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(Photo: Facebook)

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Libya: Hold Stability Support Authority militia leaders to account

Entrenched impunity has emboldened the state-funded Stability Support Authority (SSA) militia to commit unlawful killings, arbitrary detentions, interception and subsequent arbitrary detention of migrants and refugees, torture, forced labour, and other shocking human rights violations and crimes under international law, Amnesty International said today.

Created by government decree in January 2021, the SSA militia is commanded by one of the most powerful militia leaders in Tripoli, Abdel Ghani al-Kikli, known as "Gheniwa" who was appointed despite the well-documented history of crimes under international law and other serious human rights violations committed by militias under his command.

"Legitimizing abusive militia leaders and putting them on state payroll with no questions asked only empowers them to continue trampling on the rights of more people with complete impunity. It can come as no surprise that Abdel Ghani al-Kikli's new militia is yet again involved in horrific crimes – whether against migrants and refugees or Libyans," said Diana Eltahawy, Deputy Regional Director for the Middle East and North Africa at Amnesty International.

"For over a decade, militias under his command terrorