; we just took a few clothes and left everything else behind. We were given no time; they ordered us to leave right then and there. We thought we would just be gone for two or three days and go back, so we didn't take anything. So we went to al-Hisha...

We haven't tried to go back because of the checkpoints. Only the city of Misrata has all of these checkpoints[surrounding the city], and the checkpoint officials do not allow our people through them. Even if I try, I'd have to go live in a burned-out house. They looted everything. I also lost 150 sheep, 7 cows, and 3 horses. But even now, if I had the choice, I would return, even though the houses are burned. All of us just want to return.

### [One Libyan in three wants return to authoritarian rule - Africa - World - The Independent](http://www.independent.co.uk/news/world/africa/one-libyan-in-three-wants-return-to-authoritarian-rule-6950631.html)

<http://www.independent.co.uk/news/world/africa/one-libyan-in-three-wants-return-to-authoritarian-rule-6950631.html>

## • One Libyan in three wants return to authoritarian rule

[Alistair Dawber](#)

Thursday 16 February 2012

- Almost a year after the start of the Libyan uprising that led to the ousting and killing of Colonel Muammar Gaddafi, new research suggests more than a third of its citizens would rather return to being ruled by a strongman than embrace democracy.

Despite thousands of deaths in the revolt against Colonel Gaddafi's 40-year rule, fewer than a third of Libyans would welcome democracy, according to the study published by the Institute of Human Sciences, at the University of Oxford, and Oxford Research International.

- Libya is traditionally a tribal society and there are concerns that the vacuum created by Colonel Gaddafi's removal in October could lead to clashes between the factions that toppled him. In recent weeks, medical and human-rights groups have complained that the situation in parts of country is getting out of control.

The deaths of 12 detainees who lost their lives after being tortured by the various militias running law and order in towns and cities across country are documented in an Amnesty International report released today. The study follows

last month's decision by Médecins sans Frontières to halt operations in Misrata after being asked by officials to treat prisoners midway through torture sessions, allowing authorities to abuse the victims again.

- Still, the survey found 35 per cent would still like a strong leader in five years' time, although more than two-thirds wanted some say in future governance.

"Although there appears to be a push for an early election, the population seems to be happy with the National Transitional Council [NTC]," Christoph Sahm, director of Oxford Research International, said.

"Perhaps more significantly, Libyan people have not yet developed trust towards political parties, preferring a return of one-man rule. Yet they have also resoundingly said they want a say in how their country is run, which suggests Libyans who have had autocratic rule for decades lack the knowledge of how a democracy works and need more awareness of the alternatives to autocratic government."

- While trust in the NTC will be welcomed by Western backers - 81 per cent of Libyans expressed faith in the new administration that helped defeat Colonel Gaddafi - 16 per cent said they were ready to resort to violence for political ends.

The figures are borne out by the Amnesty report, 'Militias threaten hopes for new Libya,' which points to evidence of war crimes being committed against Gaddafi loyalists. Its authors found that torture or ill-treatment was being perpetrated in 10 out of 11 detention centres they visited, with several prisoners saying they had offered false confessions to rape and other offences simply to end their ordeal.

- The bodies of the 12 men who died were covered in bruises, wounds and cuts, Amnesty said, and some had fingernails and toenails pulled out.

"Militias in Libya are largely out of control and the blanket impunity they enjoy only encourages further abuses and perpetuates instability and insecurity," said Amnesty's Donatella Rovera. "Militias with a record of abuse of detainees should simply not be allowed to hold anyone and all detainees should be immediately transferred to authorised detention facilities under the control of the National Transitional Council."

### [Document - Militias Threaten Hopes for New Libya | Amnesty International](http://www.amnesty.org/en/library/asset/MDE19/002/2012/en/608ac5a8-95d0-4a3b-89de-b4a1b585feee/mde190022012en.html)

<http://www.amnesty.org/en/library/asset/MDE19/002/2012/en/608ac5a8-95d0-4a3b-89de-b4a1b585feee/mde190022012en.html>

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## • 1. INTRODUCTION

**'The lack of oversight by the central authority creates an environment conducive to torture and ill-treatment'**

Navi Pillay, UN Commissioner for Human Rights, 26 January 2012

Lawlessness still pervades Libya a year after the outbreak of the uprising which ended 42 year of Colonel Mu'ammār al-Gaddafi's repressive regime. Hundreds of armed militias, widely hailed in Libya as heroes for their role in toppling the former regime, are largely out of control. Their actions, and the refusal of many to disarm or join regular forces, are threatening to destabilize Libya, hinder the much-needed building of accountable state institutions based on the rule of law, and jeopardize the hopes of millions of people who took to the streets a year ago to demand freedom, justice and respect for human rights and dignity.

Hundreds of armed militia groups, established at local levels during the fighting, continue to operate largely independently of the central authorities, often effectively controlling specific areas or neighbourhoods. Some militia members have a military background but most were civilians. Militias have established sometimes fluid networks of co-operation. Frequent armed clashes between different militia groups have caused death and injury among fighters and uninvolved bystanders.

In 2011, thousands of mainly young men took up arms under the banner of the National Transitional Council (NTC) – the loosely structured opposition leadership formed at the end of February – to overthrow the old order. After opposition fighters, backed by NATO strikes took control of most of the country in late August, the NTC failed to get a grip on these militias. Despite pledges to bring to justice those who committed war crimes and human rights abuses on both sides, the authorities have so far failed to take action against suspects who fought with the NTC forces, sustaining a climate of impunity for human rights abuses.

- Militias took captive thousands of suspected al-Gaddafi loyalists, soldiers and alleged foreign "mercenaries", many of whom were tortured or ill-treated in custody, in some cases leading to death. Scores of suspected al-Gaddafi loyalists were unlawfully killed following capture, among them the ousted Libyan leader himself and one of his sons. Militias also looted and burned homes and carried out revenge attacks and other reprisals against alleged al-Gaddafi supporters, forcibly displacing tens of thousands of people.

Militias also continue to seize and detain people, outside any legal framework, and hold them in secret detention centres before handing them over to other facilities run by officially or semi-officially recognized military or security entities. The captors do not identify themselves, though the name of the militia is often daubed on their vehicles, and no indication is given to their relatives as to their destination. Despite releases, thousands of detainees remain held

without trial or any means to challenge the legality of their detention.

- In January and early February 2012, Amnesty International delegates interviewed scores of victims of torture who were held in and around Tripoli, al-Zawiya, Gharyan, Misratah, and Sirte, as well as several families of people who died in the custody of militias after they were tortured. Detainees told Amnesty International that they had been suspended in contorted positions; beaten for hours with whips, cables, plastic hoses, metal chains and bars, and wooden sticks; and given electric shocks with live wires and taser-like electro-shock weapons. The patterns of injury observed were consistent with their testimonies. Medical reports confirmed the use of torture on several detainees who had died. Most of the militia-held detainees interviewed were Libyans suspected of having supported or fought on behalf of al-Gaddafi forces during the conflict. Hundreds of foreign nationals, mostly sub-Saharan Africans, also continue to be detained, often for no more than having entered Libya irregularly and regardless of the fact that they may be entitled to international protection, and some of them said they were tortured.
- Detainees are often tortured immediately after being seized by militias and subsequently during interrogation, including in officially recognized detention centres. To date, detainees have not been allowed access to lawyers, except for rare cases in eastern Libya. Several told Amnesty International that they had confessed to crimes they had not committed just to end the torture.

Some detainees were too scared to speak – fearing further torture if they did so – and were only prepared to show Amnesty International delegates their torture wounds. Human rights defenders, prosecutors, doctors and many others, including militia members opposed to such abuses, told Amnesty International delegates that they were too afraid to speak publicly about militia abuses they had witnessed. Their fears are justified – people who lodged complaints about abuses reported receiving threats or being attacked by militias.

- The Libyan authorities have been alerted on numerous occasions to the ongoing abuses by militias. In May 2011 Amnesty International submitted a memorandum to the NTC detailing patterns of abuses by then opposition fighters, including torture of detainees and deliberate killings of captured fighters and detainees. In September and October 2011, Amnesty International published two reports which described abuses by militias, including torture that it had investigated in previous months. On 26 January 2012, Medecins Sans Frontieres (MSF) suspended its work at a clinic in a detention centre in Misratah because of ongoing torture of detainees during interrogations. The same day, Amnesty International reported recent incidents of death in custody and torture in Tripoli, Misratah and Gharyan. The Prime Minister and Deputy Prime Minister announced that more detention centres would be brought under the control of the authorities and promised to investigate the reported abuse, whereas Ibrahim Betelmal, the head of one of the interrogation centres in Misratah where detainees are frequently tortured, accused both organizations of being supporters of the al-Gaddafi regime. He did, nevertheless, acknowledge that there “may have been a few cases of former rebels taking revenge”, but insisted that he had not given orders to torture. Also on 26 January 2012, the UN Commissioner for Human Rights, Navi Pillay, expressed concern that “the lack of oversight by the central authority creates an environment conducive to torture and ill treatment” and called on the Libyan authorities to take control of all makeshift prisons to prevent further atrocities.
- However, the NTC-led transitional government appears to have neither the authority nor the political will to rein in the militias, many of which are reluctant to disband or submit to the central authority. The authorities have been unwilling to recognize the scale of militia abuses, at most acknowledging individual cases despite the mounting evidence of patterns of grave, widespread abuses in many parts of the country. This, together with a lack of action to hold perpetrators to account, is sending the wrong message to the militias and encouraging further abuses. Indeed, the failure of the authorities to even begin to investigate with a view to bringing to justice former anti-Gaddafi fighters responsible for war crimes during the conflict and human rights abuses has perpetuated the climate of impunity for such crimes.
- Amnesty International welcomed the NTC’s publicly stated commitment to respect international human rights law, and its calls on supporters to treat captives with dignity and to avoid revenge attacks and other reprisals. In response to an Amnesty International report in September 2011, the NTC pledged to put “its efforts to bring any armed groups under official authorities and will fully investigate any incidents brought to its attention.”

This pledge has not, however, been fulfilled and no action has been taken to investigate even the most serious abuses committed by former opposition fighters and militias and to bring those responsible to justice. For example, no investigation has been carried out into the killing of some 65 civilians and al-Gaddafi loyalists whose bodies were found on 23 October 2011 in the Mahari Hotel in Sirte, despite clear evidence identifying some of the perpetrators. Similar impunity has been apparent in other cases highlighted in this report involving people who were tortured to death, even though the prosecutors have seen the scarred bodies of the victims, families have lodged complaints, and Amnesty International and others have publicized the cases.

- After four decades of widespread human rights abuses and authoritarian rule under Colonel al-Gaddafi, the new Libyan authorities face the daunting task of establishing a proper foundation for the rule of law and respect for human rights. Under the previous regime, most opponents were silenced, in prison or in exile. Draconian legislation outlawed dissent and the establishment of independent organizations. Hundreds of political prisoners were detained arbitrarily. Special courts sentenced opponents after grossly unfair trials. Impunity for torture, extrajudicial executions and enforced disappearances was deeply entrenched. During the eight-month conflict in 2011, al-Gaddafi forces executed many prisoners in their custody and committed war crimes and other human rights abuses. Thousands of people lost their lives fighting to overthrow the government, some slaughtered in groups after they had been rounded up by soldiers. Many of those in today’s militias suffered under the old regime and saw their friends and relatives die in the conflict; some of them want revenge or to exact vigilante-style justice.
- Confronting the militias, holding them to account for their actions and enforcing the rule of law are undoubtedly hugely difficult challenges for the NTC, which itself is an interim body without the authority of a democratic mandate. Elections, if they happen on schedule, are due to take place in June 2012. The authorities are also confronted by continuing fighting between rival militias in what appear to be battles to carve out fiefdoms and areas of control.
- An ultimatum of 20 December 2011 set by the government for militias to leave Tripoli has been ignored and programmes for integrating members of militia into regular forces are making slow progress. The authorities must ensure that those who have committed or acquiesced in human rights abuses are excluded and not placed in positions where they could repeat their abuses. Those who are suspected of having committed war crimes and serious abuses must be excluded pending investigation and prosecution.
- Another challenge is to tackle the widespread discrimination and xenophobia against sub-Saharan Africans and dark-



skinned Libyans from Tawargha and other parts of Libya where support for al-Gaddafi forces during the conflict was reportedly high. The 30,000 residents of the town of Tawargha, who were forcibly displaced during the conflict, are still barred from returning to their town, where their homes have been looted and burned down. They remain in poorly resourced camps in Benghazi, Tripoli and elsewhere in Libya and face an uncertain future. So far the NTC has been unwilling to take on the militias and local authorities in Misratah who are determined not to allow the residents of Tawargha to return home. Similarly, thousands of people have been evicted or fled their homes in the Nafusa Mountains, mainly people from the Mshashiya and Qawalish tribes, as well as in Sirte and Bani Walid, and remain targeted by militias because of their alleged support for al-Gaddafi forces during the conflict.

- It is crucial that the new authorities take concrete steps to show all Libyans that the four decades of repression and widespread human rights abuses are over, and that everyone will be equally protected by the law. They must make it clear that torture, revenge attacks by militia or any other forms of human rights abuse will not be tolerated and that perpetrators will be held accountable – regardless of their political affiliation or other role or connections. Among other things, Amnesty International urges the authorities to:

Enhance efforts to rein in militias and establish security forces that are trained to respect human rights.

Order the closure of all unofficial places of detention, including those in the headquarters of militias; establish mechanisms to bring all places of detention under the control of the authorities; and ensure effective oversight over detention procedures and practices.

Notify detainees' families of where they are detained and ensure that all detainees are allowed access to lawyers.

Ensure that prompt investigations are carried out into all known or reported cases of torture and other ill-treatment; and where there is sufficient admissible evidence; bring suspects to justice in fair trials and without the possibility of the death penalty.

Ensure that people who have been forcibly displaced are allowed to promptly return to their homes and that their safety is guaranteed and that they receive redress, including compensation and assistance to rebuild their homes and their lives.

## • About this report

This report is based on findings by an Amnesty International research visit to Libya in January and February 2012, during which the organization's delegates carried out research in and around Tripoli, al-Zawiya, the Nafoussa Mountains, Misratah, Sirte and Benghazi. Delegates visited 11 detention facilities in central and western Libya used by various militias to hold people; several locations were visited more than once. Delegates were told that at 10 of these locations, detainees were tortured or ill-treated, and at seven of the locations were shown injuries resulting from recent abuse. At one detention centre, an Amnesty International delegate witnessed detainees being beaten and threatened.

Amnesty International delegates met detention administrators, hospital staff, doctors, lawyers, detainees, former detainees, relatives of people killed or abused in detention, as well as militia members and representatives of the Libyan authorities.

Some names of individuals whose cases are included in this report, as well as the names and exact locations of some detention facilities and some militia, have been withheld to protect people from reprisals.

## • 2. DETENTIONS OUTSIDE LEGAL FRAMEWORK

**"(...) No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law."**

International Covenant on Civil and Political Rights (Article 9.1)

Thousands of detainees remain held in scores of detention facilities in Libya where torture is rife, resulting in several known deaths. The exact numbers of detainees and detention centres are not known. The International Committee of the Red Cross (ICRC) reported in December that since March it had "visited over 8,500 detainees in about 60 places of detention." Most detainees are believed to be held in and around the cities of Tripoli and Misratah.

In early February 2012, some 2,400 detainees were reportedly in detention facilities under the control of the judicial

authorities. However, the majority of detainees remain held by officially recognized military and security entities and by militias operating outside the law.

## • Arbitrary detention

During and in the weeks after the conflict, militias focused almost entirely on detaining suspected al-Gaddafi supporters and soldiers, including suspected foreign "mercenaries" – most of whom were in fact migrant workers. Since then, militias have also been detaining criminal suspects, also outside the legal framework. In Tripoli and Sirte, Amnesty International spoke to detainees accused of theft, drinking alcohol and being involved in fights. In both places, those in charge of the detention centres told Amnesty International that these detainees would be released shortly because "their offences were not serious". It was not clear on what basis the militias decide how long such detainees will remain held. As well, there have been allegations of militias detaining people in order to extort money from them or their families.

- On 29 November 2011, the Interior Ministry issued a decree prohibiting arrests and interrogations of detainees by "revolutionary brigades" – i.e. militias. However, this decree continues to be widely ignored. Members of militias who have not been integrated into regular forces told Amnesty International that they continue to detain people, including at the request of the police. Virtually all detainees and former detainees interviewed by Amnesty International were never shown an arrest warrant; a few said that they had been shown documents issued by the militia detaining them.
- As a state party to the International Covenant on Civil and Political Rights (ICCPR), Libya is obliged to prevent arbitrary arrest and detention and to allow anyone deprived of their liberty an effective opportunity to challenge the lawfulness of their detention before a court (Article 9 of the ICCPR). It must ensure that those arrested are promptly informed of any charges against them. Those charged must be brought before the judicial authorities within a reasonable time. Libya's Code of Criminal Procedure sets 48 hours as the limit for referring suspects to the General Prosecution, extending the limit to seven days for "offences against the state".

Some safeguards against arbitrary arrest and detention are included in Libyan law. For instance, Article 14 of Law No. 20 of 1991 on the Promotion of Freedoms stipulates: "No one can be deprived of his freedom, searched or questioned unless he has been charged with committing an act that is punishable by law, pursuant to an order issued by a competent court, and in accordance with the conditions and time limits specified by law". Other safeguards include the requirement for security officers to hold a warrant from the competent authority when arresting or detaining a suspect (Article 30 of the Code of Criminal Procedure), the requirement to detain suspects only in "prisons designed for that purpose" (Article 31), and the right of detainees to challenge the legality of their detention (Article 33).

## • Unauthorized interrogations

At several detention centres visited by Amnesty International delegates in January in western and central Libya, interrogations were conducted by self-appointed "judicial committees" which operate as a sort of parallel prosecution, outside the legal framework, but have acquired de facto competence to decide on the release or ongoing detention of detainees.

Members of these "judicial committees" said that they had to take on the task of prosecutors because the judicial system was not working. Indeed, the "judicial committees" have been frequently referred to as the "prosecution" by both the administrators of detention centres and detainees. Many members of these "judicial committees" appeared to have a legal background, though not necessarily any prosecutorial experience and appear to work closely with the leadership of the militia or any other entity in control of the particular detention centre.

All interrogations of detainees by members of such "judicial committees" have been conducted without the presence of defence lawyers and many detainees told Amnesty International that they had been coerced into giving self-incriminating testimonies. Members of such "judicial committees" expressed their expectation that testimonies and possibly other evidence gathered by them would constitute the basis for prosecution.

## • Coerced confessions

Amnesty International interviewed several detainees who were presented by the administrators of detention centres as having "confessed" to rape during the conflict. When speaking to the detainees in private, some were clearly unaware of such allegations against them and most said that they had been coerced into "confessing" to them. Some clearly feared that withdrawing their "confession" would result in further torture. Some were too scared to talk and just pointed at visible traces of abuse on their bodies. Many detainees who had signed a "confession" stated that they did so without having read it.

A 23-year-old soldier, **A1**, was detained in Tripoli in early September 2011 and directly transferred to Misratah. There, he was coerced to "confess" to having committed rape during the conflict. Amnesty International was allowed to examine his testimony, which had been signed in October. It contained the names of several soldiers with whom A1 had allegedly raped women on several occasions. However, according to an interrogator at the detention facility, none of the named soldiers has so far been detained. When Amnesty International delegates met A1 in private, he was terrified that the conversation could be overheard. However, he stated that he did not commit the crimes he had "confessed" to and explained that he had been severely beaten at the time of his "confession".

- **A 2**, a 28-year-old soldier, was detained by a militia in mid-September 2011 in Tripoli, where he was held and tortured for about three weeks before being taken to Misratah, where he was tortured again. He remains held there. When Amnesty International delegates met him in private at the detention centre, he said that because of the torture he suffered in detention in Misratah, he testified that he had witnessed other soldiers committing crimes during the conflict. He stated that during the interrogation sessions he was beaten with a hose and a stick, including on his chest, and as a result could not eat for several days. He also showed Amnesty International delegates scars of burn injuries on both of his legs and his right arm. He said that he had been blindfolded when he was burned, and that he could not read the statement that he signed. Amnesty International delegates were allowed to examine A2's testimony – about 20 handwritten pages. It included several names of people who had allegedly committed war crimes, including killing of prisoners and rape.

The judicial authorities have taken control of several detention centres, including the dossiers on detainees produced on the basis of interrogations by "judicial committees". They should publicly declare that incriminating testimony recorded by any unauthorized bodies, including "confessions" that may have been obtained under coercion, will not be accepted as evidence in any future trial of anyone. Fundamental fair trial rights include "the right not to be compelled to testify against oneself" (Article 14.3 of the ICCPR).

- **'Shuttling' detainees between militias and unlawful places of detention**

Various militias are operating discrete and sometimes fluid networks of co-operation. At some detention centres, those in charge named other militias with which they were mainly co-operating, including with regard to the seizure, detention and interrogation of people.

Numerous militias have established bases at different locations. Particularly in Tripoli, an unknown number of militias from outside the capital have established a presence, enabling them to detain people at different locations. Many detainees told Amnesty International that they had been held at a number of locations, and their transfer often lasted several hours. Upon arrival at each new place of detention, some in secret locations and some in squatted houses of perceived or real supporters of al-Gaddafi, detainees were often beaten with sticks or the butts of rifles, or otherwise tortured and ill-treated, and sometimes given electric shocks using taser-like instruments.

- Interrogations are not necessarily conducted at the location where detainees are held the longest. In fact, many detainees expressed fear of being taken for interrogation to other locations that have a reputation for abuse. Although MSF had a clinic in the only detention centre in Misratah where detainees say there is no torture or ill-treatment they suspended their work there after 26 January 2012 because they said that detainees were being brought to them for medical care in order to make them fit for further abusive interrogation elsewhere. MSF said that on 3 January its staff had treated a group of 14 torture victims who had been returned to the jail from an interrogation centre. The need for further essential medical care was refused by those responsible at the interrogation centre and 13 of the detainees were again taken away for further interrogation.
- At two interrogation centres in Misratah visited in January run by the Security Committee and the National Military Security, Amnesty International delegates challenged those in charge of interrogations about the abuses of detainees who had visible and extensive torture wounds. They were told that the detainees had been delivered in this condition by the militia that had detained them and acknowledged that the identity of those who brought in the detainees had not been recorded.

However, while some of the detainees confirmed that they had indeed been tortured and abused by the militias who first detained them, others said that they had been tortured in the interrogation centres themselves. Their allegations were supported by the fact that they had been held in the interrogation centres for weeks and that they had fresh injuries and torture marks.

- As well, detainees are sometimes abused or tortured by militia members who enter the detention centres. The authorities in charge of the detention centres are generally unable or unwilling to intervene to stop and prevent the attacks. For example, on 29 January 2012 at the Wahda detention centre in Misratah, which is now supposedly under the authority of the Ministry of Justice, Amnesty International observed three militia men beating and threatening some detainees whose release had been ordered and who were waiting in the courtyard to leave. One of the militia men kept kicking and threatening to kill an older detainee who was cowering, squatting against the wall, and crying. When the Amnesty International delegate challenged him, he responded that "those Tawargha must not be released or we'll kill them".

- **3. TORTURE AND OTHER ILL-TREATMENT**

**'Two live wires were connected to the toes of my feet... They gave me electric shocks six or seven times.'**

A 22-year-old graduate in computer science, speaking to Amnesty International in January 2012 about the torture he suffered the previous month

After areas of Libya came under NTC control, militias took captured individuals to makeshift detention centres where detainees were particularly vulnerable to torture and other ill-treatment. Since then, people detained by militias are also held at detention centres under the control of the judicial authorities; these include Jdeida Prison, Maftuh Prison and Ain Zara Prison, all in Tripoli.

- Torture and ill-treatment appear to be most common in the first days of detention, but in many cases the abuse continues for much longer. Many detainees told Amnesty International that they had been beaten, including with sticks, whips and rifle butts. Several said they suffered other forms of torture, including electric shocks, burns, and threats of rape or death. Forensic examinations of some of those who died in detention provide further evidence that such methods are still being used. In none of the cases highlighted below or documented in previous reports has any effective investigation been carried out and none of the perpetrators has been brought to justice, even though in several cases there is strong evidence not only of the abuses committed but also of the identity of the abusers and/or their commanders.
- **T wo brothers** and several other friends were abducted in and around the capital on 30 January 2012 by members of a well-known Tripoli militia, the Suq al-Jumaa brigade. A relative repeatedly asked the militia about the whereabouts and fate of the two brothers and then lodged a complaint with the police who was himself abducted on 3 February 2012 and severely beaten and threatened. Though the militia confirmed holding the two brothers, their whereabouts and conditions have not been clarified.

On 5 February 2012, an Amnesty International delegate visited the militia's headquarters at Ma'atiga airport seeking to establish whether these and other people were detained there. Members of the militia said that there were no detainees in their jail and took the delegate to another of their detention centres where, according to the register, only few people were being held for petty common offences. The delegate returned to the Ma'atiga headquarters and saw that a small group of detainees were being brought back to their cells in the detention centre. It became clear that they had been moved to another section behind a heavy metal door and told to keep quiet when the delegate first arrived. Most of the inmates bore marks of torture on their legs, backs and buttocks. One clearly terrified detainee, who the militia had continued to try to conceal, had been badly beaten on his face, body and hands. Guards said that the men had not been beaten in the jail but in the interrogation building across the courtyard. All the detainees were held for common-law offences; some said that they had indeed committed the offences, while others protested their innocence.

- B1 is a 29-year-old former soldier who lives in Tripoli. He gave Amnesty International pictures of his torture wounds and described what had happened to him:

*"On about 3 November I was with my cousin in the Gorji area of Tripoli visiting a friend. We were walking in the street and wanted to catch a cab to get back to the house of my brother in the Abu Salim Mashrua area of Tripoli. Suddenly, two armed men whom we did not know walked up to us and forced us into their vehicle. It was a small bus and 'Thuwar Jabal Nafusa' [Revolutionaries of the Nafusa Mountains] was written on it... We were blindfolded and taken to an unknown location that was apparently previously used as a workshop.*

*" At this location there were four more men who were with them. I was accused of having fought with al- Gaddafi's forces. I told them that I had not returned to the troops since March.*

*" Then they forced me to lie on my back on a bed and my hands and legs were tied to the frame. In this position was beaten with fists on my face. Then they beat me with a plastic hose on my feet. Later, I had to turn around face - down and was tied again to the bed. In that position, I was beaten again with a hose on my back and on the head. I was also subjected to electric shocks to various parts of my body including my left arm and chest. The instrument they used was a black stick about 50cm long. My cousin was also subjected to electric shocks.*

*" The torture lasted until about 3am . Then they put us in a vehicle and drove us back to the road to Tripoli , where they left us."*

- B2, a 22-year-old security guard working for a company in Tripoli, described his torture in a militia's detention centre in Tripoli. He told Amnesty International that he and three of his fellow security guards were detained at their homes by militia on 2 October and taken to a detention centre in the Abu Sitta area of Tripoli. They were accused of killing a member of the militia. B2 said that he was beaten with a stick, suspended upside-down and subjected to electric shocks. A week later he was transferred to a detention centre in Suq al-Jumaa, where he was held for three weeks and also beaten. Subsequently, he was held at Ain Zara Prison until the release of all four was ordered on 23 December 2011. However, following protests against their release, B2 was re-detained on 26 December 2011 and taken to the detention centre of another militia, where he was hit and insulted. On 30 December 2011, he was beaten on the soles of his feet (the torture method known as falaqa). He said:

*"They took me to an office upstairs where they tied my legs to a stick and began beating me with a hose on the sole of my feet ... I was not blindfolded and could see those involved in beating me. There were about six guards – including the two who subjected me to falaqa."*

Several people taken to a militia's detention facility in Janzur near Tripoli described their treatment there to Amnesty International.

- B3, a 40-year-old former police officer, married with three children, who had already been detained by militia in early December 2011, explained what happened when he was held there for one day in January 2012:

*"On 19 January at about 9am a group of armed men came to my home in Janzur. They handcuffed me and took me to the soap factory. I was taken for interrogation on the first day. I was beaten with a belt and with a stick. They mainly hit me*

*on the shoulder and back. This lasted for about 30 minutes. However, there are no more traces left."*

B4, aged 23, who showed an Amnesty International delegate bruising still visible on his lower left leg, said:

*"On 18 January at about 6am I was stop ped while driving near the head quarters of the local militia in Janzur. They took me to the offices of their head quarters. They accused me of having stolen goods, but I was delivering those goods as a driver. Then they said I was driving an unlicensed car. About 15 minutes after our arrival, they took me to another room where I was told to stand with my face against the wall. There were several men in the room, maybe up to seven. They beat me with a belt and with a stick. One stick broke from the beating. After about one hour the beating stopped."*

Another man held at the same detention facility, 22-year-old B5, a graduate in computer science and a member of a family of perceived al-Gaddafi supporters, told Amnesty International that on 29 December 2011, at about 10am, he and his brother were taken from their family home in the Ghot al-Shaal neighbourhood of Janzur by members of a militia. B5 said:

- *"They started beating me on the way to the detention centre. They also used swear words. At the de tention centre I was suspended fr om the iron bars of a gate and was beaten with a stick and a cable. This lasted for some hours. Afterwards I was taken to another room for interrogation where they gave me electric shocks. They tied my legs while I was lying on the floor on my back. Two live wires were connected to the toes of my feet. I believe they used the electric current from the socket. They gave me electric shocks six or seven times . Then I was taken to a separate room where I stayed for three days."*

A non-Libyan Arab, B6, a 55-year-old electrical engineer who lives with his Libyan wife in Janzur, still had bruising on his buttocks when he spoke to Amnesty International. He said:

*"On 4 January at about 10pm I was detained by members of the [militia] in Janzur because a Libyan woman with whom I had an argument – and I may have pushed her – had filed a complaint. Although the woman withdrew her complaint against me three days later , I remained in detention. After several days they took me for interrogations. There were three of them in the room and one of them told me that as a foreign national I should behave with Libyan women. The told me to take my trousers down and to lie on the table. Then one of them took a hose and beat me. The bruises on my back parts are still visible. They also kicked and boxed me with their fists ."*

- B7, a 26-year-old cigarette seller, was detained on 9 October by militia at his home in Sirte and taken to the National Military Security in Misratah, where he remains and is subject to frequent beatings. He described how he was treated on 19 January, when he was taken to the interrogation office, where there were several people in civilian clothes:

*"One person took a glass bottle and hit my head. Then the y forced me to sit on the floor and tied my hands to the back. They kicked my head. They beat me all over my body with a hose, with a wooden stick and with a cable used for cars. They wanted information about people I do not know."*

## • **Detainees of Tawargha origin**

People from the Tawargha area, who are black Libyans, are at particular risk of reprisals and revenge attacks by Misratah militias, because the area was a base for al-Gaddafi troops when they were besieging Misratah and because many Tawargha allegedly supported al-Gaddafi forces during the conflict. The number of Tawargha people among the detainees appears disproportionately high and most of those interviewed by Amnesty International said they had been tortured or ill-treated.

B8, a 26-year-old soldier of Tawargha origin, was detained on 26 September 2011 by militia about 20km south of Sirte while travelling with his family to Jufra. That evening he was transferred to a detention centre of Military Police in Misratah, where he remained for two to three weeks. There, he said, he was abused, including by being beaten with a plastic cable. After being transferred to various other detention centres, generally without being ill-treated, he was taken in early January to the detention centre of the National Military Security in Misratah. He told Amnesty International:

- *"This morning [probably 3 January] they came and took me to the interrogation office upstairs. There were about five men in civilian clothes in the office. I was insulted for being from Tawargha. I told them that I was based as a soldier in Sirte and did not participate in the fighting in Misratah. However, they did not believe me. They took turns beating and whipping me. They also beat me on my right hand which is now swollen and on my head. They suspended me from the top of the door by my wrists for about an hour and kept beating me. They also kicked me. I still have pain in my left side. They blindfolded me before they brought me back to the cell."*
- B9, a 45-year-old army officer from Tripoli of Tawargha origin, was abused while held at a militia's detention facility in Tripoli. After the fall of Colonel al-Gaddafi in August, he did not report for duty for some weeks. However, after a public appeal for people to return to work, in October he reported to the military base in Tripoli which had been taken over by a militia with links to Misratah.

"On 2 January 2012 at about 5.30pm I was taken by about 10 armed men – some in camouflage uniforms, others in plain clothes – from my home in the centre of Tripoli. They took me to the base of their [militia] in Tripoli where I remained held for about 24 hours. Upon arrival at the base, I was taken to an office for interrogation. Then they took me to a nearby room where they tortured me. Those involved in the torture took turns – there were about four to six people involved.

"Even before I was asked the first question I was beaten with a wooden stick and a heavy rubber cable while I was tied with one wrist to the iron bar of a window and with the other to a metal locker or cabinet.

"Later they tied me to the metal frame of a bed and beat me again with a rubber cable. The beating caused bleeding injuries and scars are still visible on my body. The beating also dislocated my right shoulder, which needed surgery. Two weeks ago my whole body was covered in bruises.

"They also subjected me to electric shocks through live wires while I was lying on the floor. They put the electricity to different parts of my body – including my wrists and toes. At one point I fainted and they threw water at me to wake me up."

- He said that he believes that the only reason he was detained was that a colleague reported him to the militia for being of Tawargha origin.

B10, a 40-year-old soldier from Tawargha, married with five children, was abused in Dafniya detention centre, near Misratah. He said that he and another soldier from Tawargha were detained by members of a Misratah-based militia on 9 January 2012 at the Tawargha camp near Airport Road in Tripoli:

"On about 9 January two armed men came to the camp where we live in Tripoli... The two men had a document issued by a militia with my name and the name of the other person on it which they showed us. They took both of us initially to a detention centre in Tripoli where we stayed for three days. There was no beating at that place. After three days we were taken to a detention centre near Misratah. We arrived at the detention centre in the evening and two men, one in uniform the other in plain clothes, began torturing us even before asking questions. We were both present when the other one was tortured and they did the same things to both of us. They gave us electric shocks with a taser. They also beat me with their fists and they kicked me while I was lying on the floor. They asked if I was with al-Gaddafi's troops during the fighting. This lasted for about one hour or more. After this they did not beat us again."

## • Detainees of Mshashiya origin

Members of the Mshashiya and from Qawalish tribes in the Nafusa Mountain area have similarly been targeted by militias because of their alleged support for al-Gaddafi forces during the conflict. People from the Mshashiya tribe and Qawalish village are particularly targeted by militias from Zintan.

**B11** is a 20-year-old soldier who originates from the Mshashiya region but lives with his parents in Tripoli. Amnesty International saw him in January 2012 soon after his release from detention when he was being treated in hospital for torture injuries and was hardly able to talk. His elder brother reported:

"On 16 January in the evening about 10 armed men with two vehicles – apparently from a militia from Zintan – came to our family house in Tripoli. The armed men did not show an arrest warrant. There was a man accompanying them [who was apparently related to one of the militia men] and he accused my brother of having pulled a knife on him in an incident that occurred about seven months ago and in which no one was injured. The armed men took my brother away. The next day my father and I looked everywhere for my brother and were finally able to collect him from a detention centre near the Tripoli International Airport. After his release my brother told me that he was initially taken to a farm near the airport where he was abused. He said he was tied to a post and beaten, including on his back, legs and genitals. The armed men who abused him were apparently the same who had taken him from the house."

## • Detainees from Sub-Saharan Africa

People from sub-Saharan Africa who have been detained by militias have been particularly vulnerable to abuse. While many Sub-Saharan Africans were detained during and in the weeks after the conflict because of the belief that al-Gaddafi forces used African mercenaries to fight pro-NTC forces, many are now being held because of their suspected "illegal" status or related issues.

When Amnesty International delegates visited Ain Zara Prison in January 2012, about 400 out of approximately 900 detainees were foreign nationals, mainly from Sub-Saharan Africa. According to the prison administration, about 10 per cent of the foreign nationals were accused of having fought during the conflict. Several Sub-Saharan Africans interviewed by Amnesty International in detention and after release said they had been tortured or ill-treated.

- **B12**, a 36-year-old Sudanese man, was arrested at the drugstore he runs in the Abu Salim neighbourhood of Tripoli.



His friend, also 36 and from Sudan, who was working as a cook, was arrested with him as he was in the drugstore at the time. B12 told Amnesty International:

*"On 22 December at about 3pm a man in plainclothes came to my shop in Tripoli. He came without an arrest warrant and took me and a friend into a vehicle that was waiting. In the vehicle were two Libyans working with him. They took us to the local council of our neighbourhood where we were kept until noon the next day. We were not ill-treated there. On the second day in the afternoon we arrived at Ain Zara Prison. Soon after our arrival we were beaten by a group of 8-10 guards. My friend was punched on his nose by a guard. My friend still has a scar on his left wrist caused by a guard beating him with a stick. We were also beaten with a hard water hose."*

- *"At Ain Zara I shared a cell with my friend, another Sudanese and four other foreigners. There is a special section for foreigners at Ain Zara Prison. On 24 December we were before the interrogators at the prison ... The interrogator proposed that if we wanted to be released, we should collect money from friends so that we could be returned to Sudan. We refused and were sent back to our cell. On about 29 December we were taken again before the interrogators who ordered our release."*

One of the Sudanese men who shared a cell with B12 and his friend, 27-year-old **B13**, described what happened when he was taken to Ain Zara Prison:

*"I was beaten on arrival. One guard beat me on the back of my head – apparently with a hard water hose – and this caused severe bleeding. They took me to the prison clinic where the injury was stitched."*

- All three men were freed on 1 January 2012 and issued with a document signed by the director of Ain Zara Prison, stating that they were released "without bail".

**B14**, aged 25, is an Oromo without nationality. He told Amnesty International:

*"On 8 November I was travelling with a group of foreigners by bus from Benghazi towards Tripoli. There were about 60 people in the bus including Egyptians, Libyans and Somalis. At a checkpoint near Misratah we were stopped and armed men entered the bus. They asked for our identity documents and a group of 10 Somalis and I were told to get off the bus. The bus moved on without us."*

*"We were taken one by one into a room for questioning. When I entered that room there were two men in the room shouting at me. They said things like: 'We do not want you Africans anymore, al-Gaddafi brought you. Now he is gone and you can go home' ... One of them put the magazine of his Kalashnikov next to my head and fired several shots out of the window ... Then they started beating all over my body – including my genitals. They used an elastic black stick to beat me. They also kicked me. The other Africans were also severely beaten."*

*We were held for about 4 days at the checkpoint. On the fifth day they took us to a detention centre in Misratah where we stayed in one room ... we had to stand with our face against the wall. We had to take off our shirts and they beat us with wire cables on our backs. My back was bleeding and at night I could hardly sleep from the pain. After several days they decided to let us go."*

- **B15**, the 19-year-old brother of B14, also shared with Amnesty International the abuse he had suffered:

*"On about 26 October I travelled together with a man from Eritrea from Benghazi towards Tripoli when we were stopped by armed men in Sirte. They held us for three days at a place I do not know in Sirte. We were beaten many times with a plastic cable. ... After three days a man came and took us to a place in the desert where we were told to look after his goats. We were left there for several weeks and did not receive any payment. Finally we decided to run away."*

*"After about three days without food and water we were picked up by a Libyan man. He drove us to a militia in Misratah, told them that he believed we were mercenaries and left us there. We were told to remove our shirts and beaten with a rope on our back. They accused us of being mercenaries. The next day I was taken to a room where they gave me electric shocks to various parts of my body – including my arms and my back. The following night they tied my legs to a chair, forced me to bend over and beat me with a stick on my back. After about one week we were told to go. Luckily, I had hidden some money in a sock so we could make our way to Tripoli."*

- Members of militia have also abused foreign nationals without arresting them. For example, a Sudanese man told Amnesty International that in November 2011 he was stopped by armed men on his way from Benghazi to Tripoli. He and other foreign nationals from Africa were accused of having no legal status and threatened. Some were hit.

The NTC has promised to respect Libya's obligations under international human rights law. Libya is a state party to the ICCPR and the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and as such the authorities must prevent torture, investigate whenever there are reasonable grounds to suspect acts of torture and other ill-treatment have occurred – even when no official complaints have been made, bring those responsible to justice, and provide reparation to victims. The authorities are also required to take concrete measures to prevent torture and other ill-treatment, including by granting independent bodies the right to monitor the situation

of detainees in all prisons and other places of detention. In both respects, the transitional government has failed to fulfil its obligations.

## • 4. DEATHS IN CUSTODY

**The post-mortem found bruise marks in parallel lines across the body; marks of electric shocks; two nails missing on the left hand; burn marks on the forehead, right forearm and left wrist; bruising around both ankles; and severe abrasions on the soles of the feet.**

Report into the death of Fakhri al-Hudairi al-'Amari, who died on 19 November 2011

Amnesty International has detailed information about at least 12 abused detainees held by militias who have died since September 2011 in their custody or in hospital within hours of being taken there from detention. Amnesty International has seen forensic reports or spoken to examining doctors about nine of these cases. In all, bruises or other evidence indicating torture or other ill-treatment was found and in several cases the forensic examination concluded that death was caused by the abuse. In at least 10 of the cases, the authorities have been informed of the deaths. Eight of these cases happened more than three months before the writing this report, and no effective measures have been taken to bring the perpetrators to trial. Relatives of several of the victims told Amnesty International that they were deeply upset that the authorities had failed to take appropriate action to investigate the death and hold those responsible to account for their crimes.

- **C1**, aged 36, a factory worker from Tawargha who was married with three children, died within a day of being detained on 12 September 2011 in Tripoli by a militia from Misratah. The militia stopped him and some of his relatives in their car. The female relatives and children were ordered out, and then the militia drove off in the car with C1. One witness said the car was initially stopped by about five armed men, then more armed men arrived. Another said that one of the militia's vehicles had launchers for rocket propelled grenades and the name of a Misratah-based militia written on the side. Until the family found his body about one month later at a hospital in Tripoli they had no knowledge about his fate.

Forensic examination found patterns of injuries showing that he had been beaten with instruments and indicated that he had died as a result of abuse. The family submitted a complaint to the police, but no effective investigation into the circumstances of his death had been conducted.

- **Abdelhakim Milad Jum'a Qalhud**, a 50-year-old school director married with seven children, from the town of al-Qarabuli, east of Tripoli, was detained at his home on 16 October 2011 at about 10pm by members of the local militia. In the following days he was seen twice by doctors. On the first occasion, members of the militia took him to Qarabuli Hospital where he complained of pain in the abdomen and could hardly speak. On the second occasion, a doctor was called to the detention centre where he found the patient unable to speak or move. On both occasions doctors found multiple bruises all over his body and urged hospital treatment. The militia ignored the medical advice and on 25 October 2011 armed men delivered his body to the local hospital. His family, who had been told by militia on his arrest that he would be returned the same night after questioning, heard no further news until 26 October 2011, when they were told he had died. Forensic examination found patterns of injuries showing that he had been beaten with instruments and concluded that he died as a result of abuse. The forensic report described abrasions and bruising on the upper and lower limbs, back and genitals, and ligature marks on both wrists. The prosecutor went to the hospital to see the body.
- **Fathi Imhamed Ali al-Heimer**, aged 26, was seized by a militia as he approached a mosque near his home in Tripoli on 5 October 2011. The next day, at 10pm, the militia went to his home and also took his brother to a detention facility in the militia's headquarters. The brother told Amnesty International that he was placed in a cell with his brother, who had by then already been badly beaten on his face and body. The militia then beat Fathi in front of him. He said he was not himself beaten much, but was given electric shocks – four times on the first day. On his second day there, he said the militia took Fathi out for 10 minutes or so and beat him again. Fathi's brother was released after six days, but Fathi remained in detention.

Their father went to the militia's headquarters and at first he was told that Fathi was there but visits were not allowed. About three weeks later he was told that Fathi had been moved to Zintan and then to Al-Qalaa, near Yefran. The father went to the local militia headquarters in both places but could not find him. A nurse then told the family that Fathi's body was in the morgue of Tripoli's Central Hospital. The family told Amnesty International that the body bore deep bruises all over and burn marks from electric shocks. According to the death certificate Fathi's hands and feet were bound when his body had been brought in by the al-Qalaa local council. The family lodged a complaint with the police who, according to the family, forwarded it to the military prosecutor in the capital.

According to the forensic examination Fathi had been beaten numerous times all over his body, his hands and legs had been tightly bound, causing bruising and abrasion, had been injured with hot metal objects, and someone had pressed down on his neck. It concluded that death was caused by the beating which inflicted multiple injuries all over his body.

- **Abdellatif (Lotfi) Iyad Mohammed Zbeida** was detained on 11 September 2011 by a militia from Misratah near Tripoli but immediately handed over to a local council. He was subsequently moved to the Sidi Khalifa Military Council, in the former Internal Security building in downtown Tripoli (Jumhuriya Street, now 17 February Street). The family was

able to visit him once and on occasions he was able to call them on the phone of a sympathetic guard. The last call came on 22 October, asking for food for Lotfi, which the family took to the detention centre and it was accepted.

On the night of 25/26 October, Abdellatif Zbeida was badly beaten and at 7am he was taken to the nearby central hospital. He died almost immediately. Video footage filmed at the morgue shows Abdellatif Zbeida's back completely black with deep bruising from the shoulders to the knees, open wounds and missing flesh in his lower legs and chest, and deep whip marks and cuts on his upper arms. The forensic examination found deep bruises and abrasions all over the body, as well as marks on his head, ears and nipples caused by electric shocks. It concluded that death resulted from the severe abuse which also caused these wounds.

- **Fakhri al-Hudairi al-'Amari** died on 19 November as a result of torture. The post-mortem found bruise marks in parallel lines across the body; marks of electric shocks; two nails missing on the left hand; burn marks on the forehead, right forearm and left wrist; bruising around both ankles; and severe abrasions on the soles of the feet.

Aged 31, married with two children, he had been a police officer in Tajura, a suburb of Tripoli, for about 12 years. On 17 October at about 7am, dozens of armed men went to homes of the family in the rural area of Qasr al-Akhyiar about 50km east of Tripoli. The names of several militias were daubed on their vehicles, names noted down by the family. The armed men ransacked the house, stealing money and mobile phones, threatened the inhabitants, and took away Fakhri and four of his brothers – Muhammad, 'Emad, Haythan and Ibrahim. All five were taken to a detention centre in Tajura.

After their arrival, Fakhri was separated from his brothers and they did not see him again. On about 24 October the four brothers were released but Fakhri was not. On 14 November a person called a family member and reportedly offered the release of Fakhri in exchange for his car. The following day Fakhri was allowed to briefly call his wife and he told her that he was fine.

On 19 November the family received a phone call from Abu Salim Hospital informing them that Fakhri al-Hudairi al-'Amari had been taken there but was critically ill. Family members rushed to the hospital but he was no longer able to communicate and died within minutes of their arrival. Images of the body seen by Amnesty International show deep bruising all over the body and limbs, as well as open wounds on the soles of the feet.

- **'Ezzeddine al-Ghool**, a 43-year-old former army colonel and father of seven, was detained by a militia based in Gharyan, 100km south of Tripoli, on 14 January 2012 and died within 24 hours. The forensic examination found deep bruising and wounds caused by blunt objects all over the body and several fingernails removed, and concluded that he had died as a result of the injuries sustained. At least nine other men who were detained at the same time also said they were tortured. Eight of them needed hospital treatment abroad for serious injuries. One of them told Amnesty International that he had been made to kneel facing the wall with his hands cuffed behind his back and repeatedly struck by different people with a metal chain, plastic hose, electric cables and a metal bar. He said that some of those detained with him had been even more severely beaten and that at least one of them had had some of his fingernails pulled out.

Despite strong forensic and other evidence that all these men died as a result of torture while detained by militias, by early February 2012, no effective investigation into the circumstances of their death had been conducted. Some initial investigations appear to have been conducted in a recent high profile case.

- **Omar Brebesh**, aged 62 and Libya's former ambassador to France, died on 20 January 2012, apparently as a result of torture, the day after he was detained by a Tripoli-based militia at their base in the Tripoli neighbourhood of Crimea. Pictures of his body, seen by Human Rights Watch, showed extensive bruising on the abdomen, cuts on both legs, a large wound on the left foot and the apparent removal of toenails. Human Rights Watch also saw a report by the judicial police in Tripoli that stated that Omar Brebesh had died from torture and that an unnamed suspect had confessed to killing him. It was reported that the prosecutor in the town of Zintan opened an investigation into the death.

## • 5. REVENGE ATTACKS AND FORCIBLE DISPLACEMENT

**'At one point the militias shot indiscriminately towards the demonstrators... That is when Hanin and the others were killed.'**

The sister of 12-year-old Hanin Salah 'Aquila Zayed who was killed on 6 February 2012 during a protest against killings of people in a camp for displaced people from Tawargha

From the first days of the uprising in February 2011, opposition fighters carried out revenge killings and other attacks against individuals associated with the al-Gaddafi regime or suspected of having committed crimes on its behalf. As opposition fighters took control of more and more cities and towns from al-Gaddafi forces, such attacks increased in frequency and scale, resulting in entire villages and communities being displaced. Cases documented by Amnesty International and brought to the attention of the NTC since April 2011, including in its September 2011 report, *The battle for Libya: Killings, disappearances and torture*, have not been investigated by the authorities, and revenge attacks

by militias made up of former opposition fighters continue.

## • Tawargha people

In August 2011, having driven al-Gaddafi forces out of the town of Tawargha, 30km east of Misratah, opposition fighters from Misratah attacked the town and those still living there. They forced the entire population of some 30,000 to flee and looted, vandalized and burned down their homes and properties. Since then, Misratah-based militias composed of former opposition fighters have continued to systematically destroy and burn down homes and infrastructure in Tawargha in order to make it impossible for people to return.

- Amnesty International delegates who visited the town in September 2011 and again in February 2012 noted a marked increase in the scale of the destruction. The militias, largely supported by Misratah's civilian and military and security authorities and by many of Misratah's residents, have vowed that the inhabitants of Tawargha will never be allowed to return. Even the name of the town on road signs on the outskirts has been systematically rubbed off or painted over. The homes and properties of Tawarghas who used to live in Misratah itself have similarly been looted and torched. In addition, militias from Misratah have continued to hunt down and terrorize the displaced inhabitants of Tawargha all over Libya.
- The latest such attack reported at the time of writing happened on 6 February in and around a camp for displaced Tawargha residents in Janzur, a suburb of Tripoli. Seven civilians, including three children and an elderly woman, were shot dead and at least 13 others were shot and injured in the attack. Two of the victims – a 58-year-old man (**Juma'a al-Gaddafi**) and a 61-year-old woman (**Najma AbdelQader**) – were shot dead inside the compound of a disused naval base that houses some 2,500 displaced Tawarghas. Five others, including three children – **Hanin Salah 'Aquila Zayed**, aged 12, **Mohammed Atiya Salah Mahjub**, aged 13, and **Frej AbdelMoula Frej**, aged 15 – were killed some 4 km from the camp as they participated in a small demonstration to protest against the attack. According to the forensic reports, the victims died as a result of gunshot wounds to the upper parts of the body.
- **Hoda Mohammed Bela'id Liqmati**, a 25-year-old woman whose brother (Nassereddine Mohammed Bela'id Liqmati) and uncle (Noureddine Bela'id Liqmati) were shot dead in the demonstration and who was herself shot and injured, along with her sister, told Amnesty International:

*"We were walking eastward on the main road, towards the town's centre to demonstrate about the killings of two elderly people in our camp earlier that morning. A militia vehicle, a pick-up truck with an anti-aircraft machine gun mounted on the back, drove past us and the militia men hurled threats and abuses at us. They wore camouflage clothes. There was indiscriminate shooting from the militia. My 20-year-old brother Nasser eddine was shot and fell [ he was shot in the abdomen and in the leg ]. I ran to help him and as I reached him I was shot in the left thigh and fell down. My sister, Hammala, rushed over to help us and she was herself shot in the back and is now in a serious condition."*

- When Amnesty International visited Hammala in hospital her condition was indeed serious and she spoke with difficulty. Her testimony is consistent with the incidents described by her sister.

The sister of Noureddine Bela'id Liqmati told Amnesty International that her brother was shot in the chest while standing among other demonstrators.

The sister of the 12-year-old Hanin Salah 'Aquila Zayed told Amnesty International:

*"At one point the militias shot indiscriminately towards the demonstrators. People ran in different directions, each trying to find shelter from the fire. That is when Hanin and the others were killed and others were injured. Hanin was shot in the neck. I was standing near her."*

- The two other children killed were apparently chased and shot as they tried to run away to safety. Their bodies were found on the beach a few hundred metres away. According to the forensic examination, Frej AbdelMoula Frej was shot three times in the back and once in the right arm, and Mohammed Atiya Salah Mahjub was shot once in the chest and once in the knee.

Survivors and witnesses of the attack told Amnesty International that among the armed individuals who stormed the camp early on 6 February were members of Misratah militias who they recognized from previous raids, and others who said they were Ministry of Defence personnel.

In Misratah, members of the scores of local militias as well as local authorities and many residents accuse members of the Tawargha community of having raped and killed civilians in Misratah when they fought alongside al-Gaddafi forces during the conflict between March and May 2011. At present, it is impossible to establish if such allegations are true as none of those detained in relation to the conflict has yet been brought to justice.

- Hundreds of Tawarghas have been seized by Misratah militias from the capital and other towns, and taken to Misratah where they have been arbitrarily detained and tortured. Some have died in detention and others remain unaccounted for. The scores of Tawarghas interviewed by Amnesty International in detention centres, camps for displaced people, and elsewhere refuted the allegations against them. Many acknowledged that they fought alongside al-Gaddafi forces, most as members of the armed forces and some as volunteers, but said they did not commit rape or murder. Several detained Tawarghas said that they had been repeatedly beaten and tortured to make them confess to such crimes. Some said they had confessed because of the torture.

Many inhabitants of Tawargha did support the former regime throughout the conflict and many served in al-Gaddafi's armed forces during it. However, some Tawarghas told Amnesty International that al-Gaddafi forces based in the town during the conflict did not allow inhabitants to leave, exposing them to the incoming fire from Misratah-based opposition fighters. Whatever the extent of support for al-Gaddafi forces in Tawargha during the conflict, the entire population of the area continues to pay the price for the crimes allegedly committed by some members of their community.

## • Mshashiya people

Other communities elsewhere in the country have also suffered revenge attacks and in some cases been driven out of their homes and villages. They include members of the Mshashiya tribe who lived in the Nafusa Mountain area. In June-July 2011, after opposition fighters from nearby areas and notably from Zintan took control of the area, the entire population of the village of 'Awnya were forced out of their homes by militias from Zintan.

A woman sheltering in a school in Shgeiga with her husband and eight children told Amnesty International in late January 2012:

*"On 20 June we fled our home in 'Awnya because the armed militias from Zintan were attacking the place. We stayed in Tripoli for a month and then we came here. When we fled it was summer and our warm clothes, blankets and heaters remained behind in the house. We could take nothing with us because there was no space for anything in the car. Now it is very cold and we lack everything. The little we have was given to us by charitable people and organizations but now we have been told that we have to leave this school because the school year is starting and the school is needed. I don't know where we can go and what will become of us. We have nothing. My husband used to work in the electricity company in Yefren but now he is not working because Mshashiya people are not allowed to go to Yefren. We heard that our homes have been burned down but we have not been able to go to check. We need help to go back home."*

- Other families from 'Awnya are living in rented accommodation in Tripoli and elsewhere. A teacher and father of four said that since he and his family fled their home in 'Awnya he had been trying to make a living doing odd jobs in Tripoli, but was finding it difficult to provide for the family and pay the rent.

In January 2012, Mshashiya families were hopeful that a reconciliation initiative sponsored by tribal leaders and elders from different parts of Libya would soon bear fruit and that they would be allowed to return to their village. However, no resolution had been reached by mid-February 2012.

## • 'Outsiders' targeted

In al-Zawiya, a town that also saw violent confrontations between supporters of the uprising and al-Gaddafi forces, hardened feelings against those who are known to have or are suspected of having supported the former regime and its forces have also resulted in revenge attacks and reprisals by local militias. Like in Misratah, the main targets have been residents of the city who are originally from other parts of Libya and who are mostly dark-skinned.

In the Erzaza housing estate, many apartments have been looted and burned down. The families who lived in these buildings told Amnesty International that they were first told to leave and threatened, and after they left their homes were set on fire. Their neighbours whose homes have not been burned are also staying away because they said they too were threatened with being burned alive in their homes if they stayed

Some and possibly many of the families who have been targeted in this way did indeed support the former regime and its forces and some of the men may have fought alongside al-Gaddafi forces during the conflict.

- A 70-year-old woman whose apartment was burned down told Amnesty International:

*"I lived with my two unmarried daughters and my son and his wife. My son was the only one who worked and did not work for the regime, he was a guard at a Chinese company. On 11 December in the middle of the night armed militias came and told us to leave. They were shooting in the air. We left with nothing and had to spend the night with people. The following day they burned our apartment. Now I and my daughters and other women from the families whose homes were burned are sheltering here with kind people, and my son has gone to Tripoli to try to find work, and the men from the other families are scattered here and there. Why we are being targeted like this? Is it because we are black and poor?"*

## • Misratah "returnees"

"No to the returnees, traitors, dogs." Such graffiti is scrawled all over Misratah, notably on the walls of houses that have been burned down, attacked with explosives or seized by militias in recent months and weeks.

The "returnees" are long-time residents of Misratah who are originally from other parts of Libya and who did not stay

in Misratah during the height of the conflict, when the city was under siege and attack by al-Gaddafi forces between March and May/June 2011. Their absence is now considered "evidence" of their support for the former regime. This is seen as justification for scores of families being collectively punished by being banished from their homes and from the city.

- A mother of four young children told Amnesty International:

*"We have lived in Misratah since we were married in 2000 and all our children were born here and our work is here. During the war we left because we were scared. We first went to Zlitan, then to Tripoli and then to Tunisia. We came back to Misratah in August by boat from Tunisia and we found another family living in our apartment. They said it was given to them by the housing committee. We went to complain to the housing committee but they said that we had left during the war and have no right to come back. We contacted the Local Council but they said they could not help. We went to the Revolutionary Union and they said they could not intervene for now because the family who took our apartment is well connected to a powerful militia. I managed to return to work after getting the approval of the Security Committee but have not been able to get our home back. We now live in a small rented apartment."*

- A mother of six, whose husband was a colonel in the air force, told Amnesty International:

*"We left Misratah in mid - March. I went to Khoms to my family with my children and my husband went to Zlitan. He was killed there in June by a NATO strike. I came back to Misratah with my children in September and found a man from the military police living in my house. His wife let us into the house and said we could stay there but then her husband came with armed men and threw us out. He said: 'This house was yours during Mu'ammars time but not any more'. One of the militia felt sorry for us and took us to an empty house nearby and said we could stay there but we refused because that house belongs to another family who is in the same situation as us. My old neighbours let us stay at their house for a few days, while I contacted the authorities and did the procedures to get the house back but none of the civil or military committees helped me. At the local council they asked where we were during the war. I said we were staying with relatives in Khoms and they told me to go back to my relatives there. One of them asked me how we got back into Misratah and said we should not have been allowed back into the city. Now we are staying in Khoms with relatives. Three weeks ago I went back to the house to get blankets and heaters and the man who lives in the house first refused to let me take anything and then eventually gave me some blankets but not the heaters. My children all studied in Misratah and they have had to interrupt their studies. I don't know what will become of our family."*

- Many of the homes that have been attacked or seized are in the south and east of Misratah, in areas that were overrun and taken over by al-Gaddafi forces at the beginning of the conflict, such as Tammina, Kararim, Nusur al-Jaw and Kerzaz, and east of Qasr Ahmad. Many, possibly most residents fled these areas at the height of the conflict.

In May 2011, just after al-Gaddafi forces had been driven out of Misratah by opposition fighters and NATO airstrikes, Amnesty International visited the areas that had been under the control of al-Gaddafi forces and found that several homes had been destroyed or vandalized and ransacked. Local residents said that al-Gaddafi forces had deliberately targeted the homes of perceived opposition supporters.

Since then, former opposition fighters now organized into numerous militias have carried out similar revenge attacks on the homes of those they accuse of having supported the al-Gaddafi regime and its forces.

- Some targeted people were members of al-Gaddafi armed or security forces – as are some militia members and commanders – and they may indeed have supported the al-Gaddafi regime or even participated in the fighting and/or in the commission of attacks on civilians. If so, they should be brought to justice in fair trials based on the evidence against them – not be subjected, along with their entire families, to revenge attacks and intimidation by militias operating outside any legal framework.
- To date, "returnee" families who have been arbitrarily dispossessed of their homes, subjected to threats or attacks and effectively banished from Misratah by militias have obtained neither protection nor redress. The various civil, military and security councils and committees that govern the city's affairs have failed to take any action to stop the abuses. In fact, they have institutionalized such practices by making the potential return of families to their homes conditional on them fulfilling ill-defined "security" requirements. These include completing a form entitled "Security approval form for the purpose of residency", and providing statements by several neighbours who stayed in Misratah during the conflict that guarantee that the family concerned do not present a security threat and – a condition impossible to meet for those who lived in areas where the entire neighbourhood fled during the conflict. However, securing the neighbours' guarantees does not necessarily mean that the various military and security committees and councils will approve a family's return to its home, and even securing approval from the various committees and councils does not guarantee that the decision will be implemented. A family who has been unable to repossess its home despite obtaining the security approval told Amnesty International that the housing committee had not reversed its decision to allocate the home to other people currently occupying it and refusing to leave.

## • 6. CONTINUING SCOURGE OF IMPUNITY

Colonel al-Gaddafi's government took no steps to investigate past gross human rights violations or bring to justice those responsible. The NTC vowed to do so, but has struggled to secure key evidence, such as archived material and government records, some of which has been burned and looted.

The new Libyan authorities face the challenge of re-establishing law and order, and breaking with the legacy of impunity. The challenge is compounded by the widespread availability of weapons and the authorities' lack of control over militias, including over militia members who commit abuses without fear of being brought to justice.



- In September 2011, the NTC pledged to put "its efforts to bring any armed groups under official authorities and will fully investigate any incidents brought to its attention." This pledge has not been fulfilled. As long as defence lawyers and judicial authorities have no access to thousands of suspected al-Gaddafi loyalists in detention, the detainees remain held without trial or any means to challenge the legality of their detention; and those among them who have committed crimes cannot be brought to justice.

While the Pre-Trial Chamber I of the International Criminal Court (ICC) issued an arrest warrant against Saif al-Islam al-Gaddafi for his alleged criminal responsibility for the commission of murder and persecution as crimes against humanity, he was arrested in November 2011 in Libya by members of militia from Zintan. Subsequently, the Libyan authorities expressed wish to try him under Libyan legislation. However, according to the Office of Public Counsel for the Defence of the ICC the Libyan authorities have failed to provide him with access to a lawyer and they have also failed to bring him before a judge to determine the legality of his detention.

- However, the Libyan authorities have generally failed to take action against opposition fighters and supporters who unlawfully killed suspected al-Gaddafi soldiers and loyalists, and alleged "African mercenaries", when towns including al-Bayda, Benghazi, Derna and Sirte first came under their control. Some victims were beaten to death; some were hanged; others were shot dead after they surrendered or were captured.

Members of Colonel al-Gaddafi's security apparatus and other suspected loyalists were targeted for revenge attacks. Several were found dead after they were seized by heavily armed men; some of the bodies were found with their hands tied behind their backs. For example, Hussein Gaith Bou Shiha, a former Internal Security Agency operative, was taken from his home on 8 May 2011 by armed men and the next morning was found dead near Benghazi. He was handcuffed and had been shot in the head.

- In a number of prominent cases of extrajudicial executions believed to have been carried out by opposition fighters, investigations were announced, but months later no further news had emerged. For example, Abdul Fatah Younes al-Obeidi, former Secretary of the General People's Committee for Public Security (equivalent to the Interior Minister) who defected to the opposition in February 2011, and his two aides, Mohamed Khamis and Nasser Mathkur, died from gunshot wounds in late July 2011. Armed men had taken them for questioning to a military camp in Gharyounes on 27 July 2011 and later allegedly to another location. In November 2011, a list of possible suspects – including a former NTC member – was announced but no further developments were reported.

The NTC announced an investigation into the deaths of Colonel al-Gaddafi and his son Mu'tassim after they were captured alive and apparently extrajudicially executed on 20 October 2011, but no findings have yet been made public.

- No action has been taken to investigate the killing of 65 people whose bodies were found on 23 October 2011 in the grounds of the Mahari Hotel, which at the time served as the opposition fighters' base in the city of Sirte. Some of the bodies had their hands tied behind their back and many had been shot in the head. Video footage taken by opposition fighters themselves on 20 October 2011 shows them hitting, insulting, threatening to kill and spitting at a group of 29 men in their custody, many of whom were found dead on 23 October 2011 at the hotel. One of the opposition fighters is heard saying "take them all and kill them". Among the 29 men seen in the video in the custody of the opposition fighters are civilian residents of Area 2 of Sirte and men from other parts of Libya, some of them long-time residents of Sirte and some who may have been volunteers with al-Gaddafi forces. Families of some of the victims who were residents of Area 2 told Amnesty International that their relatives had stayed in their homes to prevent possible looting. Other residents of Area 2 who had also remained in the area until 20 October 2011 also told the organization that they had remained because they feared that if the area was left empty their properties would be looted.
- A relative of one of the victims shown in the video told Amnesty International:

*"The situation became more uncomfortable in the city; there was no electricity or water and the shops were closed and so the women and children of the family left the city and went to stay with relative. My brother and I stayed at home to protect the house. We had no idea what was happening outside except that we heard shooting and shelling. We did not leave the house for days and when we left to go to our neighbours, we crawled against the walls for fear of the shelling. On 20 October the shelling intensified even more and we thought that if we stayed we would be killed. We saw many cars leaving the area and we decided to follow them and leave town. I was in a car with my brother and other neighbours; he could not walk because he had been previously injured by a shell which had landed on our house.*

*"As we were driving to leave town there was a lot of shooting and shelling and I got out of the car and fled on foot... I was caught by the thuwwar [revolutionaries] and detained till night and then one of them who knew me and knew I had nothing to do with any fighting vouched for me and they released me. My brother and other neighbours were caught by another group of thuwwar and their bodies were later found in the garden of the Mahari Hotel ."*

Similar impunity has been apparent in the cases highlighted in this report of people who were tortured to death, even though the prosecutors have seen the scarred bodies of the victims, families have lodged complaints, and Amnesty International and others have publicized the cases.

## • INEFFECTIVE PROSECUTION SYSTEM

Amnesty International has raised its concerns with prosecutors in different parts of Libya about the lack of investigations into abuses by former opposition fighters/militias. Some said that they had not received complaints or

that they had passed the file to the General Prosecutor in Tripoli. Others said that they are simply not able to carry out their work because they have neither the resources nor the protection. One prosecutor told Amnesty International:

*"If we issue arrest warrants there is no police/security forces to enforce them. For cases of common law crimes the police [ now national security ] can enforce warrants, or we can get the kata 'ib [ i.e. militias ] to arrest the suspects. But in these sensitive cases against the [ militia ], it is not possible for now. Anything could happen; I cannot take such risk with no protection, no one to care for my safety ."*

Asked why prosecutors were not inspecting unlawful places of detention and taking steps to have them closed down, several prosecutors told Amnesty International that without a clear mandate and backing from the General Prosecutor and a functioning police/security force to ensure the safety of the prosecutors, it was impossible to undertake such activities.

## • 7. CONCLUSIONS AND RECOMMENDATIONS

The Libyan authorities face a considerable challenge in their efforts to bring under control the numerous militias that have largely taken the law into their own hands and to ensure the the necessary reforms of the judicial system and its effective functioning. In a period of transition, it is imperative that the authorities firmly demonstrate their commitment to turning the page on decades of gross and widespread violations in Libya. They must uphold human rights in the present and exercise the necessary political will to ensure that impartial and independent investigations are conducted into war crimes and human rights abuses committed by both al-Gaddafi forces and by anti-Gaddafi fighters and militias. All those responsible for such crimes, regardless of their political positions, must be brought to justice in fair trials in compliance with international standards. The Libyan authorities must also ensure that those who have committed, ordered or condoned human rights abuses are excluded from positions that would allow them to repeat such abuses. They must also send a strong signal to their supporters – including through further public appeals – and to the public at large that torture and other ill-treatment and reprisals and revenge attacks will not be tolerated and that the same human rights standards will be applied to everyone.

Amnesty International calls on the Libyan authorities to implement the following recommendations as a matter of priority. Amnesty International also calls on all Libyan militias to cooperate with the Libyan authorities, in this respect:

### • Detention

End arbitrary detentions immediately, and ensure that arrests are only carried out by security forces authorized by law and that no one is deprived of their liberty except in accordance with procedures and on grounds prescribed by law. All laws in this regard should comply with Libya's obligations under international law.

Order the closure of all unofficial places of detention and place all detention facilities under the oversight of the General Prosecution and the Ministry of Justice, with provision for independent monitoring.

Notify detainees' families of where they are detained and ensure that all those detained have access to families and lawyers, and are given an opportunity to challenge the lawfulness of their detention before a court or are released.

Establish clear structures and procedures for policing and for the detention of anyone suspected of having committed a recognizable criminal offense.

### • Torture and other ill-treatment

Ensure that all those detained are treated humanely, receive necessary medical treatment, and are protected from torture and other ill-treatment.

Ensure that detainees undergo medical examinations when transferred to official detention centres and are provided with medical certificates describing any injuries.

Ensure that prompt investigations are conducted into all alleged or suspected cases of torture and other ill-treatment, and deaths in custody. Investigations should be impartial and independent, and conducted by individuals with expertise in investigating such cases; if necessary, international assistance should be sought.

Suspected perpetrators of such crimes should be brought to justice in proceedings that meet international standards for fair trial.

Publicly condemn torture and other ill-treatment of detainees and the targeting of Sub-Saharan Africans and black Libyans, including in forums widely accessible to Libyans such as national television and radio.

- **Unlawful killings**

Ensure that reported cases of unlawful killings are investigated and that those responsible are brought to justice. This should include fighters or others deliberately killed after having been captured or seized by opposition fighters and militias, and notably the case of the bodies of 65 people found on the grounds of the Mahari Hotel in Sirte on 23 October 2011.

- **Protection and return of forcibly displaced people**

Take immediate action to ensure that all those who have been forcibly displaced are allowed to promptly return to their homes and that their safety is guaranteed and that they receive redress, including compensation and assistance to rebuild their homes and their lives.

Ensure that those responsible for any attacks on individuals and communities with the aim of, or resulting in, forcibly displacing them are brought to justice.

- **Racism and protection of migrants and refugees**

Take steps to counter racism, xenophobia and discrimination against Sub-Saharan African migrants and refugees and dark-skinned Libyans, including by acknowledging that reports on the use of African mercenaries by Colonel al-Gaddafi were wildly exaggerated and by celebrating the diverse ethnic make-up of Libya and the positive contribution of migrants.

## • Endnotes



Militias are often constituted along geographical or tribal lines. Some militias operate only or mostly in or around their towns and villages, while others (notably those from Misratah and Zintan) operate in various parts of the country and have a heavy presence in the capital (a Zintan militia controls Tripoli international airport). In recent months some militias have reportedly become "affiliated" to the Ministry of Defense and others to the Ministry of the Interior. However, in practice even those militias which are now in theory operating under the authority of the Ministries of Defense and Interior are not subjected to any effective supervision or control by the central authorities.

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See Amnesty International, The battle for Libya: Killings, disappearances and torture, chapters 5 and 6, Index: MDE 19/025/2011.

The battle for Libya: Killings, disappearances and torture, p63.

NTC, response to Amnesty International report on Libya, 13 September 2011.

As of February 2012 the decision whether to transfer the case of Saif al-Islam al-Gaddafi to Libya has been pending before the Pre-Trial Chamber and he formally remained under the jurisdiction of the ICC despite the fact that, in violation of their obligations under the Rome Statute, the Libyan authorities have refused to execute the ICC arrest warrant. Public Redacted Version of "OPCD Observations on Libya's Submissions Regarding the Arrest of Saif Al-Islam" (ICC-01/11-01/11-51-Conf, 2 February 2012) [HYPERLINK "http://www.icc-cpi.int/iccdocs/doc/doc1326934.pdf"](http://www.icc-cpi.int/iccdocs/doc/doc1326934.pdf)  
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### [BBC News - Libya revolution one year on: Better after Gaddafi?](http://www.bbc.co.uk/news/world-17068264)

<http://www.bbc.co.uk/news/world-17068264>

- 16 February 2012
- [Mark Urban](#) Diplomatic and defence editor, Newsnight
- Libya revolution one year on: Better after Gaddafi?
- TRIPOLI: On the outskirts of Misrata, there is a poster by the roadside. It is a slickly produced ad, funded by local businesses, carrying the slogan "Tomorrow Will Be Better."

Does it represent the kind of inherent optimism you find in many Islamic countries? Or is it an admission that, one year after the revolution to overthrow Muammar Gaddafi began, there are many respects in which there is disappointment and apprehension?

- There is, without doubt, enormous pride at having toppled the old order. Point a camera at people on the streets celebrating and they will tell you how happy they are, and exult that "Libya is Free!"

Gada Mahfud, a writer in The Tripoli Post, referred this week, however, to "clouds of pessimism in the hearts and minds of Libyans", and this fits with the mood of a good number of people I have spoken to.

Many insist that they cannot say these things publicly, which itself prompts questions about freedom of speech. One of them, commenting on recent power cuts, told me: "This did not happen before the revolution, believe me. Everything in Libya was fine except for Gaddafi and his chums".

- International disquiet

If there is a hope that "tomorrow will be better" on the part of many Libyans, there is also a disquiet on the part of some of the revolution's foreign backers.

- The Europeans are increasingly uncomfortable with [reports emanating from Amnesty International](#), Medecins Sans Frontiers, and Human Rights Watch, detailing widespread arbitrary detention and torture. Frankly, these issues do not top the concerns of the average Libyan, so let's return to them later.
- The type of problems they care most about are those of economic stagnation; an apparent paralysis on the part of central government; and the fact that "law and order" remain largely in the hands of militia groups from the revolutionary strongholds.

Foreign governments have recently unfrozen more than \$60bn (£38bn) in Libyan government cash, and as oil production climbs back towards 2m barrels a day, revenues are pouring in.

Inevitably, people are asking why unemployment (estimated variously at 10-20%) is, if anything, increasing and hundreds of government construction contracts remain suspended when the country has so much money.

Flying here from Istanbul, I chatted on the plane to a Turkish businessman on his eighth visit since the revolution, trying once again to get a building project re-started.

- Lack of public debate

People who want answers to these questions find it very hard to get them. The country is ruled by an interim government, responsible to the National Transitional Council (NTC), the self-appointed body that co-ordinated the revolution.

Both are meant to step aside after elections in June, and there is a feeling that nobody wants to take big decisions before then, for example to start building highways or other major infrastructure projects.

The new ministers and NTC are remote figures who most Libyans cannot name, some of whom were not publicly identified for months.

Dominic Asquith, the British ambassador here, told us: "The whole process of communication between government and people is still a work in progress."

The country has lurched from a dictatorship, complete with a cult of the personality, to a collective leadership with a cult of obscurity.

As for public debate or opposition, it has been limited by the murder of some prominent figures and the apparent impunity of the militia bands.

Those who have died range from Abdel Fattah Younes, who defected from the Gaddafi regime at the start of the revolution and commanded the rebel forces for a couple of months, to a former regime diplomat found dead a couple of weeks ago with signs of torture.

- Refugees attacked

Powerful groups such as the Misrata militia brigades have taken revenge on their enemies, in their case the Tawergha tribe, which they accuse of perpetrating war crimes in their city on behalf of Gaddafi.

Some 30,000 Tawergha have fled from their home town near Misrata. On 6 February, some of these refugees were attacked at a refugee centre near Tripoli, and eight killed by men who the Tawerghans say were from the same armed groups.

There is little evidence of any government attempt to protect the refugees or punish those responsible.

This type of incident brings us to the concerns of foreign governments. Some diplomats here are beginning to wonder aloud whether the revolution's conduct towards its former opponents might sow the seeds of a new insurgency.

They speak about former regime supporters as "the 20%". One comments: "What we cannot afford is for it to become 70/30 or even 60/40."

- In their meetings with Libyan government officials, French, British, or Italian officials urge them to speed up the processing of detainees, which by some estimates number more than 8,000.

Many of these people have been refused contacts with lawyers and given no idea when they might be tried, say human rights workers.

Former Gaddafi strongholds like Sirte, Bani Walid, and Tajoura contain many embittered people who can expect little assistance from their new masters.

With its great national wealth, small population, absence of sectarian tensions, and the absence of a large occupying army (as in Iraq), the odds ought to be weighted in favour of Libya's new rulers.

Many people are waiting for June's elections for them to raise their game and demonstrate effective control of the country.

In that sense, the message that "tomorrow will be better" seems as much of a plea or a pledge of faith than any sort of statement of certainty.

[Libya: "Out of control" militias commit widespread abuses, a year on from uprising | Amnesty International](http://www.amnesty.org/en/news/libya-out-control-militias-commit-widespread-abuses-year-uprising-2012-02-15)

<http://www.amnesty.org/en/news/libya-out-control-militias-commit-widespread-abuses-year-uprising-2012-02-15>

- 15 February 2012

## Libya: "Out of control" militias commit widespread abuses, a year on from uprising

- Armed militias operating across Libya commit widespread human rights abuses with impunity, fuelling insecurity and hindering the rebuilding of state institutions, warned Amnesty International in a new report released today, a year on from the start of the February 2011 uprising.

The report *Militias threaten hopes for new Libya*, documents widespread and serious abuses, including war crimes, by a multitude of militias against suspected al-Gaddafi loyalists, with cases of people being unlawfully detained and tortured – sometimes to death.

African migrants and refugees have also been targeted, and revenge attacks have been carried out, forcibly displacing entire communities – while the authorities have done nothing to investigate the abuses and hold those responsible to account.

- "Militias in Libya are largely out of control and the blanket impunity they enjoy only encourages further abuses and perpetuates instability and insecurity," said Donatella Rovera, Senior Crisis Response Adviser at Amnesty International.

"A year ago Libyans risked their lives to demand justice. Today their hopes are being jeopardized by lawless armed militias who trample human rights with impunity. The only way to break with the entrenched practices of decades of abuse under Colonel al-Gaddafi's authoritarian rule is to ensure that nobody is above the law and that investigations are carried out into such abuses".

In January and early February 2012, Amnesty International delegates visited 11 detention facilities in central and western Libya used by various militias and at 10 of these locations, detainees said they had been tortured or ill-treated en situ, and showed Amnesty International injuries resulting from recent abuse. Several detainees said they had confessed to rape, killings and other crimes they had not committed just to end the torture.

- At least 12 detainees held by militias have died after being tortured since September. Their bodies were covered in bruises, wounds and cuts and some had had nails pulled off.

Individuals held in and around Tripoli, Gharyan, Misratah, Sirte and Zawiyah told Amnesty International they had been suspended in contorted positions; beaten for hours with whips, cables, plastic hoses, metal chains and bars, and wooden sticks; and given electric shocks with live wires and taser-like electro-shock weapons.

At a detention centre in Misratah an Amnesty International delegate saw armed militia members beating and threatening some detainees whose release had been ordered. An older detainee from Tawargha was cowering, squatting against the wall, and crying as he was being kicked and threatened by a militia member who told Amnesty International that "those from Tawargha will not be released or we'll kill them".

In an interrogation centre in Misratah and Tripoli Amnesty International found detainees who interrogators had tried to conceal and who had been severely tortured – one so badly that he could hardly move or speak.

- Not a single effective investigation is known to have been carried out into cases of torture, even in cases where detainees died after having been tortured at militia headquarters or in interrogation centres which are formally or informally recognized or linked to the central authorities.

"Militias with a record of abuse of detainees should simply not be allowed to hold anyone and all detainees should be immediately transferred to authorized detention facilities under the control of the National Transitional Council."

No investigations have been carried out either into other grave abuses, such as the extrajudicial execution of detainees and other war crimes, including the killing of some 65 people whose bodies were found on 23 October in a hotel in Sirte which served as a base for opposition fighters from Misratah.

Militia members are seen on video footage obtained by Amnesty International hitting and threatening to kill a group of 29 men in their custody. One is heard saying "take them all and kill them". Their bodies were among those found three days later at the hotel, many with their hands tied behind their back and shot in the head.

- The Libyan authorities have so far taken no action against the militias who have forcibly displaced entire communities – a crime under international law. Militias from Misratah drove out the entire population of Tawargha, some 30,000

people, and looted and burned down their homes in revenge for crimes some Tawargha are accused of having committed during the conflict. Thousands of members of the Mashashya tribe were similarly forced out of their village by militias from Zintan, in the Nafusa Mountains. These and other communities remains displaced in makeshift camps around the country while no action has been taken to hold the perpetrators accountable or to allow the displaced communities to return home.

"The blanket impunity afforded to militias is sending the message that such abuses are tolerated and is contributing to making such practices accepted practice. Individuals responsible for abuses must be held to account for their actions and removed from positions that would allow them to repeat such abuses." said Donatella Rovera.

"It is imperative that the Libyan authorities firmly demonstrate their commitment to turning the page on decades of systematic violations by reining in the militias, investigating all past and present abuses and prosecuting those responsible - on all sides - in accordance with international law."

### [Sky News: Libyan militias accused of war crimes](http://www.skynews.com.au/world/article.aspx?id=719083&vId=)

<http://www.skynews.com.au/world/article.aspx?id=719083&vId=>

## • **Libyan militias accused of war crimes**

**Updated: 14:56, Thursday February 16, 2012**

- Armed militias now rule much of Libya, Amnesty International said, accusing them of torturing detainees deemed loyal to the ousted regime of Muammar Gaddafi and driving entire neighbourhoods and towns into exile.

Amnesty International quoted detainees as saying 'They had been suspended in contorted positions; beaten for hours with whips, cables, plastic hoses, metal chains and bars, and wooden sticks and given electric shocks with live wires and taser-like electroshock weapons.'

At least 12 detainees had died since September after torture, Amnesty said. 'Their bodies were covered in bruises, wounds and cuts and some had had nails pulled off,' the group said.

The report is a fresh blow to Libya's new government, the National Transitional Council, which helped lead the anti-Gaddafi uprising that broke out one year ago this week and spiralled into a brutal, eight-month civil war.

- Since the war's end with the capture and killing of Gaddafi last October, the NTC has struggled to extend its control over the vast desert nation. It has largely failed to rein in the hundreds of brigades that fought in the war, many of which now run their own detention centres for those accused of links to Gaddafi's regime.

Amnesty said it visited 11 detention camps in central and western Libya in January and February, and found evidence of torture and abuse at all but one.

'Nobody is holding these militias responsible,' Donatella Rovera, senior crisis response adviser at Amnesty International, told The Associated Press by telephone from Jordan on Wednesday, a day after she left Libya.

The UN's top human rights official, and Amnesty International, have urged Libya's government to take control of all makeshift prisons to prevent further atrocities against detainees.

'There's torture, extrajudicial executions, rape of both men and women,' UN High Commissioner for Human Rights Navi Pillay said on Jan. 27.

- Some 2400 detainees remain held in centres controlled by the new Libyan government, but the militias are holding uncounted thousands more prisoners, Amnesty said. Most are in and around Tripoli and Misrata, the coastal city that saw some of the war's most brutal fighting, it said.

The International Committee of the Red Cross reported that from March to December 2011 it had visited over 8500 detainees in some 60 detention centres.

Amnesty International's delegation witnessed detainees being beaten and threatened with death at a detention centre in Misrata.

In a Tripoli detention centre, they found severely tortured detainees who interrogators tried to conceal, the group reported. It spoke to detainees held in and around Tripoli, Gharyan, Misrata, Sirte and Zawiya.

- The humanitarian group Doctors Without Borders suspended its work in prisons in Misrata in late January because it said torture was so rampant that some detainees were brought for care only to make them fit for further interrogation and abuse.

Rovera accused the Tripoli-based national government of 'a lack of political will. They're not willing to recognise the scale of the problem. It is way, way beyond individual cases. It's an irresponsible attitude,' she said.

The militias were one of the keys to the rebellion that toppled Gaddafi's 42-year rule last year, but they are maintaining their independence from the National Transitional Council.

Hundreds of Libyan militias commemorated the anniversary of the anti-Gaddafi uprising this week by allying into a new unified military council.

Thousands of fighters from across western Libya held a mass parade in Tripoli on Tuesday, showing off heavy machine guns and rocket launchers and firing rifles in the air, an outburst that appeared intended as a warning to anyone who might stage attacks during the anniversary.

Some of the militia reprisals are against dark-skinned Libyans and African contract workers who the Gaddafis had

brought in for jobs ranging from construction to security and riot control, leading to attacks on so-called 'mercenaries' during the uprising.

### [Amnesty: Libyan Militias Commit War Crimes - ABC News](http://abcnews.go.com/US/wireStory/amnesty-int-libyan-militias-commit-war-crimes-15652150?singlePage=true#.TzyCicVSRcC)

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- Amnesty: Libyan Militias Commit War Crimes
- By PETER JAMES SPIELMANN Associated Press

NEW YORK February 16, 2012 (AP)

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"African migrants and refugees are also being targeted and revenge attacks are being carried out," Amnesty said. "Entire communities have been forcibly displaced and authorities have done nothing to investigate the abuses and hold those responsible to account."

- The violence took on an ethnic twist. "It's hunting down 'the other,'" Rovera told the AP. "They're wreaking havoc in the community."

Amnesty said that militias from Misrata "drove out the entire population of Tawargha, some 30,000 people, and looted and burned down their homes in revenge for crimes some Tawargha are accused of having committed during the conflict."

"Thousands of members of the Mashashya tribe were similarly forced out of their village by militias from Zintan, in the Nafusa Mountains. These and other communities remain displaced in makeshift camps around the country," Amnesty said.

- Amnesty called for Western pressure on the Libyan government and militias.

Rovera said that from the United States to Europe, "There are a lot of countries and governments seeking contracts in Libya, so there's no shortage of contacts" that the West can use.

Europe, the U.S. and NATO "should tell them things as they are — the time for 'wait and see' has run out," Rovera told the AP.

### [Libyans fight back against U.S.-NATO puppet regime](http://www.workers.org/2012/world/libya_0223/?utm_source=divr.it&utm_medium=twitter)

[http://www.workers.org/2012/world/libya\\_0223/?utm\\_source=divr.it&utm\\_medium=twitter](http://www.workers.org/2012/world/libya_0223/?utm_source=divr.it&utm_medium=twitter)

- Libyans fight back against U.S.-NATO puppet regime
- By Abayomi Azikiwe  
Editor, Pan-African News Wire

Published Feb 13, 2012

- Since the U.S.-NATO-engineered war began against Libya last March 19, a new push has begun to recolonize Africa through the machinations of various intelligence agencies, special forces and surrogate militias armed and trained by the imperialists. Regional insecurity has grown rapidly.

The bombing and war in Libya killed tens of thousands of people and displaced hundreds of thousands inside Libya and throughout the region, including many of the 2 million immigrant workers employed in Libyan construction, medical, service and oil industry jobs.

The war and the new regime assassinated many top officials of the government, including martyred leader Col. Moammar Gadhafi and several of his family members. Others have fled to neighboring states including Niger and Algeria.

- **Al-Saadi Gadhafi speaks from Niger**

One of the late leader's sons, Al-Saadi Gadhafi, was interviewed in Niger by Al-Arabiya satellite television on Feb. 13. Saadi noted the widespread disaffection and anger inside Libya resulting from worsening conditions of the majority of people since the overthrow.

Saadi acknowledged the ongoing resistance by loyalist forces in Libya. He predicted a general uprising soon aimed at the overthrow of the U.S.-NATO-backed rebel regime of the so-called National Transitional Council. Forces loyal to the former government seized control of Bani Walid in January and have been launching attacks in the Nafusa Mountains, Benghazi and the capital, Tripoli.

Saadi told Al-Arabiya, "First of all, it is not going to be an uprising limited to some areas. It will cover all the regions of the Jamahiriya [the state of the masses]. I am following and witnessing this as it grows bigger by the day."

- Reflecting on the conditions facing Libyans one year after the Western-backed rebellion started, he said, "The Libyan people should revolt against the deteriorating situation. The NTC is not a legitimate body and is not in control of the militias."

"I have daily communications with Libya from Niger to follow up on the status of our tribes, our relatives and the people," Saadi continued. "I can confirm that more than 70 percent of those who are in Libya now, whether they support the February 17th rebellion or not, all are not satisfied with the situation and are ready to cooperate to change it."

The NTC rebel regime has demanded Niger extradite Saadi tTripoli to stand trial. The Niger government has refused. As a result, relations between the the Niger government and the NTC regime have worsened in recent months.

Niger government spokesman Marou Amadou told a recent news conference: "We will hand over Saadi Gadhafi to a government which has an independent and impartial justice system. But we cannot hand over someone to a place where he could face the death penalty or where he is not likely to have a trial worthy of the name." (The Africa Report, Feb. 13)

- **Aisha Gadhafi speaks from Algeria**

The slain Libyan leader's daughter, Aisha Gadhafi, wrote a letter to the United Nations from Algeria through her lawyer. She demanded an international investigation into the circumstances surrounding her father's and brother Mo'tassim's deaths.

"These murders were witnessed by the whole world and have been roundly condemned by those who champion the rule of law. It is inconceivable, therefore, that the commission of inquiry should refuse to investigate these matters," she wrote.

Aisha Gadhafi, a lawyer by profession herself, was part of a defense team that sought justice for the slain leader of Iraq, President Saddam Hussein. She also requested an International Criminal Court investigation into Gadhafi's death, but the ICC in The Hague, Netherlands, rejected this appeal.

- **Human Rights violations continue**

Aisha Gadhafi has also attempted to submit information to the ICC related to the condition of her brother Seif al-Islam, who is being held illegally by the rebel NTC regime in Libya. Seif has had several fingers severed, and is not being allowed to see defense attorneys hired by the Gadhafi family.

NTC rebel leader Mustafa Abdul Jalil said Seif al-Islam is being interrogated, and will be moved to a prison in Tripoli in order to stand trial within two months. (Reuters, Feb. 12)

The NTC, however, has established no viable legal system in Libya since it overthrew Libya's sovereign government. The NTC does not even have control over its own officials and militias, who are fighting each other regularly.

- Rebels have detained over 8,000 people in prisons, many of whom are Black Libyans and Africans from other countries. Even Human Rights Watch — an enemy of the Gadhafi government — has reported that the Misrata rebels have looted and burned homes of the Tawergha people, who are dark-skinned Libyans driven from their villages in the central region into Tripoli. In the capital they are under constant attack by the NTC.

Despite repeated claims by the Obama administration that the Libyan people have been "liberated" by the imperialist-backed war, the conditions for the majority of the population worsen every day. The war has created great turmoil and suffering throughout West and North Africa.

- **Tuareg people challenge Mali gov't**

In neighboring Mali, the Tuareg-led forces that fought alongside the Jamahiriya — the pro-Gadhafi government — during the first phase of the anti-imperialist war in Libya have returned to Mali and opened up a front against the government in Bamako.

A Feb. 10 Reuters article reported, "The flood of weapons and fighters out of Libya has now added to an arc of insecurity across West Africa, stretching from Boko Haram Islamists behind a spate of lethal bombings in Nigeria to al-Qaeda allies who have targeted Westerners and armed forces in the Sahel all the way to Mauritania in the north." A

Malian army official claimed the Tuareg fighters were well-armed.

- The Tuareg fighters have formed a National Movement for the Liberation of Azawad (MNLA), seeking an independent state. The Malian government has rejected these demands but may be forced to open up negotiations with the MNLA.

The lesson of the Libyan war is a lesson regarding Syria, where U.S. and Gulf State-backed rebels are heavily armed in an effort aimed at regime change. Imperialism and its allies have never brought peace and security to oppressed nations. The only salvation for the postcolonial states is the total recognition of their independence and sovereignty as free and liberated zones.

### [Displaced black Libyans tell of beatings, expulsion at gunpoint | Reuters](http://www.reuters.com/article/2011/10/17/us-libya-displaced-idUSTRE79G2CY20111017)

<http://www.reuters.com/article/2011/10/17/us-libya-displaced-idUSTRE79G2CY20111017>

- Displaced black Libyans tell of beatings, expulsion at gunpoint
- By [Brian Rohan](#)

BENGHAZI, Libya | Mon Oct 17, 2011

- (Reuters) - After weeks on the run, thousands of black Libyans driven from their homes during the revolt against Muammar Gaddafi have resurfaced across the country, finding refuge in a squalid camp they hope is only temporary.
- Once residents of Gaddafi's stronghold of Tawergha, the families now wander a dusty compound ringed with garbage and staffed by a handful of volunteers from the city of Benghazi struggling to prevent the spread of disease as numbers swell.

The group's eastward flight began last summer, when anti-Gaddafi forces overran Tawergha and vengeance-seeking crowds ransacked it, leaving a ghost town behind.

"They chased us with guns and knives," said Ibrahim Med Khaled, a 24-year-old taxi driver recently arrived at the former construction site after spending weeks dodging hostile crowds across the country's west before being captured by armed men.

"They brought me to a house and beat me with electrical cable to make me confess I worked for Gaddafi, even though I told them I never carried a gun," he said, lifting his shirt to reveal shoulders criss-crossed with fresh wounds from flogging.

- Throughout the uprising against Gaddafi's 42-year rule, his opponents have accused him of hiring fighters from neighboring African countries which led to reports of mistreatment of blacks, including Libyans.

The camp has grown since opening from 400 to nearly 3,000 people in just two weeks, despite disrepair and lack of sufficient sanitation and electricity evidenced by raw sewage pooling behind some of the housing blocks.

Aid workers say overcrowding is forcing hundreds to set up makeshift settlements near by.

- Some of the men at the camp, guarded by troops loyal to the interim government which ousted Gaddafi, still wear camouflage trousers they may have donned last summer in support of Gaddafi.

One little girl could be seen eating spilled food off the ground.

- GHOST OF GADDAFI

"We have a big health problem here," said Randa Muftah Salem-Oun, a 23-year-old medical student now head doctor at the site, where her day begins at dawn and ends after midnight.

"We need many supplies, wound dressings and medicine," she said, adding that many at the camp suffered from gastroenteritis - a telltale sign of contaminated food or water - and that hepatitis was also discovered among the sick.

However dire the conditions may be, the camp's residents say they are torn between desire to return, and fear of reprisals from heavily armed locals still bitter from one of the bloodiest episodes in Libya's civil war.

- Many accuse men from Tawergha of committing atrocities in the siege of the city of Misrata, and tales of raping sprees by sub-Saharan African mercenaries - fueled in one version by Viagra doled out by Gaddafi - abound in Libya, leaving dark-skinned people suspect to some of their countrymen.

Another former Tawergha resident, a 38-year-old mother of four named Rabha Mouftah, said there was no doubt as to the intentions of the mob that stormed into her town last summer.

"They came to kill black people," she said in a room with no lighting she now shares with her family off an alley strewn with debris. "We were scared to go outside, so we hid in different houses for seven weeks, then came here."

The Tawergha displaced add yet another delicate task to the growing workload of Libya's interim rulers, the National Transitional Council, (NTC) as they try to reunify the country and impose the rule of law amid renewed opposition from Gaddafi loyalists, who launched attacks in the capital Tripoli last week for the first time since it fell in August.

It also highlights a potential future division in the post-Gaddafi era as leaders strive to integrate a legion of factions, such as the Tuarag, a black tribe of nomads some of whom still support the ousted leader.

Some groups have reported arbitrary arrests across the country on suspicion of collusion with the former leader, believed to be somewhere in Libya's vast southern desert.

While the NTC favors the return of Tawergha's residents, it admits this will take time. But resolving the issue remains a test of its leadership to come. Much of the city lays in ruins and people in neighboring Misrata say tensions are still too

high to allow a return that could spark more violence.

"In the end it's another ghost of Gaddafi -- he paid many of the tribes to fight for him, so now people see black people and immediately assume they support him, even if they don't," said Imad Eddin, an anesthesiologist volunteering at the camp.

[Video proof that Libya's freedom fighters have turned into brutal torturers | Mail Online](http://www.dailymail.co.uk/news/article-2099957/Video-proof-Libya-freedom-fighters-turned-brutal-torturers.html)  
<http://www.dailymail.co.uk/news/article-2099957/Video-proof-Libya-freedom-fighters-turned-brutal-torturers.html>

## • **Caught on video: The horrifying proof that Libya's freedom fighters have turned into brutal torturers**

- Film shows three men tying up blood-spattered man before whipping him with cables and touching him on his skin with electric wires
- Man, suspected by rebels of having supported Gaddafi, told: 'Blood will come from your eyes and nose until you admit what you have done'
- Video handed to Mail on Sunday in Tripoli refugee camp

By [Barbara Jones](#)

Last updated at 12:37 AM on 12th February 2012

- A terrified Libyan man is beaten and tortured with electric shocks by youths who appear to be former revolutionary fighters.

The images, taken from a video handed to The Mail on Sunday in a Tripoli refugee camp, will be seen as fresh evidence that those who deposed Colonel Gaddafi with the help of the West are adopting methods as brutal as the dead tyrant's.

- The film shows three men tying up the blood-spattered man before whipping him repeatedly with cables, touching him on his skin with electric wires and taunting him as he pleads for mercy.



The man being whipped with cables on the video was Saleh Barhoun Gersh, who had run a general store in Towerga - which was loyal to Gaddafi during the conflict until the town was ransacked by fighters from nearby Misrata.

- When the rebels arrived, Mr Gersh was so frightened he wore women's clothes to disguise himself



The

- film shows three men tying up the blood-spattered man before whipping him repeatedly with cables, touching him on his skin with electric wires and taunting him as he pleads for mercy





The men, one of whom is wearing combat trousers and is armed with a knife, tell the man that 'blood will come from your eyes and nose until you admit what you have done'

- The men, one of whom is wearing combat trousers and is armed with a knife, tell the man that 'blood will come from your eyes and nose until you admit what you have done'.

The new video images follow growing protests about abuse and torture in parts of the country.

Doctors from the aid agency Medecins Sans Frontieres (MSF) have pulled out after refusing to deal with the results of such brutality in their clinics.

- According to sources, the youths in the video were former rebels who refused to surrender their weapons at the end of the civil war in October – and are intent on revenge on those they suspect of having supported Gaddafi.

They are said to have driven in armed trucks into the al-Fellah 'internally displaced persons' (IDP) camp in a suburb of Tripoli, firing at crowds and searching homes until they found men on their list of 'suspects'.



Fury: Women in the refugee camp, in a suburb of Tripoli, scream at the militia

- Their victim, seen on the video, was Saleh Barhoun Gersh, who had run a general store in Towerga – which was loyal to Gaddafi during the conflict until the town was ransacked by fighters from nearby Misrata city.

Before Gaddafi was killed, the rebels had been under siege from his forces for weeks in Misrata – a port 150 miles east of Tripoli.





Commander Mohamed al-Deaka said of the men carrying out the abuse: 'Yes, it happens here, but it's everywhere in Libya. We have to use force to make prisoners give answers. Our city was destroyed in the fighting. Now we want to know who carried out the destruction, who raped our women and stole our property'

When some of the Misrata rebels arrived at the camp, Mr Gersh was so frightened he wore women's clothes to disguise himself.

In the film he cries out as he is whipped and is told: 'You are from Towerga, you dog. You say you did nothing in Misrata, so why are you in disguise? We found weapons in every house in Towerga. Your hand is bleeding and we hope it is paralysed.'

The men chant as they reach for live electric wires: 'Everyone we catch is innocent, they say.'

- 'Well, blood will come from your eyes and nose until you admit what you have done. We've caught 60 of you so far and none of you did anything.'

It is not clear when the footage was taken or what happened to Mr Gersh.

Camp manager Mohamed al-Mabruk, who handed over the footage, said: 'The fighters from Misrata have kept their weapons and vowed to capture everyone who supported Gaddafi.'

'They come on regular raids to our three camps in Tripoli and take anyone they want. They beat them and torture them to get them to confess to rape and murder.'

Locals said Towerga residents were known supporters of Gaddafi and are among 8,500 people believed to be held in secret camps all over the country.

Mr al-Mabruk is helpless to stop the raids. He said: 'You can do nothing against the Misrata militias.'

- 'We are all terrified of them. The government, the police and the army cannot stop them.'

Attacks are often filmed by the fighters for amusement to post on YouTube.

The abuse of Mr Gersh was captured on a mobile phone left behind in the chaos of a raid. Libya's interim government has admitted it is largely powerless to prevent this collapse of law and order. It comes at a time when doubts are being raised about Nato's support for the uprising.

Britain spent about £300million on bombing raids to help secure the victory that ousted the Gaddafi regime four months ago.

- But local militias are hell-bent on revenge against their former enemies. They also frequently clash with rival militias.



Rebel fighters in Towerga, south of Misrata, which has been systematically looted and destroyed since Gaddafi's downfall

- Thousands of fighters have commandeered schools, halls and sports centres as detention facilities for 'suspects' they capture from their homes or the street.

The Misrata brigades are considered the most hostile, with thousands of untrained youths carrying out the aggressive interrogation. In other footage collected by the camp manager, more than 30 armed trucks are shown on an early morning raid into the camp.

Women scream that they are being attacked in their beds and that some family members are sick. 'Is this the new revolution. Is this the justice we all fought for?' they shout.

Last month, 14 badly injured detainees were sent to Medecins Sans Frontieres doctors, three of them needing hospitalisation.

- Claudia Evers, Misrata co-ordinator for MSF, said: 'The militia refused to let us take them to hospital. We've reported two deaths. No action has been taken and our doctors refuse to continue.'

Amnesty International has documented thousands of cases of abuse and torture, and handed photographs to The Mail on Sunday. Senior crisis response adviser Donatella Rovera has protested to the National Transitional Council (NTC) without success.

'I have seen people who have been beaten with iron bars and rubber pipes, some hardly able to walk,' she said.

'Men are hung by handcuffs from a door frame and attacked with electric wires. Tasers are applied to their ears and genitals, and finger and toenails are torn out.'

- She has evidence of 12 deaths. No investigations have been carried out by the authorities. 'There is not a single case where anyone has been brought to justice,' she said. 'There is a total lack of accountability.'



End of a tyrant... but not the end of the bloodshed: A grab from a video taken from the mobile phone of a National Transitional Council fighter showing the demise of Gaddafi last October

- At al-Huda prison centre in Misrata, Sheikh Fathy Daraz heads an Islamic charity for inmates' welfare.

But he is at the mercy of the militia, who regularly take men away for questioning.

'We see their bruises and their broken limbs when they return but we can do nothing,' he said. 'There is no effective police force or national army yet.'

Nearby at the city's al-Head sports centre, the tennis courts and gym were deserted. A group of 25 brigades have taken over.

- Commander Mohamed al-Deaka is a former construction engineer. He was defensive about abuse by his men. 'Yes it happens here, but it's everywhere in Libya,' he said.

'We have to use force to make prisoners give answers. Our city was destroyed in the fighting. Now we want to know who carried out the destruction, who raped our women and stole our property.'

- Khaled Ben Ali, head of LibAid, an umbrella organisation for humanitarian agencies, said that NTC ministers told him they were powerless: 'The Prime Minister told me he had issued written orders for the surrender of weapons and the militias tore them up.

'They fought for freedom and now they think they are free to do what they like. What they like is revenge. There is no effective judicial system. Maybe we need the UN Security Council to find new ways of protecting our civilians.'

A government source said: 'This is the result of our legacy from Gaddafi – brutalised people enacting revenge. But it must stop.'

### [Libya's New Government Unable to Control Militias - NYTimes.com](http://www.nytimes.com/2012/02/09/world/africa/libyas-new-government-unable-to-control-militias.html?_r=1&pagewanted=all)

[http://www.nytimes.com/2012/02/09/world/africa/libyas-new-government-unable-to-control-militias.html?\\_r=1&pagewanted=all](http://www.nytimes.com/2012/02/09/world/africa/libyas-new-government-unable-to-control-militias.html?_r=1&pagewanted=all)

- Libya Struggles to Curb Militias as Chaos Grows
- By [ANTHONY SHADID](#)

Published: February 8, 2012

- TRIPOLI, Libya — As the militiamen saw it, they had the best of intentions. They assaulted another militia at a seaside base here this week to rescue a woman who had been abducted. When the guns fell silent, briefly, the scene that unfolded felt as chaotic as Libya's revolution these days — a government whose authority extends no further than its

offices, militias whose swagger comes from guns far too plentiful and residents whose patience fades with every volley of gunfire that cracks at night.

- The woman was soon freed. The base was theirs. And the plunder began.

"Nothing gets taken out!" shouted one of the militiamen, trying to enforce order.

It did anyway: a box of grenades, rusted heavy machine guns, ammunition belts, grenade launchers, crates of bottled water and an aquarium propped improbably on a moped. Men from a half-dozen militias ferried out the goods, occasionally firing into the air. They fought over looted cars, then shot them up when they did not get their way.

"This is destruction!" complained Nouri Ftais, a 51-year-old commander, who offered a rare, unheeded voice of reason. "We're destroying Libya with our bare hands."

- The country that witnessed the Arab world's most sweeping revolution is foundering. So is its capital, where a semblance of normality has returned after the chaotic days of the fall of Tripoli last August. But no one would consider a city ordinary where militiamen tortured to death an urbane former diplomat two weeks ago, where hundreds of refugees deemed loyal to Col. [Muammar el-Qaddafi](#) waited hopelessly in a camp and where a government official acknowledged that "freedom is a problem." Much about the scene on Wednesday was lamentable, perhaps because the discord was so commonplace.
- "Some of it is really overwhelming," said Ashur Shamis, an adviser to Libya's interim prime minister, Abdel-Rahim el-Keab. "But somehow we have this crazy notion that we can defeat it."
- There remains optimism in Tripoli, not least because the country sits atop so much oil. But Mr. Keab's government, formed Nov. 28, has found itself virtually paralyzed by rivalries that have forced it to divvy up power along lines of regions and personalities, by unfulfillable expectations that Colonel Qaddafi's fall would bring prosperity, and by a powerlessness so marked that the national army is treated as if it were another militia.
- The government could do little as local grievances gave rise last month to clashes in Bani Walid, once a Qaddafi stronghold, and between towns in the Nafusah Mountains, where rival fighters, each claiming to represent the revolution, slugged it out with guns, grenades and artillery.
- "It's a government for a crisis," Mr. Shamis said, in an office outfitted in the sharp angles of glass and chrome. "It's a crisis government. It is impossible to deliver everything."

Graffiti in Tripoli still plays on Colonel Qaddafi's most memorable speech last year, when he vowed to fight house to house, alley to alley. "Who are you?" he taunted, seeming to offer his best impression of Tony Montana in "Scarface."

"Who am I?" the words written over his cartoonish portrait answered back.

Across from Mr. Shamis's office a new slogan has appeared.

"Where are you?" it asks.

- The question underlines the issue of legitimacy, which remains the most pressing matter in revolutionary Libya. Officials hope that elections in May or June can do what they did in Egypt and Tunisia: convey authority to an elected body that can claim the mantle of popular will. But Iraq remains a counterpoint. There, elections after the American invasion widened divisions so dangerously that they helped unleash a civil war.

A sense of entropy lingers here. Some state employees have gone without salaries for a year, and Mr. Shamis acknowledged that the government had no idea how to channel enough money into the economy so that it would be felt in the streets. Tripoli residents complain about a lack of transparency in government decisions. Ministries still seem paralyzed by the tendency, instilled during the dictatorship, to defer every decision to the top.

"They're sitting on their chairs, they're drinking coffee and they're drafting projects that stay in the realm of their imagination," said Israa Ahwass, a 20-year-old pharmacy student at Tripoli University, which was guarded by a knot of militiamen.

- "How can you change people overnight?" interrupted her friend, Naima Mohammed, who is also studying pharmacy. "It's been 42 years of ignorance."

"They're not doing a single thing," Ms. Ahwass replied.

Like Tunisia to the west and Egypt to the east, Libya is confronting a diversity Colonel Qaddafi denied so strenuously that he tried to convince the minority Berbers that they were, in fact, Arabs. The revolution has its variation on this theme, appeals that mirror the fears of social fracturing. "No to discord" and "No to tribalism," declare slogans that adorn the streets.

- They all hint at the truth that the Libyan author Hisham Matar evoked in his first novel, "In the Country of Men," when he wrote, "Nationalism is as thin as a thread, perhaps that's why many feel that it needs to be anxiously guarded." Authority here peels like an onion, imposed by militias bearing the stamp of towns elsewhere in the west, neighborhoods in the capital, even its streets.

"Where is the rule of law?" asked Ashraf al-Kiki, a vendor who had gone to a police station, the Tripoli Military Council and a militia from Zintan in pursuit of compensation after militiamen shot holes in his car. The scent of the kebab he grilled wafted over speakers playing the national anthem. "This is the rule of force, not the rule of law."

- The force at the Tripoli airport is the powerful militia from Zintan, a mountain town south of the capital, which played a role in Tripoli's fall and [still holds prisoner](#) Colonel Qaddafi's most prominent son, Seif al-Islam. By its count, it has 1,000 men at the airport, and one of its commanders there, Abdel-Mawla Bilaid, a 50-year-old man in fatigues, parroted the cavalier pronouncements of the government he helped overthrow. "Everything's going 100 percent right," he declared.

Mr. Shamis, the prime minister's adviser, acknowledged the government's inability to do anything about the militia's presence. "Let it be for now," he said.

That was the sense of the commander, too. "There's no reason for us to leave," Mr. Bilaid said. "The Libyan people want us to stay here."

- The militias are proving to be the scourge of the revolution's aftermath. Though they have dismantled most of their



checkpoints in the capital, they remain a force, here and elsewhere. A Human Rights Watch researcher estimated there are 250 separate militias in the coastal city of Misurata, the scene of perhaps the fiercest battle of the revolution. In recent months those militias have become the most loathed in the country.

- Residents say some of the fighters have sought to preserve law and order in the midst of government helplessness. Militias from Benghazi and Zintan are trying to protect a refugee camp of 1,500 people [driven from their homes](#) in Tawergha by fighters from Misurata, who bitterly blamed them for aiding Colonel Qaddafi's assault on their town. Since the Tawerghans arrived in the camp, which once housed Turkish construction workers in Tripoli, Misurata militiamen have staged raids five or six times there despite the presence of the other militias, detaining dozens, many of them still in custody.

- "Nobody holds back the Misuratans," said Jumaa Ageela, an elder there.

Bashir Brebesh said the same was true for the militias in Tripoli. On Jan. 19, his 62-year-old father, Omar, a former Libyan diplomat in Paris, was called in for questioning by militiamen from Zintan. The next day, the family found his body at a hospital in Zintan. His nose was broken, as were his ribs. The nails had been pulled from his toes, they said. His skull was fractured, and his body bore signs of burns from cigarettes.

- The militia told the family that the men responsible had been arrested, an assurance Mr. Brebesh said offered little consolation. "We feel we are alone," he said.

"They're putting themselves as the policeman, as the judge and as the executioner," said Mr. Brebesh, 32, a neurology resident in Canada, who came home after learning of his father's death. He inhaled deeply. "Did they not have enough dignity to just shoot him in the head?" he asked. "It's so monstrous. Did they enjoy hearing him scream?"

- The government has [acknowledged the torture](#) and detentions, but it admits that the police and Justice Ministry are not up to the task of stopping them. On Tuesday, it sent out a text message on cellphones, pleading for the militias to stop.
- "People are turning up dead in detention at an alarming rate," said Peter Bouckaert, the emergencies director at Human Rights Watch, who was compiling evidence in Libya last month. "If this was happening under any Arab dictatorship, there would be an outcry."
- At the seaside base this week, the looting ended before midnight. Not much was left at the compound, which once belonged to Colonel Qaddafi's son Saadi — a red beret, a car battery, a rusted ammunition case and an empty bottle of Tunisian wine.

But as on most nights, militias returned to contest other spots in the city, demarcating their turf. Like a winter squall, their shooting thundered over the Mediterranean seafront into the early hours. In the dark, no one could read the slogans in Quds Square. "Because the price was the blood of our children, let's unify, let's show tolerance and let's live together," one read. In the dark, no one knew who was firing.

"What's wrong with them?" asked Mahmoud Mgairish. He stood near the square the next morning, as a soft sun seemed to wash the streets. "I don't know where this country is heading," he went on. "I swear to God, this will never get untangled."

- A version of this article appeared in print on February 9, 2012, on page A1 of the New York edition with the headline: Libya Struggles to Curb Militias as Chaos Grows.

### [AFP: Three Tawarga refugees killed near Tripoli](#)

<http://www.google.com/hostednews/afp/article/ALeqM5ht7ID3mWVGzjidP3yBOAf4h2gZ4g?docId=CNG.b5b8f7c33102d1fbecffff1776bd8b60.261>

- Three Tawarga refugees killed near Tripoli

(AFP)

- TRIPOLI — An armed group killed at least three refugees from the town of Tawarga on Monday near the Libyan capital as they tried to enter the city to hold a sit-in protest, a witness and other sources said.

The witness told AFP that a crowd of Tawargans, mostly black-skinned Libyans now living in refugee camps, came under attack near a camp outside Tripoli where the Tawargans have been staying for several months.

A government source confirmed the death toll but said the "deaths were due to a family quarrel among the Tawargans and not the result of a clash between two different groups."

- The Tawargans stand accused by fighters from Misrata, the third largest city in Libya, of having taken part in the siege of their city and rape of their women during the bloodiest months of last year's anti-Kadhafi uprising.

The displaced Tawargans are now staying in refugee camps across Libya, in and around cities such as Tripoli, Benghazi, Hun and Sabha.

They accuse the people of Misrata of stopping them from returning to their homes in Tawarga, a town near the port city. They fled when Misrata fighters broke the siege of their city last year.

The witness said the Tawargans were headed to Tripoli's Martyrs Square to hold a demonstration when they were attacked.

### [Libya's hostages of war | Reuters](#)

<http://www.reuters.com/article/2012/02/01/us-libya-displaced-idUSTRE81017X20120201>

- Libya's "hostages of war"
- By Oliver Holmes

TRIPOLI | Wed Feb 1, 2012

- (Reuters) - 'Fitna' is widely used in Arabic but difficult to translate directly into English. Roughly defined, it means the intentional stirring of chaos between people.
- Fitna is why Muammar Gaddafi occupied the town of Tawergha, held its residents hostage and used it as a base to besiege and shell the coastal city of Misrata in last year's civil war, refugee Kareem al-Barra said.

"He wanted to turn Libyans on each other, to divide and rule," said Barra, one of thousands of displaced black Libyans who have suffered revenge attacks from victorious anti-Gaddafi forces since the war ended.

Barra and his family were forced from their homes and driven out of Tawergha in August, and now live in a refugee camp on the outskirts of Benghazi.

- "We consider ourselves war hostages," he told Reuters.

Gaddafi's strategy last year stirred suspicion and hatred between the ethnically Arab people of Misrata and the black Libyans in Tawergha, refugees say. It worked so well that even after the dictator's death, it interferes with Libya's new rulers focus on rebuilding and reconciliation.

Although no-one here will admit it, a number of Tawergha's residents did serve voluntarily in the Gaddafi forces. Barra says his people are being persecuted for that supposed collaboration and being mistaken for the sub-Saharan African mercenaries who fought for Gaddafi in the war.

- "Everyone wants to return but we are too scared. The rebels from Misrata think we fought with Gaddafi, but we were trapped inside Tawergha," Barra said, sitting in a corrugated iron building at the centre of Gargounis camp, one of five camps in Benghazi that house more than 19,000 Tawergha residents.

"Now (fighters from Misrata) are still destroying Tawergha and attacking black Libyans on sight."

The more than 28,000 displaced people from Tawergha and its surrounding villages add to the difficulties of Libya's interim rulers tasked with creating a democratic state from scratch.

In addition to addressing the refugee issue, the National Transitional Council (NTC) must quell regular clashes between rival militias, bring down youth unemployment and secure its borders against arms traffickers, al Qaeda insurgents and migrants trying to reach Europe illegally.

Elections are promised for June, but many here say they will have to be pushed back.

- **GADDAFI BRIGADES IN TAWERGH**

Barra paints a dark picture of life in Tawergha when Gaddafi's forces set up a base there at the start of the war in February 2011.

The electrical engineer-turned-refugee says 12,000 Gaddafi-loyal soldiers arrived in the quiet coastal town over the course of two nights.

"They were all black like us, some of them African mercenaries and some from Saba city, in Libya's Sahara desert," Barra explained, gesturing vividly with his hands.

"They seized fuel and set up checkpoints, making it impossible to escape," he added. A few tried one night but were caught, given on-the-spot trials and found guilty of treason: "Seven entire families were killed. Nobody could get out and if people were sick or injured, they would die in the street."

- Other men from Tawergha, sitting idle in the refugee camps in Benghazi, said Gaddafi promised the town's elders that he would turn the city into a "paradise" after the war.

"Really he was scared about the rebels reaching Sirte," said a volunteer from a local religious charity working at the camp, referring to Gaddafi's hometown where he was killed in October.

Tawergha, known for its fertile soil and salt mines, lay between Misrata and Sirte.

After five months, the Misrata rebels pushed the brigades out of Tawergha, but raised hell as they did, Barra said.

"Then the Misrata problem started," he said, his eyes focused on the memory. "There were revenge attacks in retaliation for the siege of Misrata. People were killed in front of their families. The entire city fled between August and October."

Once inhabited by almost 30,000 people, Tawergha is now a ghost town. Horses, camels and goats roam the streets, feeding on rubbish and shrubs.

- Above the doorways and windows of each of the concrete buildings -- some five or six storeys high -- black soot from fires paints the wall. Houses are splattered with bullet holes and many buildings have collapsed. The detritus of spent rockets-propelled grenades line the streets.

Human Rights Watch's emergencies director Peter Bouckaert, who has worked on and off in Libya since the war started, said Misrata rebels have looted and destroyed homes in Tawergha as well as the neighboring farming villages of Kararim and Tomina.

"Every time we visit the area, we have witnessed rebels looting and burning homes," he told Reuters.

"The civilian and military leadership should remember that the International Criminal Court has full jurisdiction over war crimes being committed in Libya, and forcibly displacing a civilian population and destroying their homes are war crimes."

- **REVENGE ATTACKS**

At a second refugee camp in Benghazi, Tawergha resident Ahmed Ali Farhat has been documenting abuses against his countrymen as the "fitna" continues.

"People fled from Tawergha to all over Libya, but they are still being harassed, especially by roaming Misrata rebels who pursue them," the elderly man told Reuters as he walked through the camp, the grounds of a empty cement factory.

"Two days ago some rebels from Misrata roughed up some Tawergha here in Benghazi," he said. A line of black men stood waiting in front of a USAID truck handing out clothes nearby.

"Another group of eight Tawergha people were caught in Sirte. One was stamped to death," he said. He plans to file a report on the incident to the interim government.

As rain started to beat down, Farhat looked at his townsmen, miles from home and cowering under makeshift huts. He was pessimistic Libya would address the atrocities committed before and after the war, or that he would ever be able to return home.

"There is no security as the Libyan government is still not in control of the country," Farhat said. "They have not looked seriously at our case."

### [Libyan pro-Gaddafi fighters 'beaten with chains' at prison where Doctors Without Borders allegedly halted aid | News | National Post](http://news.nationalpost.com/2012/01/30/libyan-pro-gaddafi-fighters-beaten-with-chains-at-prison-where-doctors-without-borders-allegedly-halted-aid)

<http://news.nationalpost.com/2012/01/30/libyan-pro-gaddafi-fighters-beaten-with-chains-at-prison-where-doctors-without-borders-allegedly-halted-aid>

## • **Libyan pro-Gaddafi fighters 'beaten with chains' at prison where Doctors Without Borders allegedly halted aid**

[Agence France-Presse](#) Jan 30, 2012

### • **By Jay Deshmukh**

MISRATA, Libya – Former pro-Gaddafi fighter Milad Mohammed Yusuf lifts his shirt to reveal scars from what he says are cigarette burns and chain beatings, claims his jailer denies happened at his prison.

Yusuf, a prison inmate in the western city of Misrata, says he has been held in his small cell at the army-run facility since October 28, five weeks after being captured.

"For days I was beaten with chains and sticks on my back and legs by thwar (revolutionary fighters) who captured me near Misrata," Yusuf told AFP, rolling up his pyjama pants to show deep scars.

"I was targeted because I am from Tuwarga," Yusuf said, referring to the town near Misrata, which forces loyal to slay Libyan leader Muammar Gaddafi laid siege to for weeks during the armed uprising that ousted the dictator.

- The prison is one that Doctors Without Borders is believed to have pulled out of last week due to the "torture" of inmates.

Misrata fighters accuse Tuwarga residents of fighting alongside Gaddafi's forces and raping their women during the assault on their port city.

- After breaking the siege, the Misrata fighters unleashed a fierce attack on the Gaddafi's hometown of Sirte, where he was killed on October 20.

"I did not commit any rapes. I did not rape any women. I fought on the side of Gaddafi, but I was in his army so I had to fight," said Yusuf, 52.

"But the thwar who captured me beat me, tortured me and insulted me."

- Another former pro-Gaddafi soldier, Saleh Mustafa Abdullah Sishan, also said he was repeatedly beaten with rods and other metal objects since being captured in Tripoli.

"They hit me again and again with cables," said the 25-year-old, showing his arms which bore long, dark scars.

"They did not give me electric shocks but hit me with electric wires," he added.

- Most of the prisoners who spoke to AFP said they were unaware of the charges they face and have yet to gain access to lawyers. Officials said their cases were still being prepared.

Their accusations come just days after rights watchdogs accused the former rebels of torturing Gaddafi loyalists to the extent that some died in custody.

- Amnesty International reported last week that its delegates noticed visible signs of torture among prisoners in Tripoli, Misrata and smaller towns like Ghariyan.

"The torture is being carried out by officially recognised military and security entities, as well by a multitude of armed militias operating outside any legal framework," said Amnesty.

Separately, Doctors Without Borders suspended its work in Misrata as its medics were increasingly confronted with patients who suffered injuries caused by "torture" during questioning.

- "Patients were brought to us in the middle of interrogation for medical care, in order to make them fit for further interrogation. This is unacceptable," its general director Christopher Stokes.

Justice Minister Ali H'mida Ashur neither confirmed nor denied the allegations, but acknowledged some Libyan prisons were under the control of militias.

Ibrahim Beatelmal, who is in charge of army-run Misrata prisons, denied any inmates had been abused at this particular facility located in the city's market area.

"If any prisoner was tortured before he came to my prison, then it is a different story. In this prison nobody has been tortured," Beatelmal, himself an ex-serviceman in Gaddafi's army, told AFP.

- He said most prisoners came to the facility after being held for several days or weeks in detention centres run by former rebels.

"Some detainees were transferred to the prison weeks after they were caught. What happens to them before they are handed over to us is difficult to say," he said.

Beatelmal expressed surprise at the reports by Amnesty and Doctors Without Borders.

"I am really surprised where they are getting their information from. They have made mistakes. They are talking of abuses which probably occurred before the detainees came to us," he said.

- "I am very angry and upset over these reports, especially what Doctors Without Borders have reported. They must apologise," he said.

An official from Doctors Without Borders who had come to meet Beatelmal refused to speak to AFP, but said that her organisation was now "stepping back."

"We have already caused lot of problems," she said, as she beat a hasty retreat out of the prison.

The United Nations estimated late last year that some 7,000 people, mostly sub-Saharan Africans accused of being Gaddafi mercenaries, were being held in detention centres run by Libyan militias.

[Libya: looking the other way | Editorial | Comment is free | The Guardian](http://www.guardian.co.uk/commentisfree/2012/jan/26/libya-torture-national-transitional-council-editorial?CMP=tw_t_gu)

[http://www.guardian.co.uk/commentisfree/2012/jan/26/libya-torture-national-transitional-council-editorial?CMP=tw\\_t\\_gu](http://www.guardian.co.uk/commentisfree/2012/jan/26/libya-torture-national-transitional-council-editorial?CMP=tw_t_gu)

## • **Libya: looking the other way**

The lack of oversight by Libya's National Transitional Council has created an environment conducive to torture

- ◦ Editorial



- [guardian.co.uk](http://guardian.co.uk), Thursday 26 January 2012
- What is going on in [Libya](#) is not new. Libyans suspected, sometimes merely because of the colour of their skin, of being Gaddafi loyalists were being tortured and summarily executed throughout the rebellion. A week before Gaddafi himself was caught, sodomised with a knife and killed, [Amnesty International](#) issued a report saying that abuses in detention were [staining the new Libya](#). For anyone who cared to look, a whole town, Tawargha, emptied of its inhabitants – black Libyans particularly at risk from reprisals because their area was used as a base for forces besieging Misrata.

The stain has never been washed away. When Ian Martin, the UN's special envoy to Libya, [told the security council](#) that the harsh reality is that Libyans continue to live with the legacy of the old regime – weak or absent state institutions, no political parties or civil society institutions – he was referring in particular to the behaviour of militiamen beyond the control of the National Transitional Council (NTC). Navi Pillay, the UN human rights chief, put it more bluntly: the lack of oversight by the central authority created an environment conducive to [torture](#) and ill-treatment.

- Arrests, detention and torture are, according to the residents of Bani Walid, at the core of a local uprising. On Monday, fighters from the Warfallah tribe, the most populous in Libya, attacked the barracks of the NTC force in the town, killing four and freeing Gaddafi administration officials who had been arrested as war crimes suspects. The Warfallah Elders Council said it had appointed a new local council and claimed the defence minister in Tripoli, Osama al-Juwali, had recognised it. But outside the town, fighters from units from Tripoli, Misrata, Benghazi, Tobruk and Bani Walid itself gathered once again to prepare for a full-blown assault, if the town did not hand over the war crimes suspects freed in the uprising. Needless to say, the national army, an anaemic creature, stayed away from this particular fight.
- This is not Iraq in 2003, where basic services collapsed along with the old regime. But nor is it Tunisia or Egypt, where democratically elected institutions are already in their first days of existence. The NTC is not just irrelevant in places like Bani Walid, but considered the enemy. Not merely because Bani Walid was one of the last towns to surrender to the rebellion last year, and used as a base by Saif al-Islam, but because autonomous militias continue to run their patch wherever they happen to be. The NTC is due to announce a plan which will see elections take place for a new assembly. That feels like a mirage in the desert right now. This is a situation for which France, Britain, the US, and others who intervened last year, bear a responsibility. If we made Libya our conflict, the post-conflict is ours, too.

### [Human Rights Groups Charge NATO With War Crimes In Libya « Viva Libya](#)

<http://vivalibya.wordpress.com/2012/01/21/human-rights-groups-charge-nato-with-war-crimes-in-libya>

Arab Organization for Human Rights

Palestinian Center for Human Rights

International Legal Assistance Consortium

- **21 Saturday Jan 2012**
- Human Rights Groups Charge NATO With War Crimes In Libya
- [ORIGINAL DOCUMENT – Report of the Independent Civil Society Fact-Finding Mission to Libya](#)  
[HUMAN RIGHTS REPORTS](#)  
[U.N. AND LIBYA](#)  
[THE ICC AND LIBYA](#)  
[NATO WAR CRIMES](#)  
[VIDEO EVIDENCE](#)  
[EVIDENCE](#)
- [Bill Van Auken](#)

There is strong evidence that NATO carried out war crimes in its eight-month war for regime-change in Libya, according to a report released Thursday by Middle East human rights groups.

The United Nations resolution authorizing “all necessary measures” to protect civilians was utilized as the justification for military actions against civilian targets in which many Libyans were killed and wounded, according to the groups’ investigation.

The report is based upon a fact-finding mission to Libya conducted by the Arab Organization for Human Rights, together with the Palestinian Center for Human Rights and the International Legal Assistance Consortium. The investigators conducted extensive interviews with victims of war crimes as well as witnesses and Libyan officials. The mission carried out on-site field investigations in and around Tripoli, Zawiya, Sibrata, Khoms, Zliten, Misrata, Tawergha and Sirte.

- While the investigation concluded that the government of Col. Muammar Gaddafi used excessive force against protesters, the report also states: “There does not appear to have been a clear demarcation between peaceful protests and armed opposition, and the Mission received credible information indicating that protestors took up arms in the early stages of the revolution.”
- In terms of NATO’s role, the report cites evidence that in addition to NATO air strikes, the US-led alliance deployed troops on the ground, which coordinated the offensive of the so-called “rebels” with the bombing campaign.

“NATO participated in what could be classified as offensive actions undertaken by the opposition forces, including, for example, attacks on towns and cities held by Gaddafi forces,” the report states. “Equally, the choice of certain targets, such as a regional food warehouse, raises prima facie questions regarding the role of such attacks with respect to the protection of civilians.”

- Among civilian sites visited by the mission that had been struck by NATO bombs and missiles were schools and colleges, a Zliten regional food warehouse, the Office of the Administrative Controller in Tripoli, and private homes.

The mission found its strongest evidence of war crimes in the coastal city of Sirte, a center of support for Gaddafi, which was the last major area to fall to the NATO-backed forces.

It cites a September 15, 2011 incident in which NATO warplanes struck two jeeps guarding a coastal road, killing or wounding 10 pro-Gaddafi fighters. When residents of the area came out of their homes to help the wounded and retrieve the bodies of the dead, the NATO warplanes struck again, firing a third missile into the crowd. Approximately 50 civilians were killed in the attack.

- The report also detailed war crimes by the NATO-backed "rebels." In addition to summary executions of alleged pro-Gaddafi fighters, witnesses provided reports of "indiscriminate and retaliatory murders, including the 'slaughter' (i.e., throat slitting) of former combatants."

The mission reported on visits to detention centers holding individuals charged in many cases with nothing more than having supported the Gaddafi regime. At one of them, in Zawiya, visibly "panicked" and "desperate" detainees "recounted receiving frequent beatings by guards, and showed bruises and other marks consistent with prolonged and recent abuse. These bruises and marks typically appeared on the torso and upper thigh area of the detainees, and consequently were hidden from casual observation by clothing. Beatings were reportedly carried out using fists and electric and plastic cables. Detainees also reported 2 recent deaths in custody."

- The report focuses, in particular, on the treatment of black African immigrant workers and black Libyans, who have been indiscriminately rounded up and charged as "mercenaries." People "with dark skin are being detained as presumed mercenaries. In such instances, there appears to be a presumption of guilt. The alleged mercenaries interviewed by the Mission in detention claimed to have been migrant workers, some of whom had been resident in Libya for over five years prior to the revolution," the report states.

Emblematic of this racially fueled repression is the fate of Tawergha, a town which formerly had a population of about 30,000. Approximately 38 miles east of Misrata, Tawergha was a former slave-trading post settled by freed slaves, and consequently the majority of its inhabitants were black.

- Branded as Gaddafi loyalists, the entire population of Tawergha was driven out through a terror campaign by Misrata-based "rebels," leaving behind a ghost town. The mission's investigators found damaged homes littered with personal belongings of residents who apparently "left in extreme haste," and reported that while they were there in November, arsonists were burning down many of the abandoned residences.

The report quotes a senior Libyan military commander who "confirmed that a number of other 'loyalist' villages throughout Libya had met a similar fate."

- "We have reason to think that there were some war crimes perpetrated" by NATO, Raji Sourani, the head of the Palestinian Center for Human Rights told the British Independent newspaper. The mission's report noted that the effort to determine the scale of these crimes was hindered by the "apparent desire" among the anti-Gaddafi elements who have taken control "to protect NATO, or avoid any direct or indirect criticism."

The report concludes that the evidence of war crimes in the military intervention for regime-change in Libya necessitates "effective investigation, including, where appropriate, the prosecution of those responsible."

- In November of last year, the chief prosecutor of the International Criminal Court (ICC), Luis Moreno Ocampo, stated that "there are allegations of crimes committed by NATO forces (and) these allegations will be examined impartially and independently."

While the ICC last week granted Libya's National Transitional Council a two-week extension on its deadline to provide the international court with a report on the conditions under which the murdered Libyan leader's son, Saif al-Islam, is being held and whether he will be turned over to the international court, Moreno-Campo has given no further indication that the ICC is pursuing charges related to NATO's war crimes or the lynching of Gaddafi.

- **US-NATO war crimes in Libya**

[Barry Grey](#)

A report released last week by Middle East human rights groups presents extensive evidence of war crimes carried out in Libya by the United States, NATO and their proxy "rebel" forces during last year's war, which brought down the regime of Colonel Muammar Gaddafi. The "Report of the Independent Civil Society Fact-Finding Mission to Libya" presents findings of an investigation carried out last November by the Arab Organization for Human Rights, together with the Palestinian Center for Human Rights and the International Legal Assistance Consortium.

Based on interviews with victims of war crimes as well as with witnesses and Libyan officials in Tripoli, Zawiya, Sibrata, Khoms, Zliten, Misrata, Tawergha and Sirte, the report calls for the investigation of evidence that NATO targeted

civilian sites, causing many deaths and injuries. Civilian facilities targeted by NATO bombs and missiles included schools, government buildings, at least one food warehouse, and private homes.

- The report also presents evidence of systematic murder, torture, expulsion and abuse of suspected Gaddafi loyalists by the NATO-backed "rebel" forces of the National Transitional Council (NTC). It describes the forced expulsion of the mostly black-skinned inhabitants of Tawergha and the ongoing persecution of sub-Saharan migrant workers by forces allied to the NTC and its transitional government.

The investigators report savage and repeated beatings of prisoners held without trial or charges, the summary execution of pro-Gaddafi fighters, and witness reports of "indiscriminate and retaliatory murders, including the 'slaughter' (i.e., throat slitting) of former combatants."

- The report exposes the human rights and democratic pretexts employed by the United States, France, Britain and their NATO accomplices to carry out a colonial-style war of conquest. It makes clear that last March's United Nations Security Council Resolution 1973, imposing a "no-fly zone" and arms embargo on Libya supposedly to protect civilians from repressive actions by Muammar Gaddafi, was in fact used to carry out a ruthless air war waged in coordination with "rebel" forces on the ground.

The report suggests that soon after the outbreak of anti-Gaddafi protests in Benghazi and other cities, opposition forces were receiving training from Western armed forces as well as weapons from NATO powers and allied Arab states. Popular opposition to Gaddafi that erupted last February following the fall of Mubarak in Egypt was rapidly taken into hand by the US, France, Britain and their agents within Libya to launch a pro-imperialist civil war.

- As the report states: "From first-hand information available to the Mission, and secondary sources, it appears that NATO participated in what could be classified as offensive actions undertaken by the opposition forces, including, for example, attacks on towns and cities held by Gaddafi forces. Equally, the choice of certain targets, such as a regional food warehouse, raises *prima facie* questions regarding the role of such attacks with respect to the protection of civilians."

The report gives only the palest picture of a brutal onslaught whose purpose was to turn the clock back 43 years to the conditions that prevailed under the US-UK stooge King Idris, who turned the country's oil resources over to American and British conglomerates and allowed the two powers to maintain large military bases on Libyan soil. The mass destruction and killing, which culminated in the leveling of Sirte and lynching of Gaddafi, make the UN-sanctioned claims of a war for "human rights" and the "protection of civilians" not only absurd, but obscene.

- The rape of Libya was the response of US and European imperialism to the revolutionary uprisings that ousted long-time pro-Western regimes in Tunisia and Egypt, two countries that border Libya. The aim of this imperialist war was to impose complete control on the country's oil resources, divert and suppress the growth of working class struggles throughout North Africa and the Middle East, and deal a blow to China and Russia, which had established close economic relations with the Gaddafi regime.

The war devastated the country. The NTC—an unstable coalition of ex-Gaddafi regime officials, Islamists, including some with links to Al Qaeda, and Western intelligence assets—itself estimates that the war took 50,000 lives and injured another 50,000 people. Rising infighting between the NTC's factions is opening the door to full-scale civil war between rival clan-based and regional militias.

- Just this weekend, amid warnings from NTC Chairman Mustafa Abdel Jalil of looming civil war, a crowd demanding the resignation of the transitional government forced its way into the NTC's headquarters in Benghazi. Abdel Hafiz Ghoga, the vice president of the NTC, promptly resigned.

The report on US-NATO war crimes is also a further indictment of the assortment of "left" parties, intellectuals and academics who parroted the human rights pretexts of Washington and NATO and thus gave open or backhanded support to the war in Libya. It underscores that these forces—from social democrats, Greens and ex-Stalinists such as the German Left Party to pseudo-radicals such as France's New Anti-Capitalist Party and the International Socialist Organization in the US—have moved into the camp of imperialism.

### [BBC News - 'Cleansed' Libyan town spills its terrible secrets](http://www.bbc.co.uk/news/magazine-16051349)

<http://www.bbc.co.uk/news/magazine-16051349>

- 12 December 2011

## • 'Cleansed' Libyan town spills its terrible secrets

By Tarik Kafala BBC News, Libya

- The 30,000 people living in a town in northern Libya have been driven out of their homes, in what appears to have been an act of revenge for their role in the three-month siege of the city of Misrata. So what really happened in the town of Tawergha, are the accusations of brutality against the town's residents fair and what does it say about hopes for national unity?
- "No, they can never come back... They have done us too much harm, terrible things. We cannot forgive them."

Najia Waks, a young woman from Libya's third largest city, Misrata, is talking about the people of Tawergha, a town

about 50km (30 miles) to the south.

For three months between early March and the middle of May, the forces of Muammar Gaddafi laid siege to Misrata. These forces were partly based in Tawergha, and the people of the town are accused of being complicit in the attempt to put down the uprising in the city. They are also accused of crimes including murder, rape and sexual torture.



Tawerghans are scattered across Libya in camps

The fighters of Misrata eventually prevailed, breaking out of their battered city, and Misratan brigades made up part of the force that overran the capital Tripoli in August. They also captured and killed Gaddafi and one of his sons in late October, and put the corpses on display in their city.

- In the middle of August, between the end of the siege and the killing of Gaddafi, Misratan forces drove out everyone living in Tawergha, a town of 30,000 people. [Human rights groups](#) have described this as an act of revenge and collective punishment possibly amounting to a crime against humanity.

Tawerghans are mostly descendants of black slaves. They are generally poor, were patronised by the Gaddafi regime and were broadly supporters of his regime. Some signed up to fight for him as the regime fought for its survival.

What happened in Misrata and Tawergha revealed one of the fault lines in Libya. It illustrates how difficult national reconciliation is going to be in some areas. It can also be seen as an example of the victors in the war that overthrew Gaddafi imposing summary and brutal justice on some of the communities that sided with the former regime and were vanquished.

- Ghost town

As you enter Tawergha from the main road, the name is erased from the road sign. It is now eerily silent but for the incongruously beautiful bird song. There were a few cats skulking about, and one skeletal, limping dog.

Building after building is burnt and ransacked. The possessions of the people who lived here are scattered about, suggesting desperate flight. In places, the green flags of the former regime still flutter from some of the houses.

Buildings show the scars of heavy bombardment, some are burnt out shells, some are just abandoned. The town is empty of humans, apart from a small number of Misratan militiamen preventing the return of the town's residents.

Those that escaped the town are now scattered across the country. As many as 15,000 people are in Hun, in central Libya. Some are in Sabha and Benghazi, and more than 1,000 are in a refugee camp in Tripoli.

- This camp, run by the LibAid humanitarian organisation, was a building site abandoned early in the uprising by the foreign construction workers who lived and worked there. It teems with women and children. There are men about, but they are very few and keep out of sight. The women are ready to talk but they want to cover their faces.



Umm Bubakr can't trace one of her sons. "They bombed and shot at us and we had to run away. I ran away with my kids. I've lost a boy and I don't know whether he is alive or dead. And now we are here, with no future. We are scared, we need a solution to our problem and we want to go home."

She says there are nightly raids by Misrata militiamen on the camp, to take away young men. They are not seen or heard of again.

Umm Saber says militiamen claim her nephew has confessed to raping a woman from Misrata, but she swears that he does not know the meaning of the word.

"There is no evidence that rapes occurred. They drove us out because they want our land and homes," she adds.

- Outside in the yard, as we leave the camp, the children gather to sing a protest song about their captivity in the new, free Libya.

People in Misrata explain what happened in Tawergha, the cleansing of a whole town, in terms of the rapes and sexual torture.

They are in no mood for reconciliation or forgiveness. In this conservative society, rape is an unforgivable crime. The victims do not come forward and so there is no way to know the extent of the crimes.

But the authorities in Misrata say that Tawerghans have confessed to rapes and that they have footage taken from mobile phones as evidence.

We were not allowed to see this, but the BBC was allowed to speak to a 40-year-old man who was held by pro-Gaddafi fighters from Tawergha as a suspected rebel fighter. His teeth were knocked out by a rifle butt.

He says that he saw a series of sexual assaults - including more than 20 men suffering torture to their genitals, a man being sodomised with a stick, and Tawerghan women who worked with the Gaddafi military urinating on prisoners who had been forced to lie on the ground.

- Assuming evidence of rapes and other crimes eventually emerges, it seems that Tawerghans are being collectively blamed for the crimes of a few people.

And because the people of Tawergha were largely supportive of Gaddafi, Misrata's triumphant militias seem to be holding them responsible for the far greater crimes of the former regime in its last months.

In Misrata, workmen are converting the former state security building into a prison, floor by floor. Conditions here appear to be good, though it is overcrowded.

The prison is clean and organised. Medecins Sans Frontiers (MSF), a humanitarian organisation, runs a small hospital, a pharmacy and a counselling service in the prison.

About 60 men from Tawergha are held here. A prison warden invites volunteers to speak to us. He insists they can speak freely and there will be no repercussions.

- **Torture claims**

[Continue reading the main story](#)

## “Start Quote



No, they can never come back... They have done us too much harm, terrible things - we cannot forgive them”

End Quote Najia Waks

Riyadh steps forward. He insists he was not involved in rape, though he believes such things did happen. He says no-one has yet investigated his case or charged him with anything. The jail is not a bad place to be, he says, because outside it he would be in great danger. Riyadh hopes he will get his day in court and clear his name.

He urges his uncle to come forward to talk to us. Osama is a lot less voluble, but he shows what he says are scars from a beating with a heavy electrical cable he received from militiamen in Misrata after he was stopped at a checkpoint.

"I am innocent and want to be judged, but it is taking a long time. The people who committed crimes should be punished, not me," Osama says. "I'm obliged to stay a refugee. That's the situation. We will not be able to go home now, these people will not allow it."

- This is pretty much Najia Waks' view of the situation. Najia had to move out of her home when it was destroyed by a rocket during the siege of Misrata. She lost four relatives in the war.

We meet her in a school on the outskirts of Misrata where she is taking part in a sewing workshop. Psychologists from MSF are also here, helping women and girls deal with the trauma of the siege they suffered.

Najia has no direct experience of the rapes and torture allegedly carried out by people from Tawergha, but she is in no doubt that they happened.

One of the teachers working at the school tells me that she cannot say herself if the rapes happened or not. "Everybody talks about this, but no-one really talks about it. It is too shaming," she explains.

Some of the women have lost husbands, sons or brothers in the fighting. They are being offered training so that they can support themselves.

- Children's drawings on the wall mock Gaddafi and his family. The young girls dance and sing songs celebrating victory, bravery and martyrdom - above all else, martyrdom. Pictures of dead relatives hang around their necks.

There is no question that the people of Misrata suffered terribly in the siege - the damage from bombardment is everywhere.

Mohammad Bashir al-Shanbah, the man who has founded the Martyrs' Museum on one of the main streets in the city, says that more than 1,200 people from Misrata died in the fighting. Hundreds of people are still missing, unaccounted for.

- His museum is a kind of gallery. Pictures of all those who have died cover some of the walls. There are pictures of people killed in purges carried out in the city by the Gaddafi regime in the city as far back as the 1980s. In front of the museum, you can wander among piles of the various shells, bullets, heavy guns and grenades that were used against the city. The golden fist that once stood in Gaddafi's compound in Tripoli is here too, a trophy that families come to be photographed beside.

Anyone who died in the cause of overthrowing Gaddafi is a martyr in today's Libya - the discourse of martyrdom is almost suffocating. Every speech opens with prayers for the martyrs, the TV stations are saturated with songs thanking the martyrs for their sacrifice. The central square in Tripoli has been renamed Martyrs' Square. The people of Misrata have adopted this language wholeheartedly.





War-torn city: Misrata suffered three months of intense siege

In the politics of the new Libya, Misrata is striking a hard bargain. Its militiamen continue to hold onto territory and weapons taken in the fighting. Their military successes and their suffering in the war leave them feeling entitled to a share of power.

- Officials in Tripoli have said that there will be an investigation if any acts by fighters from Misrata have broken the law. But it does not appear that anyone is being held to account for the events in Tawergha.

With the townspeople being stopped from returning to their homes, it can be argued that the abuse is continuing and being compounded.

A striking aspect of Libya in this immediate post-Gaddafi period is that the regional or provincial centres - Misrata, Benghazi and Zintan for example - are dictating to the political centre, Tripoli, the capital and the seat of government.

Many cities and communities suffered terribly in the war. Tawergha and Gaddafi's home town of Sirte, which was devastated by heavy shelling, are just two examples.

But they have no voice in the new Libya, as they were on the losing side.

[Local News | Aid workers in Libya ponder future role in oil-rich country | Seattle Times Newspaper](http://seattletimes.nwsourc.com/html/localnews/2017100893_libyanaid27m.html)

[http://seattletimes.nwsourc.com/html/localnews/2017100893\\_libyanaid27m.html](http://seattletimes.nwsourc.com/html/localnews/2017100893_libyanaid27m.html)

## • Aid workers in Libya ponder future role in oil-rich country

Seattle Pacific University graduates Anna Knutzen and Stephen Allen joined a Mercy Corps effort to help civilians in Libya caught up in the fighting there. Now, they and other Mercy Corps staffers are refocusing on helping resolve conflicts and supporting nonprofit groups that watchdog the new government, advocate for women and tackle other social issues in the new Libya.

- By [Hal Bernton](#)

Seattle Times staff reporter

- Through the turbulent months of the Libyan revolution, Anna Knutzen and her husband, Stephen Allen, joined in a Mercy Corps effort to help civilians caught up in the fighting.

From an office based in the rebel-controlled city of Benghazi, the young couple — both 2005 graduates from Seattle Pacific University — organized the distribution of blankets, diapers, hygiene kits, kitchen utensils and other aid.

- Then, in August, Moammar Gadhafi was toppled, and the rebels morphed into a fledgling government backed by formidable oil resources. Under Gadhafi's rule, that petroleum money had helped boost most of the 6.6 million Libyans into the middle class while immigrant laborers took on menial jobs such as dishwashing or janitorial work.

So for the two 28-year-old aid workers, a question quickly emerged: In a nation endowed with so much oil wealth, what kind of role should Mercy Corps play in the postwar era?

"It's a well-developed, albeit oddly developed country," said Knutzen, who returned to the Pacific Northwest with her husband for a late-December break. "Seventy-five percent of Libyans are on the government payroll, and a fair number still had salaries coming even during the revolution."

- Knutzen and Allen arrived in Libya in late May and went to work at Mercy Corps' office in Benghazi. By December, the Portland-based aid organization's operation there had grown to a 30-person staff with an annual budget of just over \$1 million.

Knutzen and her husband plan to return to Libya with an agenda focused on helping resolve conflicts that continue to fracture this desert nation. Mercy Corps also will support nonprofit groups that can help provide watchdog oversight of the government bureaucracy, advocate for women and take on other issues in the new Libya.

Collectively, this work is known as building "civil society." In recent years it has become an integral part of the aid work undertaken by Mercy Corps and many other international organizations in the Middle East and North Africa. These efforts have taken on added importance in the aftermath of the Arab Spring uprisings that reflected pent-up societal tensions.

"In the Arab world, our focus will be on building support for civil society, for sure," said Craig Redmond, a senior vice president for Mercy Corps programs. "I would say hopefully in five to 10 years from now, they wouldn't need our inputs."

- In Iraq, Mercy Corps has operated a program for five years that teaches local leaders a range of conflict-resolution skills and supports their efforts back in their communities. One of the senior Iraqi staff members, visiting Benghazi in July, helped develop a plan for a similar program in Libya.

The town of Tawergha, for example, was a Gadhafi stronghold, and the entire population since has been rousted from its homes by angry backers of the revolution. Mercy Corps hopes to support a mediation effort to help find some common ground and perhaps allow people to return.

"We would bring together leaders identified by the communities for a series of intensive workshops where these negotiation skills are discussed," said Allen. "In Iraq, this approach was quite successful, and we hope to do this nationwide in Libya."

All this is a big change from the days of the Gadhafi regime's one-party rule, when the government placed severe restrictions on all independent groups. Demonstrations were banned, and a 2009 law required anyone wishing to hold a meeting or seminar to obtain a 30-day approval from a government committee, according to a Human Rights Watch report.

- Human Rights Watch also has been critical of the National Transitional Council that now holds power, and has called for the revocation of Gadhafi-era laws that allow critics of the government to be prosecuted.

But the new Libyan government has declared a right to free speech and offered grant money to help fund new nonprofit organizations.

Now, the question is whether such groups will carve out new roles as independent organizations.

In Benghazi, Mercy Corps opened a resource center that serves as a kind of incubator for nonprofits, offering Internet stations, work space, a library and other resources for activists.

Many of the new nonprofits are composed of younger Libyans whose protests help spark the uprising, and whose fighting helped bring down the Gadhafi regime. They now are looking for new ways of being involved in remaking the nation.

"There is just such a hunger for partnerships, where people are asking questions after such a long time of being insulated from outside organizations," Knutzen said. "So for Mercy Corps, I think it's a great opportunity."

### [Collective punishment against pro-Gaddafi towns |](http://feb17.info/media/video-collective-punishment-against-pro-gaddafi-towns/?utm_source=twitterfeed&utm_medium=twitter)

[http://feb17.info/media/video-collective-punishment-against-pro-gaddafi-towns/?utm\\_source=twitterfeed&utm\\_medium=twitter](http://feb17.info/media/video-collective-punishment-against-pro-gaddafi-towns/?utm_source=twitterfeed&utm_medium=twitter)

BBC's Caroline Hawley was first prevented from entering Tawergha, and BBC cameras had to erase their footage, under



orders from Misratan militia. They could only return with an escort, so this report is clearly limited.

## • **Video: Collective punishment against pro-Gaddafi towns**

Posted on [December 18, 2011](#)

- Almost two months after Muammar al-Gaddafi was captured and killed by militiamen from Misrata, the new Libyan government is trying to promote national reconciliation.

Many of the former dictator's fighters have been jailed, and there have been collective punishments against communities that supported him – as happened in the town of Tawargha, south of Misrata.

Caroline Hawley reports from Tawargha.

### [Refugees of Libya revenge attacks plan to go home | Reuters](#)

<http://in.reuters.com/article/2011/12/14/libya-tawargha-return-idINDEE7BD0FJ20111214>

- Refugees of Libya revenge attacks plan to go home
- 

By Ali Shuaib

TRIPOLI | Wed Dec 14, 2011

- (Reuters) - Thousands of former supporters of Muammar Gaddafi who fled their town after revenge attacks will try to return next week, their leaders said on Wednesday, risking a confrontation with their neighbours.
- Tawargha, a town about 250 km east of Tripoli, was ransacked and looted, and its residents forced to flee, in one of the worst cases of reprisals against Gaddafi loyalists since the Libyan leader was overthrown three months ago.

Elders from the town decided at a meeting in Tripoli that all the residents -- who they said number 30,000 and are scattered in camps and makeshift accommodation across Libya -- will go home on December 20.

Jaballah Mohammed, one of the delegates from the town who was at the meeting, appealed to the Libyan government to help the people of Tawargha return.

"Please understand this request," he said. "We are innocent and helpless ... The people of Tawargha were under Gaddafi's militias, we did not know anything about the revolution (against his rule)."

But an official from the neighbouring town of Misrata, one of the centres of the anti-Gaddafi rebellion whose fighters carried out the reprisals in Tawargha, said it was too early for residents to go back.

- "It will be dangerous for them because everybody has weapons and we cannot guarantee that the people with weapons in their hands will not make trouble," said Fethi Bashaga, a member of the Misrata military council.

"Nobody forced the Tawargha people to leave the city. They went of their own accord."

He said the Tawargha residents should wait until Libya's caretaker leadership, the National Transitional Council, organises their return as part of a programme of national reconciliation it launched this month.

"All reconciliation should be organised by the state," Bashaga told Reuters by telephone.

#### SAFETY NOT GUARANTEED

International aid workers at the meeting in Tripoli also said a return to Tawargha next week could be risky.

- "If you were to go on the 20th, neither your safety nor your dignity can be protected by us," Joann Kingsley of the Danish Refugee Council told the meeting.

"December 20 is only six days away. To organise the return of thousands of people to a destroyed place after a war takes much more time than six days."

People in Misrata accuse Tawargha of being complicit in a siege of their city by pro-Gaddafi forces which killed hundreds of civilians and fighters.

Rocket and artillery batteries stationed in Tawargha fired on residential districts of Misrata. Some people from Tawargha fought in the city in pro-Gaddafi units. Misrata residents allege that Tawargha men raped women in the city.

Deep-seated prejudices may also be a factor. Tawargha residents are dark-skinned, many descended from sub-Saharan African slaves, while almost everybody in Misrata is from Libya's lighter-skinned Arab majority.

- International rights groups say some people from Tawargha may have committed crimes during the fighting in Misrata, but that the reprisals since then have swept up thousands of innocent people.

The attacks in Tawargha took some of the lustre off Libya's revolution, which had been feted by its Western backers for its proclaimed ideals of justice, tolerance and democracy.

One Tawargha resident, speaking at the meeting in Tripoli on Wednesday, said a delegation had been to see interim prime minister Abdurrahim El-Keib.

"He said that for now he could not do anything about our problem," said the man, who did not give his name. "So we have to sort the problem out ourselves. Our people are suffering."

(Additional reporting by Hisham El-Dani; Writing by Christian Lowe; Editing by Robert Woodward)

### [Accused of Fighting for Qaddafi, Tawerga Residents Face Reprisals - NYTimes.com](http://www.nytimes.com/2011/09/24/world/africa/accused-of-fighting-for-qaddafi-tawerga-residents-face-reprisals.html?pagewanted=all)

<http://www.nytimes.com/2011/09/24/world/africa/accused-of-fighting-for-qaddafi-tawerga-residents-face-reprisals.html?pagewanted=all>

- Accused of Fighting for Qaddafi, a Libyan Town's Residents Face Reprisals



Moises Saman for The New York Times

Displaced people from the western Libyan town of Tawerga took shelter recently at an abandoned naval academy in Tripoli. [More Photos »](#)

By [KAREEM FAHIM](#)

Published: September 23, 2011

- SURT, Libya — On the edge of this city where Libya's war goes on, several men from the town of Tawerga sat on the patio of a mosque, having fled their homes and traded one war zone for another. Rockets fell nearby, but that was just one of their problems. Men with guns, their former neighbors from the city of Misurata, stood above them, accusing them of grave betrayals.
- Tawerga was used to stage Col. [Muammar el-Qaddafi's](#) bloody assault on Misurata, when more than 1,000 people were killed. The Misurata fighters who resisted the siege have become legends in Libya, a status that has made them comfortable asserting their authority in the new order. They say the men of Tawerga did far more than host an army. They fought alongside the Qaddafi forces, the fighters and Misurata residents say, committing atrocities including rape.
- More than a month ago, as Qaddafi forces retreated from their town, virtually all of Tawerga's estimated 30,000 residents, fearing their neighbors' wrath, fled the city, leaving their clothes, their passports and their family albums behind. Since then, some Misuratans have made a mission of revenge, burning or looting the emptied shops and homes. As the Tawergans have sought safety in other cities, including Surt and Tripoli, they say Misurata's fighters are stalking them and rounding up their men.
- At the Surt mosque this week, a Misuratan fighter pointed his finger at a man from Tawerga whose children played nearby. "It wasn't two of you. It wasn't three of you. It wasn't four. It was thousands," he screamed. "All of you are with Qaddafi!"
- The feud is rolling across western Libya, one of the conflict's many reckonings that are posing an early challenge to the country's new leaders. Race has made this fight especially toxic: Tawergans say Misurata has ignored betrayals by its other neighbors, singling out Tawerga because most of the residents are black. Graffiti on their emptied homes deepens their conviction: "Misurata's slaves" appears on many walls. Fighters from Misurata say race had nothing to do with it. The Tawergans' crimes were unforgivable, they said, and as far as they were concerned, the town had ceased to exist. On Thursday, a spokesman for the transitional government said Misurata had officially softened its stance and would allow residents of Tawerga without blood on their hands to return home.
- The Tawergans are looking for safety elsewhere and finding little. Two weeks ago, 85 Tawergan men were rounded up in Tripoli by fighters from Misurata, and have not been heard from since, their relatives say. In recent days, the mayor of a southern oasis town told more than 1,000 Tawergans to leave by sunset, according to several people who said they had been forced out.

Many Tawergans acknowledge that men from their town collaborated with the Qaddafi army, but said that the response has amounted to collective punishment. "Thirty-five thousand people didn't rape their women," said Hussein Salah, who found shelter at a camp in Tripoli. Former rebel fighters from Benghazi and Zintan are protecting them from

the Misurata fighters, they said.

- The camp, a former naval academy, has no running water. On Wednesday evening, women scavenged wood from bushes and cooked meals on outdoor fires. A group of men left the crowded rooms to their families and slept on cardboard near a concrete wall. They said that since Aug. 11, when they left Tawerga, they had moved their families from town to town and camp to camp.
- Two weeks ago, at another camp in Tripoli's Abu Salim neighborhood, the fighters from Misurata found them, several witnesses said. Eight of the distinctive black pickup trucks favored by the Misurata brigades came to the camp and arrested 85 men, putting some of them in the trunks of their own cars that the fighters drove off. Abdullah Abdulsalem said he was away from the camp when the men came and arrested his brother, Mohammed Abdulsalem, 25. Hussein Salah's wife, Umm Ishnaf, said she watched the Misurata fighters arrest three of her sons, Haytham, Bassam and Essam Salah. Like the other relatives, she had no idea where they were taken.
- Some men said that their troubles with Misurata were new. Tawergans had worked and settled in the larger, wealthier city to the north for years, without problems. Others said there was a long history of tension and recriminations. Misuratans were angry about Colonel Qaddafi's attempts to curry favor with Tawerga, visiting frequently, building new homes and drawing up plans to redesign the city.
- Tawergans resented their treatment as workers in Misurata, saying they were relegated to menial jobs and subjected to racial slurs. "The problem is that we are black," Mr. Salah said. "They hid this in their hearts. After Feb. 17th, it came out," he said, referring to the beginning of the Libyan uprising.
- In another part of the naval academy, Salah Aqeel Zaid, 51, a teacher, said he had just arrived from the oasis town of Hun after a 12-hour journey. He said a local official had told more than 1,000 residents of Tawerga who were staying there that they had to leave by sunset.
- Asked about the Tawergans' support for Colonel Qaddafi's troops, he was unapologetic. "Even if we did, what's the problem? We're free," he said.

Evidence of the Qaddafi forces' time in Tawerga is scattered all over the abandoned city. They left behind their fatigues, spent ammunition cases and large containers that they used as bomb shelters dug in mounds of dirt.

- Sheep wandered down streets emptied of everything but a few burned cars. Closets were full of clothes, and dishes were still caked with food. Green flags still waved among many houses, a sign of support either offered or coerced. In a school hallway, someone wrote, "Oh Tawerga, city of agents and goats." On the wall of an apartment occupied by young fighters from Misurata, someone else had scrawled, "Don't buy slaves without a stick."
- One day last week, four buildings burned. A group of fighters from Misurata who escorted reporters through the streets of Tawerga blamed the fires on land mines that the Qaddafi fighters left behind, or the hot weather. One of the fighters started to say more, but his colleagues told him to be quiet.

On a commercial strip in Tawerga, Salem Hussein Kanemo, an official from Misurata, supervised the loading of several trucks with flour and furniture to be taken to Misurata. The flour belonged to Qaddafi troops, he said, and the furniture had been stolen from Misurata. He said there were discussions under way about buying the houses from the former owners in Tawerga. "They can't live next to us," he said.

### [LIBYA: The Making of a Ghost Town - IPS ipsnews.net](http://ipsnews.net/news.asp?idnews=105963)

<http://ipsnews.net/news.asp?idnews=105963>

- LIBYA  
The Making of a Ghost Town  
By Karlos Zurutuza
- **TAWARGHA, Libya, Nov 25, 2011 (IPS) - Embarka Omar crumbles when she sees the pictures of the Libyan city where she was born and lived until two months ago. "We will be back in Tawargha one day," the 25-year-old repeats to herself. The images say otherwise.**

Tawargha had been Muammar Gaddafi's headquarters during the terrible two-month siege of the rebel enclave of nearby Misrata, 187 km southeast of capital Tripoli. Once a vibrant city of 30,000 inhabitants, the vast majority of them black, Tawargha has turned into a huge "supermarket" where families from nearby Misrata load their vehicles with the spoils of looting, and militias torch the houses, probably to prevent Omar Embarka and others like her from returning some day. Today, Tawargha - "green island" in the Amazigh language - is just a ghost town in the middle of the Libyan desert.

- Tawarghans who survived the war gather today at refugee camps like the one in Fallah, a district south of Tripoli. Embarka belongs to one of the hundred families who have found refuge in the former barracks which housed the workers of a Turkish construction company. The broken voices echoing off the corrugated iron walls help reconstruct one of the missing pieces in the Libyan war's puzzle.

"When the war started in February, many Tawarghans living in Misrata came back home," recalls Embarka. "Gaddafi had turned our city into a stronghold from which they led the assault against Misrata and, overnight, there were almost as many soldiers as civilians," she says.

- Embarka, who was a medical student, volunteered at the hospital in Tawargha to help in the surgical department. "In early summer, supplies began to fail; food, medicines ... we didn't even have anaesthesia for the amputations. We suffered heavy shelling almost all the time and our last five doctors, all of them from North Korea, left in July," says this young woman, who still volunteers at the camp's humble medical centre.

Bashir Youssef will never forget the lack of medical care. He might have been a father in July had he been able to take his pregnant wife to the hospital in Hisha - 80 km south of Tawargha.

"Gaddafi's soldiers had blocked the way out of Tawargha and they did not let us go. They said it was for our own safety," remembers this former taxi driver, today without a vehicle or a city to drive it around in.

The situation in Tawargha was becoming increasingly unbearable for everybody.

- The final assault over Tawargha started "officially" on Aug. 10, when NATO aircraft "hit three Command and Control Nodes and two Military Storage Facilities in the vicinity of Tawargha," according to the military coalition's press release. However, witnesses from this refugee camp and the one in Tarik Matar, five kilometres south of Tripoli, say that the NATO attacks started much earlier, and that even the city centre was pounded.

On Aug. 12, Tawargha shifted from chaos to a nightmare that everybody was struggling to leave behind.

"People tried to stop our car, begging us to let them inside. We were eight in the car and we couldn't take anybody else with us," recalls Ahmed Farthini, a former resident of Tawargha now living in Fallah refugee camp.

Many of his neighbours fled on foot. Mohammed Jibril walked across the desert for two days until he reached Hisha. The 28-year-old says he'll never forget that journey.

- "I think that there were more than 300. Many fell down due to exhaustion and dehydration, but I could not do anything for them. It was a matter of sheer survival," says Jibril. He wonders whether the families of those who died in the desert ever got back the bodies.

Hisha, a little town halfway between Misrata and Sirte, became a safe haven for many refugees until it was also attacked. The attacks would continue towards the east, all the way down to Gaddafi's hometown of Sirte.

"We were lucky enough to have relatives in Sirte so we could all stay with them," says Ahmad Wail. "But many of the refugees were told that their wives and children would be hosted at the local school only if they (the men) jumped into a truck bound for Brega, 250 km southwest of Benghazi, the rebel capital, and fight over there."

- But Brega would also fall soon afterwards. Some Tawarghans would then leave for Sirte, where many would die during the massive obliteration of the town. The luckiest ones ended up in rebel-controlled Tripoli.

"When we arrived in Tripoli," recalls Embarka, "we were 60 living in a flat for a whole month. The men wouldn't go out unless it was strictly necessary and we women never left the apartment. Many chose to stay on the beach because Tripoli is a very dangerous city for us." Embarka refers to the terrible harassment that the black population suffered in Tripoli over the last months.

On Sep. 4, Human Rights Watch warned that "the widespread arbitrary arrests and frequent abuse have created a grave sense of fear among the city's African population". Amnesty International also published several reports in this regard, many of which point to worrying cases like that of a patient from Tawargha who was taken from Tripoli's Central Hospital to be "interrogated in Misrata."

- For the time being, the National Transitional Council of Libya – also known by its French acronym CNT – has repeatedly stated that "any abuse coming from whatever side should be thoroughly investigated." However, recent statements by Mahmud Jibril, former prime minister of the Council, have caused even deeper concern among the refugees.

Jibril reportedly told a public meeting at Misrata town hall: "Regarding Tawargha, my own viewpoint is that nobody has the right to interfere in this matter except the people of Misrata."

At the Tarik Matar refugee camp, Mohammed Mabrouk plays a video taken last on Nov. 1, in which a group of militias are dragging seven young men outside the camp.

Abdullah Tarhuni, a commander from Musa Binuser – one of the six militias allegedly involved in the incident – refuses to comment on the issue, but answers without hesitation when asked about a hypothetical return of the refugees to Tawargha: "Tawargha no longer exists. In the future it will be called 'New Misrata'." (END)

### [UN Security Council: Press for Cooperation with ICC | Human Rights Watch](http://www.hrw.org/news/2011/11/01/un-security-council-press-cooperation-icc)

<http://www.hrw.org/news/2011/11/01/un-security-council-press-cooperation-icc>

- [UN Security Council: Press for Cooperation with ICC](#)

#### Prosecutor to Brief Council on Libya

November 1, 2011

- (New York) –Members of the United Nations Security Council should press for the [arrest and surrender](#) to the International Criminal Court (ICC) of Saif al-Islam Gaddafi and Abdullah Sanussi by Libya or any state to which the two men might have fled, Human Rights Watch said today. On November 2, 2011, the ICC prosecutor will brief the Security Council on his Libya investigation.

Saif al-Islam Gaddafi and Sanussi, who remain at large, are subject to ICC [arrest warrants](#) for crimes against humanity in an investigation authorized by UN Security Council Resolution 1970. Because the ICC has no police force of its own, it depends on national authorities to make arrests on its behalf. The [unanimous](#) Security Council resolution requires the Libyan authorities to cooperate fully with the court. States parties to the ICC also have a legal obligation to cooperate, including the arrest and surrender of suspects to the court. The Security Council resolution also urges all states and international and regional organizations to cooperate fully with the court and prosecutor.

- "The Security Council made the court's investigation of atrocities in Libya possible," said [Richard Dicker](#), international justice director at Human Rights Watch. "Now it needs to reaffirm its commitment to accountability and ensure that the suspects are brought to the dock to face fair trial in The Hague."

The briefing to the council is expected to provide an overview of the investigative activities of the prosecutor's office to date. The ICC prosecutor has indicated that the focus of his current investigation in Libya relates to the 15-day period following the start of anti-government protests on February 15. He has suggested that he may open a second investigation later, relating to the subsequent armed conflict.

- On March 3, 2011, the ICC opened an [investigation](#) into serious crimes committed in Libya since February 15. The UN Security Council had referred the situation there to the ICC on February 26. Under the Rome Statute, the ICC's founding treaty, the Security Council can refer a situation in any country to the ICC prosecutor if it determines the

situation to be a threat to the maintenance of international peace and security.

On June 27, the ICC judges authorized three [arrest warrants](#), for Muammar Gaddafi, his son Saif al-Islam Gaddafi, and Sanussi, Libya's former intelligence chief. The three were wanted on charges of crimes against humanity for their roles in attacks on civilians, including peaceful demonstrators, in Tripoli, Benghazi, Misrata, and other locations in Libya. Muammar Gaddafi was [killed](#) on October 20, apparently after being taken into custody by anti-Gaddafi forces in his hometown, Sirte. Libya's National Transitional Council (NTC) has said it will create a commission of inquiry to examine the circumstances of Gaddafi's death.

Saif al-Islam Gaddafi's location is unknown. Unconfirmed media reports say he may be hiding near the Libyan border with Niger or Algeria. Sanussi is reported by unverified press accounts to have taken refuge in Mali.

- The ICC prosecutor said on October 28 that his office was in contact with Saif al-Islam Gaddafi via intermediaries regarding his possible surrender to the court. The prosecutor also said he had information that mercenaries were trying to smuggle Saif al-Islam Gaddafi to another African state to avoid prosecution.

In September, Niger said it would [respect](#) its commitments to the ICC, citing its obligations as a signatory to the court's statute. Authorities in Mali have similarly indicated that they would abide by their obligations as a state party to the ICC. The UN Security Council should urge both governments to stand by these declarations and surrender the ICC suspects to the court if they are apprehended in those countries, Human Rights Watch said.

Some NTC representatives have indicated their interest in prosecuting Saif al-Islam Gaddafi and Sanussi domestically in Libya. If either one is taken into NTC custody, members of the UN Security Council should urge the Libyan authorities to hand them over promptly to the ICC for fair trial, Human Rights Watch said. This is consistent with Security Council Resolution 1970, which requires full cooperation with the court.

- "The NTC is legally bound to cooperate with the ICC, and promised to do so in a letter to the court back in April," Dicker said. "Unilateral action to prevent handing over the accused would be a serious misstep and a violation of Libya's obligations."

Surrendering the suspects to the ICC would not prevent the new Libyan authorities from preparing their own cases against the two men and others concerning events since February 15 or before. Should the Libyan authorities wish to try the suspects domestically for crimes alleged in the ICC's arrest warrants, they can challenge the court's jurisdiction over the cases with a legal submission. To prevail, the Libyan authorities would have to show that they are genuinely able and willing to prosecute the cases in fair and credible proceedings. Demonstrating an ability to prosecute the two ICC suspects fairly would likely require swift and substantial reform of the judicial system, Human Rights Watch said.

For the ICC to find that the cases are inadmissible before the court, and that they must be returned to Libya for prosecution, the Libyan proceedings would have to encompass both the people and the conduct that are the subject of the cases before the ICC. Ultimately, it is up to the ICC judges to determine whether existing national proceedings would trump the court's ability to hear these cases. Because the ICC is a judicial institution, its proceedings must run their independent course.

- Human Rights Watch urged the ICC prosecutor to continue to investigate serious crimes that may have been committed by all parties in Libya, including war crimes committed during the armed conflict. Security Council Resolution 1970 gives the ICC ongoing jurisdiction over war crimes and crimes against humanity committed on the territory of Libya since February 15.

In September and October, Human Rights Watch documented human rights abuses by NTC forces, including [mistreatment in detention](#) in Tripoli and Misrata, attacks against the residents of [Tawergha](#), and the apparent [executions](#) of 53 suspected Gaddafi supporters by anti-Gaddafi fighters.

- Violence of any kind, and in particular murder, inflicted during a non-international armed conflict on combatants who have laid down their arms or are in detention, is a war crime under the Rome Statute of the ICC. Under the court's treaty, criminal liability applies both to those who physically commit the crimes and to senior officials, including those who give the orders and those in a position of command who should have been aware of the abuses but failed to prevent them or to report or prosecute those responsible.

"Full justice in Libya should include investigating possible crimes committed by all parties," Dicker said. "While the conflict in Libya may be ending, the prosecutor's work is just beginning. We look to him to carry out his mandate impartially so that those responsible for grave abuses will face justice."

### [Libya: Protect Vulnerable Minorities & Assist Civilians Harmed | Refugees International](#)

<http://refugeesinternational.org/policy/field-report/libya-protect-vulnerable-minorities-assist-civilians>

- [Libya: Protect Vulnerable Minorities & Assist Civilians Harmed](#)

Tue, 11/08/2011

- A joint report with





RI Advocate Matt Pennington and CIVIC Director of Field Operations Kristele Younes conducted a joint mission to Libya in September and October of 2011 to assess key civilian protection gaps and challenges.

- Policy recommendations
  - The Libyan authorities should work with UNSMIL, IOM, the U.S., and other donors to provide protection for displaced sub-Saharan Africans, including through the adoption of migrant-friendly policies and compliance with human rights obligations.
  - The Libyan authorities should work with UNSMIL, the U.S., and other donors to protect displaced dark-skinned Libyans, foster reconciliation, and provide long-term solutions for them.
  - The Libyan authorities should request long-term technical and financial assistance from NATO, the U.S., and UNSMIL to develop an effective security sector capable of protecting civilians.
  - NATO must fully and transparently investigate – and, when appropriate, make amends for – civilian harm incurred as a result of its military operations in Libya. Similarly, the Libyan authorities should ensure *all* civilian conflict-losses are accounted for and amends offered to help civilians recover.
- With the death of Muammar Gaddafi, a long-standing dictatorship has come to an end. The majority of Libyans are celebrating a new future; but certain groups – including suspected loyalist civilians, sub-Saharan Africans, and ethnic minorities – remain displaced and vulnerable to violent attacks. The National Transitional Council (NTC), the current *de facto* government of Libya, lacks command and control over all armed groups, including those responsible for revenge attacks. As such, the NTC cannot yet establish or maintain the rule of law. The plight of these vulnerable civilians foreshadows challenges to reconciliation, integration, and equal treatment of all in the new Libya. Further, civilians suffering losses during hostilities have not been properly recognized or assisted.

#### • ARMED GROUPS CHAOTIC AND DECENTRALIZED

While the NTC's discourse is one of reconciliation, its ability to exercise control over all armed groups is limited at best. Libya's military structure is chaotic and decentralized, with hundreds of increasingly autonomous armed brigades linked to different power centers in the east and west. Establishing a professional and accountable Libyan army will be a challenge. According to a senior Western diplomat in Tripoli, the generals who defected from Gaddafi's army during the conflict are now seen as part of the old guard, lacking in charisma and credentials; the revolutionary-led brigades and militias, meanwhile, are perceived as effective and representative of the new nation. As such, many of the largely untrained and undisciplined brigades have more public support and weapons than the national military forces. The fact that Qatar provided weapons, funds, and training directly to militias during the conflict despite NTC objections further highlights the disconnect between national and localized fighting forces. This fragmentation among armed groups puts civilians at constant risk of harm.

- The development of effective security institutions that prioritize civilian protection will require considerable planning and long-term commitments by both Libya's leaders and international stakeholders. The most urgent task is for the Libyan authorities to devise a plan to rein in existing forces, and commit to comprehensive security sector reform. The primary goal should be creating an army and police force that answer to civilian power and are capable of interacting responsibly with civilians. The best way to go about this is for the NTC to work with its international partners. NATO has offered its assistance and expertise to the NTC, but Libya's current leaders have not yet responded to this offer of help. Without a formal request, NATO cannot intervene, in accordance with the principle of state sovereignty. Similarly, the U.S. and other donors could provide technical expertise to help develop responsible Libyan security institutions.

#### • CIVILIANS UNDER ATTACK

Civilians across Libya were harmed in the eight-month long conflict, most recently in Sirte – the hometown of Gaddafi and the last loyalist stronghold. The civilian population of Sirte had been warned that rebel forces were approaching, but because leaving the city was expensive (one liter of fuel could cost the equivalent of 200 USD) and dangerous, some stayed behind. As the rebel-led siege began, civilians were indiscriminately shot at, and many residents without access to communications believed regime propaganda that rebels would kill them if they dared leave. Many rebels and their supporters believed that all civilians remaining in Sirte were loyalists linked to Gaddafi and "were getting what they deserved."

Civilians with whom RI and CIVIC spoke feared retaliation upon fleeing the "loyalist area," or if they were known to have sympathies for Gaddafi's regime. One man from Sirte stated that he "absolutely" thought the city was being destroyed in part as retaliation for being Gaddafi's hometown and a stronghold of his supporters. Throughout the country, there have been reports of loyalist civilians being denied access to hospitals in liberated towns. In Tripoli, some "Gaddafi areas" have been looted, their residents victims of collective punishment.

- RI and CIVIC visited the town of Tiji in the Nafusa Mountains, which has been repeatedly described as loyalist by neighboring Berber communities, although according to its local council "simply hadn't put up the new flag fast enough." Shortly after RI and CIVIC's visit, militias from neighboring Nalut attacked Tiji and its surrounding villages, destroying 200 homes, the town's hospital and schools, and displacing more than 11,000 of the town's 18,000

residents. Berber militiamen claim they cleared the town because it supported Gaddafi during the conflict, but the underlying reason is more significant. They allege that Tiji belongs to them, and was taken by Gaddafi years ago and given to the loyal Arabs who now live there. Land disputes were common prior to the conflict, but are now being revived by armed Libyans looking to exploit widespread hatred for those perceived as Gaddafi loyalists.

The NTC must continue to publicly denounce such behavior and prioritize efforts to rein in armed groups. Once this is accomplished, the NTC must devote all necessary resources to foster national reconciliation, including through established systems of dispute resolution. As for NATO, the alliance should have publicly criticized military abuses committed in the name of the rebellion or the new regime.

- **SUB-SAHARAN AFRICANS AT RISK**

Prior to the conflict, sub-Saharan Africans, most of whom were migrant workers, made up more than 20 percent of Libya's estimated population of 6.5 million. In large part due to early allegations that Gaddafi had imported black mercenaries to wage war on Libyans, sub-Saharan Africans and black Libyans have been widely targeted for discrimination and retribution. However, there is no credible evidence to suggest that the majority of sub-Saharans and black Libyans who have been accused, robbed, beaten, detained, or extra-judicially killed in the last eight months fought for Gaddafi.

Hundreds of thousands of sub-Saharan migrants have fled Libya since the conflict began. Those who remain face threats to their physical safety; many have been robbed of all their money and possessions, including identity cards and passports, and thus risk arrest at checkpoints. According to the ICRC, 1,500 of the estimated 7,000 prisoners being held in official and *ad hoc* detention sites in Libya are foreign nationals, and most are from sub-Saharan Africa.

- Of particular concern are the thousands of sub-Saharan African IDPs gathered in makeshift camps throughout the country. Many have been displaced for months. RI and CIVIC interviewed several sub-Saharan IDPs living in squalid, unsafe conditions at a site near Tripoli at Sidi Bilal port. There, some 450 sub-Saharans remain effectively abandoned and unprotected, unable to successfully reintegrate into the local community because they lack proper documentation and face discrimination. Many want to return to their home countries, but lack the necessary travel documents. At the port, the women are targets of sexual abuse, and the men are routinely harassed and accused of being pro-Gaddafi mercenaries. Within days of the RI and CIVIC visit, two men were shot and severely injured by armed Libyans. Despite the deteriorating security conditions, local Libyan leaders have been unwilling to provide alternative sites for the group. After weeks of unsuccessful attempts by the UN Refugee Agency (UNHCR), the International Organization of Migration (IOM), and the Libyan Humanitarian Relief Agency (LibAid) to move them, IOM has finally begun transferring migrants with repatriation requests and travel documents to a nearby 'transit' site. This is a welcome development for those able to obtain documents, but the situation for the remaining 450 migrants must be addressed immediately.
- The response to these protection concerns by international humanitarian agencies has been mixed. UNHCR and IOM are working to locate vulnerable sub-Saharans, identify their immediate needs, provide aid, and repatriate those who want to return home. IOM, with support from UNHCR, has effectively brought more than 215,000 migrants home by land, sea, and air, including tens of thousands of sub-Saharans who were stranded inside Libya during the conflict. But according to interviewees, since late August, IOM has been reluctant or unable to address key logistical and operational challenges regarding the temporary relocation and repatriation of sub-Saharans with urgent protection concerns. NGOs and donors all attributed IOM's sluggish and ineffective response to the agency's disregard for the threats facing displaced sub-Saharans. Though IOM has no legal protection mandate, its activities in Libya clearly contribute to the protection of vulnerable and displaced migrants. As such, the new Head of Mission should work with relevant Libyan authorities and UNHCR to address the most urgent caseloads of sub-Saharans by swiftly transporting them to safer sites and repatriating those requesting return home.
- A number of interviewees also criticized the UN Support Mission in Libya (UNSMIL) for failing to provide the requisite leadership and engagement on critical humanitarian and protection issues related to sub-Saharans. NGOs and donors complained that while UNSMIL does face significant challenges, including a weak and fractured political landscape and the absence of proper Libyan counterparts, the mission had not yet demonstrated its commitment – or capacity – to effectively engage relevant Libyan authorities or NGOs to improve the protection of these vulnerable groups. To better establish itself as a strong and credible voice on civilian protection in Libya, UNSMIL should bring together all relevant agencies to identify protection gaps and challenges for sub-Saharans, prioritize the deployment of collective resources, and develop concrete strategies to prevent and respond to urgent protection concerns.

For its part, the NTC has made emphatic statements and commitments to protecting civilians and upholding human rights in Libya. It has also tasked the state-funded aid agency LibAid with mapping and coordinating humanitarian aid for foreign nationals and finding alternative sites for those at risk. However, LibAid's efforts are hampered by its limited staff capacity, expertise, and influence with powerful stakeholders in the west of the country.

- The NTC should deploy a civilian policing force to protect vulnerable sub-Saharans at all the existing IDP sites in Libya. The NTC should also hold accountable those armed groups accused of committing human rights violations against sub-Saharan civilians. Until a functioning justice system is in place, Libya's leaders will need to work with existing military councils and rebel commanders to remove abusive rebel brigades from the system and disarm them. Finally, the NTC should quickly adopt a provisional policy that provides migrants with temporary identity documents. Given the critical role that migrants, including sub-Saharans, will play in rebuilding Libya, the adoption of pro-migrant policies will be essential to the country's economic recovery. The NTC should carry out these policies in parallel with a public messaging campaign to ensure the Libyan public understands the rights of migrants – and sub-Saharan Africans in particular – as well as accountability procedures for mistreatment.
- **DARK-SKINNED LIBYANS UNPROTECTED**

Dark-skinned Libyans are also widely viewed as Gaddafi sympathizers, and they face intimidation and abuse as a result. Rebel brigades and militias from Misrata have carried out widespread attacks and large-scale roundups of



unarmed black Libyans from Tawergha. Humanitarian agencies have also documented harassment, looting, and arbitrary arrest and detention of other dark-skinned Libyans, including the Tebu and Tuareg minorities.

Located 30 kilometers south of Misrata, Tawergha was once a bustling town of 35,000 black Libyans. It is now completely abandoned. On August 12, NTC fighters led by Misrata brigades overtook Gaddafi forces there. In the days following, Misrata brigades ransacked the town and forced the remaining population to flee. Since then, Misrata rebels and militias have carried out reprisal attacks against Tawerghans and are preventing the population from returning. Tawerghans, known for their strong loyalties to Gaddafi, claim they are being collectively punished for the acts of a few soldiers from their town. The Misratans maintain that the Tawerghans committed, or harbored those who committed, atrocities during the long and bloody three-month siege of Misrata, including indiscriminate shelling of civilians and systematic acts of rape.

- The Tawerghans fled to areas considered more 'sympathetic' to their plight, mostly to the desert in Jufra district. Tawerghans in a makeshift IDP camp in Benghazi said they were pursued for weeks by vengeful Misrata brigades. One man in his 40s said that he and his family, along with dozens of other Tawerghan families, were attacked by Misrata rebels – first in Hisha (70 km south of Tawergha) and then again further south in Jufra. There, a Misrata brigade called Katiba al Mout ("Death Brigade") beat men, women, and children, and dragged several of them off to detention. Some Tawerghan youths were shot and killed in front of them. As the rebels attacked, they called the Tawerghans "dogs" and explained that they were being punished for "what was done to Misrata." Eventually, a Benghazi brigade intervened to protect them and transport them to the east. "They [the Benghazi soldiers]...gave us a very good image of the revolutionaries!" the man added.

In response to rising protection concerns and Misrata's refusal to allow Tawerghans to return, LibAid recently began transporting Tawerghans to Benghazi. To date, more than 9,000 Tawerghan IDPs have arrived in Benghazi. Most are staying at three makeshift camps, and others are being accommodated by family or friends. Their numbers are expected to reach 15,000 or more in the coming weeks, yet thousands of Tawerghans remain unaccounted for, and many are believed to be keeping a low profile in remote desert areas. In coordination with international humanitarian agencies, the NTC and LibAid should quickly locate the remaining displaced Tawerghans, and provide for their voluntary transport to a safe, temporary site. The NTC should deploy a civilian policing force to provide protection at each of the temporary IDP sites.

- The NTC and LibAid must make clear that they are committed to providing long-term assistance, including housing, for the Tawerghans and other minority populations permanently displaced by reprisal acts (though no one should be forced to live in such housing). The NTC should also establish an independent panel – including representatives from minority communities – to identify and recommend effective reconciliation mechanisms for emerging ethnic, tribal, and political conflicts, as well as long-term solutions for those unable to return home.
- **CIVILIAN LOSSES AND CONFLICT HARM**

There is no reliable data on civilians harmed during the conflict in Libya. None of the warring parties kept these vital statistics, including rebel forces, Gaddafi armies, and NATO and its allies. Without such data, identifying and assisting civilians who suffered injuries, property loss, or the death of loved ones is challenging at best.

Libyan authorities are making good-faith efforts to respond to civilian harm by providing much-needed financial compensation to affected families. In April, Ali Tarhouni, Acting Minister of Finance and Oil, established a fund to provide assistance to the families of those killed, detained, or wounded during the conflict. Staffed by volunteers, it currently operates in most of the major cities in Libya. As of late September, the fund had registered 5,249 victims and provided monthly assistance to approximately 4,000 using Libya's unfrozen assets. The new interim government is expected to create a new ministry tasked with addressing the needs of "martyrs, missing persons, and wounded." It is essential that all civilians harmed in the conflict receive equal treatment and compensation for their suffering, regardless of which party harmed them and irrespective of perceived or known political affiliation.

- NATO, on the other hand, has failed to track, investigate, or make amends to civilians unintentionally harmed by its military actions. RI and CIVIC interviewed civilians who claimed to have lost members of their family, including children, as well as their homes in NATO strikes. For one civilian, it meant the death of his sister and her entire family; for another, the bombing of his home cast suspicion in the community that his family supported Gaddafi. With security improving in Libya and the presence of NATO-allied diplomatic missions in Tripoli, NATO could feasibly investigate claims of civilian harm and ensure they are properly addressed through explanations of what happened and some form of tangible regret (e.g., compensation, in-kind goods). In Afghanistan, many NATO allies offer apologies and compensation payments to civilians harmed by their combat operations, often following investigations into alleged cases of casualties or property damage. Similar efforts to recognize and assist civilians should be made in Libya. Failure to do so contradicts the alliance's protection-of-civilians mandate and further endangers civilians who may have injuries, lost a family home or loved one who was a breadwinner, or may now be viewed as loyalists in an environment of suspicion and revenge.

*Matt Pennington and Kristele Younes assessed the civilian protection gaps and challenges in Libya in September and October 2011.*

[Cornered in Free Libya: Black Refugees Say "We Are Being Treated Like Dogs" | Gender | AlterNet](http://www.alternet.org/reproductivejustice/152982/cornered_in_free_libya_black_refugees_say_we_are_being_treated_like_dogs_gender_alternet)

[http://www.alternet.org/reproductivejustice/152982/cornered\\_in\\_free\\_libya\\_black\\_refugees\\_say\\_we\\_are\\_being\\_treated\\_like\\_dogs\\_gender\\_alternet](http://www.alternet.org/reproductivejustice/152982/cornered_in_free_libya_black_refugees_say_we_are_being_treated_like_dogs_gender_alternet)

Via IPS by Karlos Zurutza

## • **Cornered in Free Libya: Black Refugees Say "We Are Being Treated Like Dogs"**

Not everyone is free in today's free Libya

- 
- The refugees came to protest early this week from the barracks of Tarik Matar, a makeshift camp on the outskirts of Tripoli. "We've already spent more than two months in those horrible barracks," said Aisha who preferred not to give her full name.

A few days back, she said, "guerrilla fighters from Misrata (90 kilometres east of Tripoli) entered our place and took seven young guys with them. We still know nothing about them." Several women at the camp have been abducted and raped in recent weeks, she said.

- "Raise your head, you're a free Libyan", the group chanted before a stage set up for the recent celebrations. That's the very slogan that became almost an anthem for the rebels who rose against Gaddafi.
- Tempers flared amid the group of armed soldiers guarding the central square. "I should kill you all for what you did to us in Misrata," shouted a young man in camouflage fatigues. The protesters are from Tawargha, 60 km south of Misrata, that was known as a Gaddafist base.
- The armed men at the square, and angry honking soon split up the group.

"Not only do they call us Gaddafists, they hate us for the colour of our skin," said Abdulkarim Rahman. "All blacks in Libya are going through very hard times lately."

- Abdurrahman Abudheer, a volunteer worker at one of the barracks that used to house construction workers for new apartment blocks, and that are now home to refugees, estimates there are about 27,000 Tawarghis scattered between Tripoli and Benghazi.
- "Just in this camp there are over 200 families, all from Tawargha," said Abudheer. A flashy billboard at the entrance to the camp in the ghostly district Fallah still advertises the "upcoming construction of 1187 houses" by a Turkish company. But now even the grey rows of corrugated iron shacks look more comfortable than those naked and incomplete concrete structures.
- The number of refugees is growing by the day, but so is the number of Tripolitans like Abudheer who show up to help.

Amnesty International expressed concern in September over "increasing cases of violence and indiscriminate arrests against the people from Tawargha." It said tens of thousands of former residents of Tawargha may be living in conditions similar to those in Fallah, or worse.

"Many families arrive after spending days living on the beach," said Abudheer. "Most of them are afraid to even walk down the street."

- The scene is similar in Tarik Matar, five minutes drive from Fallah. The most recent census at this camp figures 325 families from Tawargha.

From the room she shares with eight members of her family, Azma, a refugee from Tawargha, showed a portrait of her brother. On Sep. 13 Abdullah was taken from the car he was travelling in with his three children and his sister at a checkpoint on the outskirts of Tripoli.

- The last they know of what happened to him is in the autopsy report Azma keeps with her: "Died from several injuries caused by solid and flexible objects throughout the body, especially in the forehead and chest."

Inevitably, the families of the seven young men recently dragged away from this camp fear a similar fate for them.

"We are asking for more security and for those from Misrata to be able to return to our houses without fear of reprisal," said Mabrouk Mohammed, a former physical education teacher who coordinates entry of food and supplies to the complex, mostly from private initiatives. But return to Tawargha is a forgotten dream for most.

Abdullah Fakir, head of Tripoli's Military Council, had told IPS they would increase security at camps where the Tawarghis are staying. But with militias from Misrata showing up at the camps often, nobody feels secure.

[Score-settling after Libya's war casts shadow - AP](http://news.yahoo.com/score-settling-libyas-war-casts-shadow-)

<http://news.yahoo.com/score-settling-libyas-war-casts-shadow->

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## • Score-settling after Libya's war casts shadow



By *KARIN LAUB* - Associated Press | AP

- TAWERGHA, Libya (AP) — This town once loyal to Moammar Gadhafi is no more: its 25,000 residents have fled, fearing retribution from vengeful victors from the neighboring city of Misrata who have burned and ransacked homes, crossed out Tawergha's name on road signs and vowed not to let anyone return.

Tawergha, about 20 miles (32 kilometers) south of Misrata, is just one casualty of score-settling following Libya's 8-month civil war that ended with Gadhafi's Oct. 20 capture and death.

The country's interim leaders have appealed for restraint, but seem unable to control revolutionary forces whose recent vigilante acts, including the suspected killing of Gadhafi while in custody, have begun to tarnish their heroic image abroad.

A Western diplomat said Libya's new leaders need to come out more strongly against the culture of revenge, and hold the former fighters accountable for their actions.

- Failure to resolve such conflicts and bring regime supporters, including in the badly damaged loyalist towns of Sirte and Bani Walid, into the fold could destabilize Libya and hamper the attempted transition to democracy, the diplomat warned, speaking on condition of anonymity because of the sensitive subject matter.

However, people in Misrata, which was heavily damaged during the war, are in no mood for reconciliation. The port city of 300,000 rose up early against Gadhafi and came under a weeklong siege by Gadhafi fighters, many from Tawergha which served as a staging ground for the loyalists. Nearly 1,300 Misrata residents were killed and thousands wounded in the fighting, city officials say.

Misrata officials have accused the Tawerghans, some of them descendants of African slaves, of particular brutality during the war, including alleged acts of rape and looting. During the siege, Gadhafi fighters sniped at residents from roof tops and shelled the city indiscriminately.

- Ibrahim Beitelmal, spokesman for Misrata's military council, said he believes Tawergha should be wiped off the map, but that the final decision is up to the national leadership. "If it was my decision, I would want to see Tawergha gone. It should not exist," said Beitelmal, whose 19-year-old son was killed in the fighting on Tripoli Street.

Misrata fighters captured Tawergha in mid-August, just days before the fall of the capital Tripoli dealt a fatal blow to the Gadhafi regime and forced the dictator into hiding in his hometown of Sirte.

Most of Tawergha's residents fled as the Misrata brigades approached, according to the U.N. Office for the Coordination of Humanitarian Affairs. Human Rights Watch said in a report Sunday that more than 100 civilians stayed in their homes, but that the militias quickly forced them out.

For the past two months, Tawergha has been a ghost town, with access roads blocked by earthen mounds and other obstacles. Road signs pointing to Tawergha have been painted over. Misrata brigades have scribbled slogans on the walls of abandoned homes.

- "The Tawergha are the rats of Gadhafi," read graffiti on one facade, using Gadhafi's derogatory name for his opponents. The fallen regime had tried to ensure Tawergha's loyalty with promises of jobs and investment, and while some of the homes there were ramshackle, the town also boasted a modern school, medical clinic and rows of new apartment buildings.

A tour of Tawergha on Friday showed widespread vandalism. The school, clinic, small shops and modern apartments had been ransacked, with some rooms burned and contents of closets strewn on the ground.

Human Rights Watch said its team saw militias and individuals from Misrata set 12 homes on fire during a three-day period in early October. On Oct. 25, the team saw trucks drive out of Tawergha with furniture and carpets that had apparently been looted, and that Misrata fighters who claimed to be guarding the town did not intervene.

Two Misrata fighters driving through Tawergha on Friday said the town's residents are no longer welcome. "They will have to find a different place and build houses there," said 22-year-old Naji Akhlaf, standing outside a small grocery that had been largely emptied out, with cartons of juice strewn across the entrance.

"This is the best solution so we can relax and get on with our lives," he said.

- Tawerghans also lived in other parts of Libya, including in Misrata where a rundown apartment complex that once housed hundreds of them is to be razed. City officials say the complex is also home to non-Tawerghans and is being torn down because it's unsanitary and unsafe. Tawerghans have fled those apartments and their neighbors said they won't allow them back.

Human Rights Watch, citing interviews with dozens of Tawerghans, said they gave credible accounts of arbitrary arrests and beatings of detainees by Misrata militias, including descriptions of two deaths in custody.

About 10,000 Tawerghans have reached two camps on the outskirts of the eastern city of Benghazi, until recently the seat of the National Transitional Council, and U.N. officials say that number is growing. Thousands more have sought refuge near Tripoli, Tarhouna and in remote areas of the south.

An NTC-funded aid group, LibAid, is providing food and other supplies to some of the displaced, said Mohammed el-Sweii, an official in the group. El-Sweii said guards have been stationed at the camps to prevent acts of revenge.

A similar conflict has been brewing between the town of Zintan in Libya's western mountain range and the nomadic

Mushashya tribe which settled nearby after being awarded land by Gadhafi several decades ago.

- The Mushashya sided with the dictator in the civil war and fled their homes with retreating Gadhafi forces in the summer. Zintan officials said at the time they would not let the Mushashya return to their homes which, as in Tawergha, had been ransacked and in some cases burned. The U.N. said some 8,700 Mushashya have been reported displaced.

Aid officials believe it's unlikely the Tawergha and Mushashya will be able to return home anytime soon because emotions are still running high.

Tens of thousands who fled Bani Walid and Sirte, the two last Gadhafi bastions to fight the revolutionary forces during the war, likely stand a better chance, once their towns have been rendered habitable again. The two towns are home to the Warfala, Libya's largest tribe with some 1 million members, or one-sixth of the population.

Many former rebels are also Warfala and the sheer size of the tribe would likely protect its members against retribution.

Libya's interim leader, Mustafa Abdul-Jalil, has called for restraint, specifically mentioning the Misrata-Tawergha and Zintan-Mushashya conflicts in a news conference earlier this month. He promised that those guilty of abuses during the war would eventually be punished by the authorities, though it's unclear how quickly a justice system could be set up.

"Taking the lives of people in an illegal manner will set back our revolution," he warned at the time. "The law should be the decisive factor and ... we must believe God will dispense justice in the appropriate manner."

### [The Murder Brigades of Misrata | Human Rights Watch](http://www.hrw.org/news/2011/10/28/murder-brigades-misrata)

<http://www.hrw.org/news/2011/10/28/murder-brigades-misrata>

- [The Murder Brigades of Misrata](#)

**Gadhafi's demise was just a part of a vast revenge killing spree**

by  
Daniel Williams

Published in:  
[Salon.com](#)

October 28, 2011

- (Misrata, Libya) - If anyone is surprised by the apparent killing of Moammar Gadhafi while in the custody of militia members from the town of Misrata, they shouldn't be.

More than 100 militia brigades from Misrata have been operating outside of any official military and civilian command since Tripoli fell in August. Members of these militias have engaged in torture, pursued suspected enemies far and wide, detained them and shot them in detention, Human Rights Watch has found. Members of these brigades have stated that the entire displaced population of one town, Tawergha, which they believe largely supported Gadhafi avidly, cannot return home.

- As the war in Libya comes to an end, the pressing need for accountability and reconciliation is clear. The actions of the Misrata brigades are a gauge of how difficult that will be, and Misrata is not alone in its call for vengeance. In the far west, anti-Gadhafi militias from the Nafusa Mountains have looted and burned homes and schools of tribes that supported the deposed dictator. Anti-Gadhafi militias from Zuwara have looted property as they demanded compensation for damage they suffered during the war.
- The apparent execution of 53 pro-Gadhafi supporters in a hotel in Sirte apparently under control of Misrata fighters is a bad omen. It is up to the National Transitional Council to rein in all the militias and quickly establish a functioning justice system. The NTC should take control of the many makeshift detention facilities, expedite the return of displaced Libyans, and ensure the investigation, trial and punishment of wrongdoers acting in the name of vengeance. That includes Gadhafi's killers if the evidence showed crimes were committed. The NTC, and its foreign backers, have comprehensively failed to start setting up a justice system — even in Benghazi, where they have been in charge since the spring.
- Clearly the NTC is up against the passions of a nasty war. Misrata withstood a two-month siege at the hands of Gadhafi's forces with near-daily indiscriminate attacks that killed about 1,000 of its citizens. The town's main boulevard, Tripoli Street, is in ruins. Facades of public buildings and private homes collapsed from tank fire and are

charred inside and out. The pockmarks of bullet holes disfigure construction everywhere.

The fierce fight for Misrata has left a penetrating bitter aftertaste. Misratans say they detest anyone who backed Gadhafi. They are not welcome in Misrata, even if the city and its environs was their home for generations.

- The Misrata militia is focusing its greatest wrath on Tawergha, a town of about 30,000 people just south of the city. Both Misratans and Tawerghas say residents there were enthusiastic Gadhafi supporters. Hundreds of erstwhile civilians in that town took up arms to fight for him. Misratans say Tawergha volunteers committed rapes and pillaged with gusto, though Misrata officials decline to produce evidence of the alleged rapes, saying family shame inhibits witnesses and victims from coming forward.

In any event, Misratan militia members are venting their anger on all Tawerghas, who are largely descendants of African slaves. Most fled their town as Misratan fighters advanced there between Aug. 10 and Aug. 12.

- Witnesses and victims we interviewed provided credible accounts of Misratan militias shooting and wounding unarmed Tawerghas and torturing detainees, in a few cases to death. In Hun, about 250 miles south of Misrata, militias from Benghazi have taken it upon themselves to protect about 4,000 refugees. They say Misratans are hunting down Tawerghas.

One hospitalized Tawergha told Human Rights Watch how he was shot in the side and leg and abandoned to die near Hun: "They left us at the edge of the road, put a blanket over us and then started swearing, 'You are dogs, hope you die.'"

- Misrata militias, with the momentary compliance of local officials, insist that no Tawerghas should return to the area. Ibrahim Yusuf bin Ghashir, a representative of the NTC, said: "We think it would be better to relocate them somewhere else." The allegations of rape, he added, "cannot be forgiven and it would be better to resettle them far away."

This unforgiving campaign is not limited to Tawerghas. Many Misratans say that any tribe or group that supported Gadhafi — thousands of people — should not return to the city. The graffiti on tumble-down town walls express Misratans' view: "(Expletive) No returnees."

- Human Rights Watch has interviewed refugees from Misrata who tried to return and were forbidden to enter the city without a permit from the local council. A Misrata militia member told the media that all pro-Gadhafi travelers are barred from the city.

As painful as the losses have been for Misrata and the rest of Libya, everyone who fought Gadhafi should remember what they were fighting for: an end to torture, to arbitrary detention, to pitting one tribe against another; for respect and equality among neighbors. Otherwise, the agony that preceded victory will breed vengeance, rancor and a divided new Libya — one that in disturbing ways may resemble the old.

*Daniel Williams is a Senior Researcher at Human Rights Watch*

### [New Libya 'stained' by detainee abuse | Amnesty International](http://www.amnesty.org/en/for-media/press-releases/new-libya-%E2%80%99stained%E2%80%99-detainee-abuse-2011-10-13)

<http://www.amnesty.org/en/for-media/press-releases/new-libya-%E2%80%99stained%E2%80%99-detainee-abuse-2011-10-13>

- New Libya 'stained' by detainee abuse
- 13 October 2011
- The new authorities in Libya must stamp out arbitrary detention and widespread abuse of detainees, Amnesty International said today in a new briefing paper.

In [Detention Abuses Staining the New Libya](#) the organization reveals a pattern of beatings and ill-treatment of captured al-Gaddafi soldiers, suspected loyalists and alleged mercenaries in western Libya. In some cases there is clear evidence of torture in order to extract confessions or as a punishment.

"There is a real risk that without firm and immediate action, some patterns of the past might be repeated. Arbitrary arrest and torture were a hallmark of Colonel al-Gaddafi's rule," said Hassiba Hadj Sahraoui, Amnesty International's Deputy Director for the Middle East and North Africa.

"We understand that the transitional authorities are facing many challenges, but if they do not make a clear break with the past now, they will effectively be sending out a message that treating detainees like this is to be tolerated in the new Libya."

- Since late August, armed militia have arrested and detained as many as 2,500 people in Tripoli and al-Zawiya.

The organization said detainees were almost always held without legal orders and mostly without the involvement of the General Prosecution. They were held by local councils, local military council or armed brigades — far from the oversight of the Ministry of Justice.

Approximately 300 prisoners were interviewed by Amnesty International in August and September. None had been shown any kind of arrest warrant and many were effectively abducted from their homes by unidentified captors carrying out raids of suspected al-Gaddafi fighters or loyalists.

At least two guards - in separate detention facilities - admitted to Amnesty International that they beat detainees in order to extract "confessions" more quickly.

The organization found a wooden stick and rope, and a rubber hose, of the kind that could be used to beat detainees, including on the soles of their feet - a torture method known as falaqa - on a detention centre floor.

- In one detention centre they heard the sound of whipping and screams from a nearby cell.

The organization said that detainees appear to suffer beatings and torture particularly at the start of their detention, being given a "welcome" on arrival.

Sub-Saharan Africans suspected of being mercenaries made up between a third and a half of those detained. Some have been released after no evidence was found to link them to fighting.

A man from Niger, initially presented to Amnesty International as a "mercenary and killer", broke down and explained that he had "confessed" after being beaten nearly continuously for two days. He denied being involved in fighting.

Black Libyans - particularly from the Tawargha region, which was a base for al-Gaddafi forces in their efforts to regain control of Misratah - are also particularly vulnerable. Dozens of Tawarghans have been taken from their homes, checkpoints, and even hospitals.

The organization also found that children have been held together with adults and women detainees have been supervised by male guards.

- A 17-year-old boy from Chad accused of rape and being a mercenary told Amnesty International he was taken from his home in August by armed men who held him in a school where they punched him and beat him with stick, belts, rifles and rubber cables:

"The beatings were so severe that I ended up telling them what they wanted to hear. I told them I raped women and killed Libyans."

Amnesty International called on the National Transitional Council (NTC) to ensure that people are not detained without orders from the General Prosecution, and to bring detention facilities under the control of the Minister of Justice.

The organization said that those being held must be allowed to challenge the lawfulness of their detention or should be released.

Trial proceedings in western Libya have been suspended since the NTC took control. In eastern Libya, which fell under their control in February, they remain suspended.

In meetings with Amnesty International in September, NTC officials acknowledged concerns over arbitrary detention and ill-treatment, and vowed to do more to get a grip on armed militias and ensure that all those detained enjoy equal protection of the law.

"The NTC has to act urgently to translate their public commitments into action, before such abuses become entrenched and stain the new Libya's human rights record," said Hassiba Hadj Sahraoui.

"These detainees have in most cases been arrested without a warrant, beaten - and sometimes worse - on arrest and arrival in detention. They are vulnerable to abuse by armed militias who often act on their own initiative."

"The authorities cannot simply allow this to carry on because they are in a 'transitional' phase. These people must be allowed to defend themselves properly or be released."

- **Notes for editors:**
  - Findings in this briefing are based on visits to 11 detention facilities in and around Tripoli and in al-Zawiyah, and other fact-finding visits conducted in Libya, by an Amnesty International delegation between 18 August and 21 September 2011.
  - Amnesty International's Libya specialists Diana Eltahawy (Arabic, English) and Samira Bouslama (Arabic, French), Middle East and North Africa Deputy Director Hassiba Hadj Sahraoui (French, English) and Senior Director Claudio Cordone (Italian, English) are all available for interview on this briefing paper from London. For more information, please contact the Amnesty International Press Office on +44 (0) 20 7413 5566 or email [press@amnesty.org](mailto:press@amnesty.org)

## [Tawarghas must be protected from reprisals and arbitrary arrest in Libya | Amnesty International](http://www.amnesty.org/en/news-and-updates/tawarghas-must-be-protected-reprisals-and-arbitrary-arrest-libya-2011-09-07)

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- **Tawarghas must be protected from reprisals and arbitrary arrest in Libya**

7 September 2011

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## Tawarghas must be protected from reprisals and arbitrary arrest in Libya

- Libya's National Transitional Council (NTC) must do more to protect black Libyans, Amnesty International said today, after allegations that members of the Tawargha tribe were detained, threatened and beaten on suspicion of fighting for al-Gaddafi forces.

Some Tawarghas who have been detained in Tripoli are said to have been made to kneel facing the wall, and then been beaten with sticks and whips. Others have simply vanished after being arrested at checkpoints and taken from hospitals by armed revolutionaries (thuwwar).

- "The NTC must put an end to such abuses, particularly against vulnerable groups like the Tawarghas, and send a clear message that Libya is no longer a place where torture will be tolerated," said Diana Eltahawy, North Africa researcher at Amnesty International, who is currently in Libya.

Tawargha, a western Libyan town that remained loyal to Colonel al-Gaddafi and was used as a base for his troops, is associated in the minds of Misratah residents with some of the worst human rights violations committed during the conflict.

"There is no question that al-Gaddafi forces were involved in war crimes and serious human rights violations in Misratah, and that some Tawarghas fought alongside al-Gaddafi forces," said Diana Elthahawy.

"But anyone responsible should be brought to justice in fair trials; not dragged out of hospital beds on the assumption that all Tawarghas are 'killers' and 'mercenaries'. The whole population should not have to suffer."

- Most residents of the Tawargha region, about 40km from Misratah, fled their homes in August before the arrival of the thuwwar. Tens of thousands are now living in different parts of Libya – unable to return home as relations between the people of Misratah and Tawargha remain particularly tense.

Residents of makeshift camps near Tripoli, where displaced people from Tawargha are sheltering, told Amnesty International that they would not go outside for fear of arrest. They told how relatives and others from the Tawargha tribe have been arrested from checkpoints and even hospitals in Tripoli.

On 29 August, Amnesty International delegates saw a Tawargha patient at the Tripoli Central Hospital being taken by three men, one of them armed, for "questioning in Misratah". The men had no arrest warrant.

- Amnesty International was told that at least two other Tawargha men had vanished after being taken for questioning from Tripoli hospitals.

One 45-year-old flight dispatcher and his uncle were arrested by armed thuwwar while out shopping in the al-Firnaj area of Tripoli on 28 August.

They were taken to the Military Council headquarters at Mitiga Airport just east of the capital. The men told Amnesty International that they were beaten with the butt of a rifle and received death threats. Both were held for several days in Mitiga and are still detained in Tripoli.

- Even in the camps, the Tawarghas are not safe. Towards the end of last month, a group of armed men drove into the camp and arrested about 14 men.

Amnesty International spoke to some of their relatives; none knew of their fate or whereabouts.

- Another woman at the camp said that her husband has been missing since he left the camp to run an errand in central Tripoli, about a week ago. She fears that he might be have been detained.

One woman, who has been living in the camp with her husband and five children for about a week, told Amnesty International that she was terrified of going home:

"If we go back to Tawargha, we will then be at the mercy of the Misratah thuwwar.

- "When the thuwwar entered our town in mid-Ramadan [mid-August] and shelled it, we fled just carrying the clothes on our backs. I don't know what happened to our homes and belongings. Now I am here in this camp, my son is ill and I am too afraid to go to the hospital in town. I don't know what will happen to us now."

In addition to Tawarghas, other black Libyans including from the central Sabha district as well as sub-Saharan Africans continue to be at particular risk of reprisals and arbitrary arrests, on account of their skin colour and widespread reports that al-Gaddafi forces used "African mercenaries" to repress supporters of the NTC.

[Document - Libya: Human Rights Agenda for Change | Amnesty International](http://www.amnesty.org/en/library/asset/MDE19/028/2011/en/810d6825-7433-45c5-bffc-517d5e989e7d/mde190282011en.html)

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### • Document - Libya: Human Rights Agenda for Change



**AMNESTY INTERNATIONAL**

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13 September 2011

- **LIBYA: Human rights agenda for change**

After 42 years of brutal repression and nearly seven months of conflict, Libyans are today looking ahead to building a state based on the respect for human rights and the rule of law. In the last several months they have paid a heavy price standing against repression and injustice, demanding their right to live in dignity and to participate in the shaping of their future.

While in power Colonel Mu'ammarr al-Gaddafi ruled with an iron fist, stifling any form of political dissent and freedoms. His opponents faced harassment, arbitrary detention, torture and extrajudicial execution in Libya and abroad. Many have "disappeared". Libya lacked an independent civil society, a free press and political parties. Public institutions have been largely inefficient or, like the criminal justice system, turned into tools of repression. They are deeply mistrusted by Libyans. Corruption is endemic, and the country's oil wealth has benefited only a few.

Libyans have also suffered greatly during the conflict which erupted following the demonstrations in mid- February 2011. They have faced further human rights abuses in some cases pointing to war crimes and crimes against humanity. Many foreign nationals from Sub-Saharan African and other countries, already in a precarious situation before the conflict, have also been among the victims. They, along with black Libyans particularly from the Tawargha and Sabha regions and other areas deemed loyal to Colonel al-Gaddafi including Sirte and Bani Walid, remain particularly vulnerable to revenge attacks.

- Other groups repressed under the rule of Colonel al-Gaddafi are now looking to the new Libyan authorities to protect and realize their human rights. They include the Amazigh community, who have long been suppressed in the use of their language and enjoyment of their culture. Discriminatory policies and practices have also targeted members of the Tabu community in Kufra.

The new Libyan authorities, represented by the National Transitional Council (NTC), face great challenges. They include the urgent task of re-establishing law and order throughout the country, building state institutions and breaking with the legacy of total impunity for human rights abuses.

The NTC has committed itself to building a democratic, multi-party state based on the respect for fundamental human rights. In August 2011 the NTC issued a Constitutional Declaration enshrining these and other principles, including respect for fundamental freedoms, non-discrimination for all citizens – including on grounds of gender, race and language – and the rights to a fair trial and to seek asylum.

Amnesty International welcomes these commitments by the new Libyan leadership and urges that they be translated into reality, with human rights as the cornerstone of political transition as well as the overall programme of institutional reform. The international community should assist Libya in this process.

As a contribution to the programme of human rights reform in Libya, Amnesty International presents the following Human Rights Agenda for Change to the new Libyan authorities.

- **Amnesty International calls on the transitional Libyan authorities to:**

**Reform the security and law enforcement sector**

Bring all groups policing Libyan cities and conducting "arrests" of suspected loyalists of the former administration and suspected mercenaries under the oversight of the Ministry of Interior;

Ensure that law enforcement and security agencies act in full compliance with the law; in particular, ensure that only members of the judicial police have the power to arrest, detain and interrogate, including by amending Article 13 of the Code of Criminal Procedure;

Implement a process of disarmament, including of small arms; collect surplus weapons and munitions within the

population, using a combination of collective or individual incentives designed to regulate, license and reduce as much as possible all civilian arms possession; also safely destroy surplus weapons and ammunition which is clearly in excess of national needs;

- Stop the proliferation of weapons. Take immediate steps to safely store all national stockpiles of the armed forces, police and any other security agency; mark all weapons and related articles to facilitate effective tracing and accountability and ensure an effective system of end-use certificates and licenses to control all imports and exports of arms and security equipment;

Dismantle the Internal Security Agency and other security agencies that have perpetrated systematic human rights abuses;

Reform security and law enforcement agencies to ensure that their policies, procedures and practices comply with international law and standards, including the UN Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;

Establish clearly-defined criteria and procedures for the recruitment and training of members of the security and law enforcement agencies, to ensure that they respect and protect human rights, and operate according to standards of professional conduct;

Establish effective monitoring, complaints and disciplinary and oversight mechanisms to ensure that these agencies and their members are held accountable for failures to comply with human rights standards;

Establish a vetting system to ensure that, pending investigation, law enforcement or security officials about whom there is evidence of serious human rights violations do not remain, or are not placed, in positions where they could repeat such violations.

- **Reform the criminal justice system**

Overhaul the criminal justice system, in particular abolish special courts and related institutions – including the State Security Court and Prosecution Office;

Guarantee the independence of the judiciary, enshrining in law judges' security of tenure, with effective safeguards against political interference; ensuring independent procedures for the selection of judicial officials ; and ensure that those appointed are individuals of integrity and ability with appropriate qualifications;

Ensure that civilians are to be tried exclusively by ordinary courts, according to law, so that no civilian is tried in military, special or state security courts;

Guarantee the right to fair trial at all stages, consistent with international instruments, in particular Article 14 of the International Covenant on Civil and Political Rights (ICCPR). Libyan law must ensure equality before the courts; the right to a fair and public hearing by a competent, independent and impartial court or tribunal established by law; the right to compensation in cases of miscarriage of justice in criminal cases; and the right not to be tried or punished again for an offence that has already been tried (*ne bis in idem*);

Ensure the right of victims of human rights violations to full and effective reparation.

- **End arbitrary and incommunicado detention**

Release of all those arbitrarily detained, including in the context of the conflict, and ensure that arbitrary arrests and detentions cease immediately and that no one is deprived of their liberty except in accordance with procedures and on grounds prescribed by Libyan law in compliance with international law and standards;

Ensure that no individuals are deprived of their liberty solely for the peaceful exercise of their right to freedom of conscience, thought, opinion, expression, association or assembly including those peacefully expressing support for Colonel Mu'ammarr al-Gaddafi;

Amend legislation to provide guarantees against arbitrary detention, including against prolonged pre-charge and pre-trial detention without access to legal counsel and without the possibility to challenge the legality of detention;

Repeal articles 187 Bis A, B and C of the Code of Criminal Procedure which stipulate differential treatment for suspects accused of "offences against the State" under the Penal Code;

Ensure that anyone detained is brought promptly before a judge or other judicial officer, and that mechanisms are in place to enable detainees to effectively challenge the legality of their detention;

End the practice of prolonged incommunicado detention: ensure that detainees have prompt access to their family, independent medical attention and to a lawyer of their choice;

Ensure that all detention facilities are brought under the control of the Ministry of Justice and under the supervision of the Department of Public Prosecutions. At all times, there should be regular, independent, unannounced and unrestricted access to all places where persons are deprived of their liberty, including by independent mechanisms.

- **Eradicate torture and other ill-treatment**

Publicly condemn torture and other ill-treatment, and make clear to security and law enforcement agencies that such abuses will not be tolerated under any circumstances;

Define torture as a crime in the Libyan Penal Code, ensuring that the definition of torture is consistent with the definition in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), and that Libyan law is fully consistent with the CAT. All forms of cruel, inhuman or degrading treatment or punishment should be prohibited;

Conduct prompt, independent, impartial and effective investigations into all allegations of torture or other cruel, inhuman or degrading treatment or punishment, including where no formal complaint has been made, and if there is sufficient admissible evidence, prosecute those responsible in fair trials under legislation which provides for penalties commensurate with the gravity of the offence and without recourse to the death penalty;

Repeal all legislation which allows for the application of corporal punishment, including flogging and amputation, including Law No. 70 of 1973, Law No. 52 of 1974 and Law No. 13 of 1425.

- **Respect and protect freedoms of expression, association and assembly**

Enshrine in Libya's new Constitution and other laws the rights to freedom of expression, association and assembly, permitting only such limitations that are necessary and proportionate for a legitimate purpose as set out in international human rights law;

Repeal all legal provisions which criminalize activities amounting to the peaceful exercise of freedoms of expression, association and peaceful assembly, including Law No. 71 of 1972 on the Criminalization of Parties; and articles within the First Chapter of the Second Book of the Penal Code (Law No. 48 of 1956, which modifies a number of provisions of the Penal Code issued on 23 September 1956), relating to offenses "against the State", such as articles 178, 195, 206, 207 and 208;

Repeal or amend Law No. 19 of 1369 on the Re-organization of Civil Associations to allow for the establishment of independent organizations and political parties.

- **Uphold the rights of refugees, asylum-seekers and migrants**

Ratify the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, and adopt asylum legislation consistent with international law and standards;

Conclude a memorandum of understanding with the Office of the United Nations High Commissioner for Refugees and immediately grant it unrestricted access throughout the country to anyone who may be a person of concern, in particular to all detention facilities where individuals in need of international protection may be held;

Not return, in any manner whatsoever, refugees, asylum-seekers and others in need of international protection to a country where they are at risk of persecution or other forms of serious harm, including grave human rights abuses. Immediately cease all arbitrary or collective expulsions;

Publicly condemn violent attacks against Sub-Saharan Africans;

Protect those suspected of being irregular migrants from exploitation, violence, intimidation and other abuse, and bring those responsible to justice;

Amend laws 6 of 1987 regarding the Organization of the Entry, Stay and Exit of foreigners in Libya and 19 of 2010 on Irregular Migration to guarantee that any foreign national, be they refugee, asylum-seeker or migrant, is only detained in connection with their immigration status on the basis of an individualized decision which is demonstrably lawful, necessary and proportionate to the objective to be achieved; that it is on grounds prescribed by law; and that it is for one of the reasons international and regional standards specifically recognize as legitimate.

- **Fight impunity**

Establish effective independent mechanisms to establish the truth regarding human rights violations committed since September 1969. Such mechanisms should have powers of search and seizure and subpoena and access to archives and all necessary documents and resources to carry out their work effectively;

Amend national legislation to include crimes under international law, including genocide, crimes against humanity, war crimes, enforced disappearances, extrajudicial executions and torture. The definitions must be in accordance with international law. There should be no barriers to prosecutions of these crimes, such as amnesties, immunities and statutory limitations;

Investigate all crimes under international law and other serious human rights violations, including gender-based violence, committed in Libya. Prosecute suspected perpetrators where there is sufficient admissible evidence;

Ensure that all victims of human rights violations are provided full and effective reparation – including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition – to address their suffering and help them to rebuild their lives. In particular, victims should be able to seek reparation before national courts. Reparation programs should also be established.

- **End discrimination on any grounds**

Take effective measures to combat racism, xenophobia and discrimination, in particular against dark-skinned individuals, including by celebrating the diverse ethnic make-up of the Libyan population and the positive contribution of migrants, including from Sub-Saharan Africa, to Libyan society, economy and development;

End discriminatory measures against the Tabu community. In particular, end forced evictions; facilitate the issuance of birth certificates and driving licenses; and ensure that members of the Tabu can renew or extend passports and other identification documents;

End discrimination in law and practice against the Amazigh community. Ensure that Law No. 24 of 1369 (which prohibits the usage of languages other than Arabic in publications; official documents; public spaces; and private enterprises, as well as the use of "non-Arab, non-Muslim names"), is amended to respect international law and standards;

- Review, amend or abolish all laws that discriminate on the basis of race; colour; religion; ethnicity; birth; sex; sexual orientation; gender identity; political or other opinion; national or social origin; property; or other status;

Ensure that women have equal access to truth, justice and reparation, including establishing specific strategies to address gender-based obstacles;

Repeal all discriminatory legislation with regard to marriage, divorce and inheritance, including Law No. 10 of 1984 on Marriage, Divorce and their Consequences;

Decriminalize sexual relations between consenting adults by amending Article 407 and 408 of the Libyan Penal Code and repealing Law No. 70 of 1973 on the Establishment of the *Had of Zina* and the Amendment of Several Articles of the Penal Code;

Lift all reservations to the Convention on the Elimination of All Forms of Discrimination against Women that contradict the object and purpose of the treaty;

Implement the February 2009 recommendation of the Committee on the Elimination of Discrimination against Women, which calls on the Libyan authorities to take all appropriate measures to increase women's representation in the executive and legislative branches of government and their political representation.

- **Ensure the full realization of economic, social and cultural rights**

Ensure, for the whole population, minimum essential levels of economic, social and cultural rights, such as the rights to food, water, sanitation, healthcare and housing and, where necessary, seek international co-operation and assistance to do so;

Ensure non-discrimination in access to essential public services, including water, sanitation and healthcare;

Review national laws and institutions to ensure that effective remedies are available to all victims of violations of economic, social and cultural rights.

- **Take steps to abolish the death penalty**

Immediately establish an official moratorium on executions, in line with UN General Assembly resolutions 62/149, 63/168 and 65/206, calling for a moratorium on executions with a view to abolishing the death penalty;

Formally commute all death sentences;

Ensure that in death penalty cases, the most rigorous internationally-recognized standards for fair trial are respected;

Review all Libyan laws and the draft Penal Code to ensure that the death penalty is restricted to the "most serious crimes", as required by the ICCPR, with a view to its total abolition.

- **Establish a national human rights institution**

Establish a national institution with a mandate to investigate and address human rights violations in accordance to the Principles relating to the Status of National Institutions (The Paris Principles).

- **Co-operate with UN mechanisms and ratify international treaties**

Co-operate fully with the International Criminal Court (ICC) investigations and with the Commission of Inquiry to investigate all alleged violations of international human rights law in the Libyan Arab Jamahiriya established by the UN Human Rights Council;

Ratify the Rome Statute of the ICC and enact legislation providing for full co-operation with the ICC;

Ratify the Optional Protocol to the CAT to establish a system of regular visits by independent international and national bodies to places where people are deprived of their liberty, in order to prevent torture and other cruel, inhuman or degrading treatment or punishment;

Ratify the International Convention on the Protection of All Persons from Enforced Disappearances including recognizing the competence of the Committee on Enforced Disappearances by making declarations pursuant to articles 31 and 32 of the Convention;

Extend invitations to the Working Group on Enforced and Involuntary Disappearances; the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and issue standing invitations to all UN mechanisms;

Adopt best practices identified by the UN Office of Disarmament Affairs to control weapons and munitions, and ratify the international conventions to prohibit the transfer and use of inhumane weapons including anti-personnel mines and cluster munitions.

## [Libyan NTC pledges to investigate rights violations | Amnesty International](http://www.amnesty.org/en/news-and-updates/libyan-ntc-pledges-investigate-rights-violations-2011-09-14)

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- Libyan NTC pledges to investigate rights violations
- 14 September 2011
- Libya's National Transitional Council has pledged to investigate human rights abuses committed by its own supporters, in response to a newly released report by Amnesty International.

In a statement on 13 September, the NTC condemned all abuses committed during the war, and said it "will move quickly to act on Amnesty's findings to make sure similar abuses are avoided in areas of continued conflict such as Bani Walid and Sirte."

- In its statement, the NTC also said it would now be "putting its efforts to bring any armed groups under official authorities and will fully investigate any incidents brought to its attention."

"We welcome the NTC's commitment to investigate abuses such as those we have documented and to ensure that they are not repeated", said Claudio Cordone, Amnesty International's Senior Director.

"We look forward to concrete action to ensure as a matter of urgency that detainees are not ill-treated, and that particularly vulnerable groups such as Libyans from Tawargha - most of whom have fled their town -and sub-Saharan Africans, are protected from reprisals."

- Amnesty International's report released yesterday, [The Battle for Libya: Killings, Disappearances and Torture](#) revealed that while al-Gaddafi forces committed war crimes and possibly crimes against humanity, forces opposed to Colonel al-Gaddafi also committed human rights abuses including war crimes.

One of Amnesty International's key recommendations is for the NTC to bring detention centres under control of the Minister of Justice and Human Rights in order to prevent ongoing abuses of captured fighters and civilians.

The organisation has also called for a strong public message that torture and other abuses will not be tolerated, and that those responsible will be held to account.

Amnesty International has asked for the NTC to take specific action, including through public appeals, to ensure that armed groups do not abuse those who are particularly vulnerable to reprisals, such as sub-Saharan Africans and Libyans from Tawargha who are generally assumed to have been sided with Colonel al-Gaddafi.

The NTC has postponed by two days its planned attack on Bani Walid, asking for civilians to leave the town after negotiations for the surrender of the al-Gaddafi forces failed.


## [New Libya 'stained' by detainee abuse | Amnesty International](http://www.amnesty.org/en/news-and-updates/report/new-libya-%E2%80%99stained%E2%80%99-detainee-abuse-2011-10-13)

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- [Click here](#) to download the briefing" src="http://www.amnesty.org/sites/impact.amnesty.org/files/imagecache/story/libya-ntc-detention-report-cover560.jpg" height="145" alt="Click here to download the briefing" width="204">

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- "There is a real risk that without firm and immediate action, some patterns of the past might be repeated. Arbitrary arrest and torture were a hallmark of Colonel al-Gaddafi's rule," said Hassiba Hadj Sahraoui, Amnesty International's Deputy Director for the Middle East and North Africa.

"We understand that the transitional authorities are facing many challenges, but if they do not make a clear break with the past now, they will effectively be sending out a message that treating detainees like this is to be tolerated in the new Libya."

- Since late August, armed militia have arrested and detained as many as 2,500 people in Tripoli and al-Zawiya.

The organization said detainees were almost always held without legal orders and mostly without the involvement of the General Prosecution. They were held by local councils, local military council or armed brigades - far from the oversight of the Ministry of Justice.

- Approximately 300 prisoners were interviewed by Amnesty International in August and September. None had been shown any kind of arrest warrant and many were effectively abducted from their homes by unidentified captors carrying out raids of suspected al-Gaddafi fighters or loyalists.

At least two guards - in separate detention facilities - admitted to Amnesty International that they beat detainees in order to extract "confessions" more quickly.

- The organization found a wooden stick and rope, and a rubber hose, of the kind that could be used to beat detainees, including on the soles of their feet - a torture method known as falaqa - on a detention centre floor.

- In one detention centre they heard the sound of whipping and screams from a nearby cell.

The organization said that detainees appear to suffer beatings and torture particularly at the start of their detention, being given a "welcome" on arrival.

- Sub-Saharan Africans suspected of being mercenaries made up between a third and a half of those detained. Some have been released after no evidence was found to link them to fighting.

A man from Niger, initially presented to Amnesty International as a "mercenary and killer", broke down and explained that he had "confessed" after being beaten nearly continuously for two days. He denied being involved in fighting.

- Black Libyans - particularly from the Tawargha region, which was a base for al-Gaddafi forces in their efforts to regain control of Misratah - are also particularly vulnerable. Dozens of Tawarghans have been taken from their homes, checkpoints, and even hospitals.
- The organization also found that children have been held together with adults and women detainees have been supervised by male guards.

A 17-year-old boy from Chad accused of rape and being a mercenary told Amnesty International he was taken from his home in August by armed men who held him in a school where they punched him and beat him with stick, belts, rifles and rubber cables:

"The beatings were so severe that I ended up telling them what they wanted to hear. I told them I raped women and killed Libyans."

- Amnesty International called on the National Transitional Council (NTC) to ensure that people are not detained without orders from the General Prosecution, and to bring detention facilities under the control of the Minister of Justice.

The organization said that those being held must be allowed to challenge the lawfulness of their detention or should be released.

Trial proceedings in western Libya have been suspended since the NTC took control. In eastern Libya, which fell under their control in February, they remain suspended.

- In meetings with Amnesty International in September, NTC officials acknowledged concerns over arbitrary detention and ill-treatment, and vowed to do more to get a grip on armed militias and ensure that all those detained enjoy equal protection of the law.

"The NTC has to act urgently to translate their public commitments into action, before such abuses become entrenched and stain the new Libya's human rights record," said Hassiba Hadj Sahraoui.

"These detainees have in most cases been arrested without a warrant, beaten - and sometimes worse - on arrest and arrival in detention. They are vulnerable to abuse by armed militias who often act on their own initiative."

"The authorities cannot simply allow this to carry on because they are in a 'transitional' phase. These people must be allowed to defend themselves properly or be released."

### [Gaddafi's ghost town after the loyalists retreat - Telegraph](http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8754375/Gaddafis-ghost-town-after-the-loyalists-retreat.html)

<http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8754375/Gaddafis-ghost-town-after-the-loyalists-retreat.html>

## • Gaddafi's ghost town after the loyalists retreat

### **Andrew Gilligan visits the scene of what appears to be the first major reprisal against supporters of Gaddafi's regime.**

- By [Andrew Gilligan](#), Tawarga

7:00AM BST 11 Sep 2011

- Until last month, the town of Tawarga was home to 10,000 civilians.

But as dusk fell over it last week, the apartment blocks stretched, black and dead, into the distance, and the only things moving were sheep.

This pro-Gaddafi settlement has been emptied of its people, vandalised and partly burned by rebel forces. *The Sunday Telegraph* was the first to visit the scene of what appears to be the first major reprisal against supporters of the former regime.

- "We gave them thirty days to leave," said Abdul el-Mutalib Fatateth, the officer in charge of the rebel garrison in Tawarga, as his soldiers played table-football outside one of the empty apartment blocks. "We said if they didn't go, they would be conquered and imprisoned. Every single one of them has left, and we will never allow them to come back."
- The people of Tawarga and their neighbours in Misurata, 20 miles down the road, were on opposite sides in [Libya's](#) revolution. As the besieged Misuratans bravely fought to save their town from the Gaddafi forces encircling it, some of the artillery fire raining down on them came from Tawarga.
- "We urged them not to fight us, because they are our brothers, but they insisted on fighting," said Mr Fatateth. But



he also appeared to concede that the civilians of the town had been caught in the middle, saying: "Gaddafi used to take the Tawarga people and use them as human shields when his troops approached Misurata."

Rebels say that civilian volunteers from Tawarga were with Gaddafi troops when they ransacked dozens of houses in Misurata in March. There are also claims, impossible to verify, of rape and other abuses by Tawargans. Mr Fatateth said that one young captured rebel had been tied up and used as a doormat in the town.

- Whatever the truth, there appears little room for reconciliation in this corner of the new Libya. For the first time in the country's revolution, we saw large numbers of houses, and virtually every shop, systematically vandalised, looted or set on fire.
- The inhabitants fled so fast that many had not time to take with them the photos of their own children. They, and other small personal treasures – a Barbie doll, a Calvin Klein T-shirt – still lay on the floors. Some valuables, such as televisions and stereos, had been stolen. But rather more often, they had just been smashed.

Even the local hospital had been vandalised. The beds were dragged out of the wards and ripped. Glass in the windows and doors was broken. Medicines, forms and computer printouts were scattered along the corridors, and the doctors and nurses had vanished with everyone else. Outside, you had to watch your step: anti-personnel mines lay on the pavement.

- The clue to it all lay in the green Gaddafi flags still flying from many of the houses. There is no disputing that this was a centre of support for the regime. But that support appears to have been at different levels.

Some of the houses had apparently been used for fighting, with bullet holes in the walls. The majority of looted or vandalised properties, however, had not.

- Mr Fatateh said that some had been taken over by pro-Gaddafi militias after the civilians had fled, and a two-day battle had ensued with rebel forces on the 10th and 11th of August.
- And as so often in Libya, there is also a racist undercurrent. Many Tawargans, though neither immigrants nor Gaddafi's much-ballyhooed African mercenaries, are descended from slaves, and are darker than most Libyans.

Along the road that leads into Tawargha, the Misurata Brigade has painted a slogan. It is, it says, "the brigade for purging slaves [and] black skin."

- "We have met Tawargans in detention, taken from their homes simply for being Tawargans," said Diana Eltahawy, a researcher for Amnesty International who is currently in Libya. "They have told us that they have been forced to kneel and beaten with sticks."

Even fleeing is not, it seems, enough to save you. Tawargans have also been arrested at checkpoints, seized from hospitals and detained on the street. "They are really afraid. They have nowhere to go," said Ms Eltahawy.

On Aug 29, Amnesty says it saw a Tawarga patient at the Tripoli Central Hospital being taken by three men, one of them armed, for "questioning in Misurata". Amnesty was also told that at least two other Tawarga men had vanished after being taken for questioning from Tripoli hospitals.

- One 45-year-old flight dispatcher and his uncle were arrested by armed rebels while out shopping in the al-Firnaj area of Tripoli on 28 August.

They were taken to the Military Council headquarters at Mitiga Airport just east of the capital. The men told Amnesty they were beaten with the butt of a rifle and received death threats. Both were held for several days in Mitiga and are still detained in Tripoli.

- Many Tawargans are now cowering in makeshift camps around Tripoli. But even there, they are not safe. In one camp, a group of armed men drove in and arrested about a dozen Tawargans. Their fate is still unknown. Another woman at the camp said her husband left the camp to run an errand in central Tripoli, about a week ago. She hasn't seen him since.
- "If we go back to Tawarga, we will be at the mercy of the Misratah brigade," said one refugee, who declined to be named. "When they entered our town in mid-Ramadan [mid-August] and shelled it, we fled just carrying the clothes on our backs. I don't know what happened to our homes and belongings. Now I am here in this camp, my son is ill and I am too afraid to go to the hospital in town. I don't know what will happen to us now."
- Any rebel abuses pale by comparison with those of the regime. People who saw the charred skeletons of prisoners, machine-gunned and burned by Gaddafi's retreating Khamis Brigade, or who witnessed the indiscriminate bombardment of Misurata, will not quickly forget the scenes.

But old Libyan habits of repression may be starting to reassert themselves.

- And it is not the first time that pro-Gaddafi civilians have suffered reprisals. In July, as rebels swept through the Nafusa mountains, the village of Qawalish was subjected to a very similar fate. Many of the people there, pensioners and young children, simply could not have been part of any military action for the regime.

Back in ghostly Tawarga, there is little sympathy for the victims' plight.

Mr Fatateth said: "The military council will decide what will happen to the buildings. But over our dead bodies will the Tawargas return."

Ibrahim al-Halbous, another local rebel commander, put it even more simply.

"Tawarga no longer exists," he said.

### [Nato launches renewed strikes in bid to help Libyan rebels' final assault - Telegraph](http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8756220/Nato-launches-renewed-strikes-in-bid-to-help-Libyan-rebels-final-assault.html)

<http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8756220/Nato-launches-renewed-strikes-in-bid-to-help-Libyan-rebels-final-assault.html>

## • **Nato launches renewed strikes in bid to help Libyan rebels' final assault**

**A renewed Nato intervention in Libya's civil war on Sunday night allowed rebel forces to drive their way towards Col Muammar Gaddafi's last two northern redoubts after days of fierce resistance.**

- By [Richard Spencer](#), Tripoli, Ruth Sherlock near Bani Walid and Rob Crilly in Benghazi

11:43PM BST 11 Sep 2011

- Nato said it had struck a pro-Gaddafi tank, two armoured vehicles and a multiple rocket launcher in the town of Bani Walid – an attack called in as rebels were forced to call off an attack on Saturday evening.

As night fell on Sunday, rebels were in control of parts of the town and had seized the university.

Around Sirte, Col Gaddafi's birthplace and showpiece city where regime forces were also holding out, Nato destroyed a set of surface to air missile canisters, two tanks and two armed vehicles.

Rebels claimed Gaddafi forces there had taken 300 residents to a village on the approach to the city as human shields and were using them to prevent a further advance.

Fathi Baja, head of political affairs for the National Transitional Council, told reporters that the residents, including a number of known opponents of Gaddafi, had been taken to Qasr bu Hadi, about 10 miles to the east of the city.

- The two towns have defied rebel predictions of a swift victory that would consolidate the hold of the National Transitional Council over the populated northern seaboard of the country. Gaddafi troops and loyalist residents have fought back strongly, sniping and sending volleys of missiles at rebel forces as they try to move in.

In doing so they have covered the retreat of the Gaddafi clan and, it is believed, the leader himself to the south of the country where they are believed to be using reserves of cash and gold to be buying support in the hope of a fightback or at least a well-guarded escape.

Deadlines for the loyalists to surrender peacefully in return for guarantees of good treatment have come and gone in Bani Walid and Sirte.

But following the Nato attacks, rebels were able to force their way into Bani Walid last night, saying they were less than a mile from the centre and in control of the north of the town. A resident named Khalifa al-Talisi said: "There is still resistance from the central market. All other parts of Bani Walid have been liberated."

Gaddafi forces were still fighting on, scudding mortars towards rebel lines as night fell and at one stage forcing

another retreat.

- The town is home to the Warfalla tribe, which was once loyal to Gaddafi but split in later years, and its most pro-Gaddafi elements fear retaliation if they surrender.

In Sirte surrender negotiations also failed because residents insisted the rebels could only enter if they came without weapons and demanded an amnesty for anyone guilty of crimes committed under the former regime.

- Many there fear a wave of revenge on a city that is closely associated with the Colonel and his inner circle. Evidence has emerged in the last week of similar destruction wreaked on Taworga, an intensely pro-Gaddafi town used as a base for the long siege of Misurata.

The Sunday Telegraph discovered the town had been forcibly emptied of residents by the victorious rebels and then comprehensively looted.

- On Saturday, the head of the transitional government, Mustafa Abdul Jalil, after finally arriving in Tripoli to take up his post as de facto president of the new Libya, tried to convince residents of both towns that they had nothing to fear.

"We try to extend our hands to show peace to our brothers there to let our troops enter these cities peacefully without fighting," he said.

However, he authorised an end to the latest ceasefire on the Sirte front, with rebels also progressing several miles closer to the city.

### [Black Libya City Said to Fall to Rebel Siege | Black Agenda Report](http://blackagendareport.com/content/black-libya-city-said-fall-rebel-siege)

<http://blackagendareport.com/content/black-libya-city-said-fall-rebel-siege>

## • Black Libya City Said to Fall to Rebel Siege

Wed, 08/17/2011

- by **BAR executive editor Glen Ford**

Western-backed rebels have made good their vow to "purge slaves, black skin," with their reported capture of Tawurgha, a black Libyan city, after a long siege. Elsewhere, just 30 miles from the capital city of Tripoli, NATO bombed 85 civilians to oblivion. Facing a September 27 United Nations deadline on its "humanitarian" mission, "NATO has resorted to terror bombing to clear the way for the rebel advance."

- Black Libya City Said to Fall to Rebel Siege
- The mostly black town of [Tawurgha has fallen](#) to NATO-backed rebels after a long siege, according to al-Jazeera, the Qatar-based media mouthpiece for the rebels. It is an event only racists could celebrate, a triumph of hate and Euro-American arms and money over an enclave of dark-skinned Libyans descended from Africans once sold in the town's slave market. As the *Wall Street Journal* [reported on June 21](#), the road to Tawurgha (sometimes spelled Ta-wer-gha), 25 miles from the port of Misurata, is punctuated by rebel graffiti vowing to "purge slaves, black skin." Previously, Benghazi-based rebels methodically cleansed Misurata's black neighborhoods, warning residents never to return to their jobs or classrooms.
- Rebels claimed Tawurgha's defenders used civilians as "human shields" during the final assault – the stock phrase deployed to justify massacres of non-combatants. President Obama has, in effect, been arming a racist lynch mob and calling them freedom fighters.
- Government forces earlier claimed to have recaptured Misurata, itself, along with other battlefield victories, reports that are mirrored by rebel boasts of progress in encircling the capital city, Tripoli, and its 1.5 million people. The pace of military activity has quickened, dramatically, with the September 27 expiration of the Euro-American "mandate" in Libya approaching. NATO has stepped up bombing of pro-government towns along a wide front, throwing every available unit of feuding rebel forces into the fray in hopes of achieving regime change before the deadline. Rebel claims to have captured the town of Brega are in dispute. According to the rebel high command, the oil port was once defended by a brigade of "Chadian" soldiers – another "black African" threat that Amnesty International and other outside observers found to be totally fictional. The rebellion appears to run on Africanophobia.
- Should Moammar Gaddafi still be standing on September 27, NATO will be compelled to apply for an extension of its UN fig-leaf – a request that is likely to be opposed by Russia and/or China, most of the African Union and other regional powers – unless NATO, as the Israelis like to say, has already established its desired "facts on the ground."
- NATO has resorted to terror bombing to clear the way for the rebel advance. Foreign journalists [witnessed the funeral](#) of 28 of the 33 children, 20 men and 32 women who were killed in a NATO attack on the town of Majer, only about 30 miles from the capital, last week, according to a government spokesman. Unable to deny the carnage, western media gave cursory coverage, and quickly resumed their p.r. work for the rebels. NATO's top commander in Libya, Canadian Lieutenant General Charles Bouchard, [feigned innocence](#). "I cannot believe that 85 civilians were present when we struck in the wee hours of the morning, and given our intelligence," he told the press. "I can assure you that there (were not) 85 civilians present, but I cannot assure you that there were none at all."
- At times, it seems the western media, standing death watch in Tripoli, could not recognize a huge demonstration of pro-government sentiment if it materialized right in front of their eyes – as has occurred! But NATO military planners are not so deaf and dumb as their media servants. Although Libya's government may not have the 85 percent approval Gaddafi claims, it could not have withstood the NATO onslaught without the active support of millions. NATO

understands that it must bring to bear its full range of terror tactics if it is to break Tripoli's resistance by September 27, in order to present the UN with a fait accompli.

- The "no-fly" ban that morphed into a Euro-American blitzkrieg was justified to prevent a non-existent "massacre" in Benghazi – a city where human rights workers later concluded that only 110 people died prior to the intervention, many of them pro-government. Now, 30 miles from Tripoli, almost as many civilians have been wiped out by NATO in one night, and no one will ever know how many black Libyans were lynched in the fall of Tawurgha.
- **A Dissonance in Harlem**

The Harlem Millions March, August 20, organized by New York's December 12<sup>th</sup> Movement (D-12) and billed as a protest against NATO bombing of Libya and western sanctions against Zimbabwe, wound up shutting out Cynthia McKinney, the most prominent African American "eyewitness" to the bombing. McKinney, who traveled from Atlanta for the well-publicized appearance at the event, and whose presence was announced to the crowd by D-12's Viola Plumber, was never called to speak, despite long and sometimes undisciplined presentations by many others leading up to final remarks from the Nation of Islam's Min. Louis Farrakhan. This "clannish" behavior by D-12, as one disappointed visitor described it, is, to say the least, unhelpful to movement-building.

- **Black Is Back Coalition**

On August 20, as part of an "International Day of Action" in opposition to the "Other Wars" the U.S. wages against Africans around the world, the Black Is Back Coalition for Social Justice, Peace and Reparations has scheduled events in:

[When will Nato stop killing Libyan children? | Pakistan | News | Newspaper | Daily | English | Online](http://nation.com.pk/pakistan-news-newspaper-daily-english-online/International/17-Aug-2011/When-will-Nato-stop-killing-Libyan-children)

<http://nation.com.pk/pakistan-news-newspaper-daily-english-online/International/17-Aug-2011/When-will-Nato-stop-killing-Libyan-children>

## • When will Nato stop killing Libyan children?

- Timothy Bancroft-hinchey | Published: August 17, 2011
- The question is, when will Nato stop murdering Libyan children, when will Nato realise it made a monumental mistake in attacking Libya and siding with the "rebels" (most of whom are not even Libyan), when will Nato stop wasting hundreds of millions of dollars of its taxpayers' money on bombing a country whose population stands with its leader? Nato has a fundamental and underlying problem: it is a fraud, a phoney organisation which has long surpassed the founding ideals of its existence. It was founded (wrongly) as a collective defensive organism quaking in its boots at the supposed Soviet threat. The Soviet military organisation was essentially defensive, and despite massive superiority, did the Soviet Union ever attack? No, it did not. It spent, in the 1980s, 250 billion USD in aid programmes in developing countries, where western countries had practised slavery and imperialist policies.
- And now? Apart from encircling the Russian Federation, apart from encircling Iran, proving that Nato is not a defensive organisation, meaning its "Ministers of Defence" are in fact "Ministers of War", Nato in fact controls its member states' foreign policy. Now how constitutional is that? Did the citizens of the member states vote for Nato? Then why is it controlling their policy? And spending their money? Do the citizens of the UK know quite how much Prime Minister David Cameron is spending per week on bombing Libyan civilians, bombing the Libyan water supply and electricity grids to "break the people"? Find out, and see how you feel? It is utterly amazing. Do the citizens of the UK and France know what the White House said before it tried to distance itself from this horrific violation of international law? Why, here it is: It is good to involve Nato because it saves US taxpayers' dollars and saves the lives of our boys. Yes, they actually said that.
- Whatever the western media is reporting, PRAVDA.Ru has sources inside Libya and on the front line. I personally have been engaged with Africa and African policy for many years. I have an African daughter and I have an African son, I have contacts in all African countries and I have been actively engaged in African affairs for decades, not as a colonialist but implementing developmental approaches and documenting African cultures and lores for posterity. So how can SKY News for example state that the "rebels" (what rebels? The vast majority of them aren't even Libyans, and over 90pc of the population supports the Jamahiriya) control al-Bregah, when in fact they are 195 kilometres to the East and all accesses to the city are heavily fortified? True, the terrorists make the two-and-a-half-hour drive from time to time and true; they get their heads blown off. Many of them are Nato backed mercenaries. Why does Nato arm terrorists? Why does Nato get itself involved in an internal conflict it started? Why does Nato back terrorists against the legitimate government of Libya? Why doesn't Nato admit that the Jamahiriya is far more democratic than the systems in their countries? Have the citizens of the Nato countries read the Green Book of Muammar Gaddafi? Then they should.
- How can the western media report that Benghazi is under "rebel" control when 75pc of the city is now thankfully liberated from the scourge of these racists (why does Nato back racists? Is Cameron a racist? Is Obama a racist? Is Sarkozy a racist? Oh, the readers didn't know the terrorists slaughtered black people in the streets and declared they want "black free" areas? Ever heard of Judenfrei? The Libyan terrorists are the same as Hitler's SS in 2011. Nato supports them). And as for the supposed taking of Zawiyah...the terrorists are 80 km. west of Zawiyah. The terrorists terrorised the citizens of Tawaregha on Friday and were cleaned out after the Libyan Armed Forces sterilised the area and liberated the citizens on Saturday morning. 190 terrorist elements were liquidated outside Tawaregha, including one leader and this is located at the west of Misurata, which is also largely under Libyan government control. The Libyan government is firmly in control, has from the beginning implemented international law to the letter, while Nato has flouted it. If there isn't a man or a woman in the international community with the guts to stand up and say what is right, then let the citizens of the world take up the challenge. Nato is committing war crimes in Libya. Colonel Gaddafi is popular. Nato is killing civilians, and it is doing so on purpose. They murdered the three grandchildren of Muammar Gaddafi. They are wasting millions of dollars per day in this war, which they are losing. They know they are losing it so they target water and electricity supplies to break the people. Now if that isn't evil, I don't know what is. –Pravda

## [Ethnic Cleansing of Black Libyans](http://www.blackstarnews.com/news/135/ARTICLE/7478/2011-06-21.html)

<http://www.blackstarnews.com/news/135/ARTICLE/7478/2011-06-21.html>

### • Ethnic Cleansing of Black Libyans

#### Black Star News Editorial

06-21-11



- Rebels, with the help of NATO bombs and missiles, drove out Misrata's Black population

#### [Black Star News Editorial]

The "rebels" in Misrata in Libya have driven out the entire Black population of the city, according to a chilling story in *The Wall Street Journal* today under the headline "[Libya City Torn by Tribal Feud.](#)"

The "rebels" now eye the city of Tawergha, 25 miles away, and vow to cleanse it of all Black people once they seize the city. Isn't this the perfect definition of the term "genocide"?

- According to *The Journal's* article, the "rebels" refer to themselves as "the brigade for purging slaves, black skin." *The Journal* quotes a rebel commander Ibrahim al-Halbous saying, of Black Libyans, "They should pack up," and that "Tawergha no longer exists, only Misrata."
- You won't read this kind of article in *The New York Times*, which has become as journalistically corrupt and as compromised as the old PRAVDA, during the Soviet era. This editorial page has been insisting since the beginning of the Libya conflict that the "rebels" embraced racism and used the allegation that Muammar al-Quathafi had employed mercenaries from other African countries as a pretext to massacre Black Libyans.
- The evidence of public lynching of Black people are readily available online through simple Google or YouTube searches, even though *The New York Times* has completely ignored this major story. Does anyone believe that if people of African descent controlled the editorials in *The New York Times* or even the news pages that such a huge and damning story would be ignored?
- If the case were reversed and Black Libyans were committing ethnic cleansing against non-Black Libyans, does anyone believe that the people who now control the editorials or the news pages at *The New York Times* would ignore such a story? Evidently, it doesn't much bother the sages at *The Times* that Black Libyans and specifically being targeted for liquidation because of their skin color.
- Instead *The New York Times* is busy, as in a recent editorial boasting of its support for NATO's bombing campaign, which this week alone is reported to have killed 20 civilians. *The Times* has also ignored Rep. Dennis Kucinich's call that the International Criminal Court (ICC) investigate NATO commanders on possible war crimes in connection to Libyan civilians killed.
- *The Times* can't write about the ethnic cleansing of Black Libyans and migrants from other African countries because it would diminish the reputation of the "rebels" who the *Times* have fully embraced, even after the ICC also reported that they too have committed war crimes. Instead, *The Times* is comfortable with the simplistic narrative: "al-Quathafi bad," and "rebels good," regardless of the fact that *The Wall Street Journal* also reported that the rebels are being trained by former al-Qaeda leaders who were released from U.S. custody on Guantanamo Bay.
- *The Times* also has totally ignored the African Union (AU) peace plan, which actually calls for a ceasefire, negotiations for a constitution, and democratic elections, all to be monitored by the International community.

So what can one say about the *Times* for ignoring the ethnic cleansing of Black Libyans by the "rebels" in Misrata, with the help of NATO? Does this make *The New York Times* culpable of the ethnic cleansing, since the newspaper not only deliberately ignores the story, but also falsely depicts the "rebels" as Libya's saviors?

Call *The New York Times* at (212) 556-1234 `begin_of_the_skype_highlighting` (212) 556-1234 `end_of_the_skype_highlighting` and ask for the Foreign Desk editor--ask him why his newspaper is not reporting on the ethnic cleansing of Black Libyans.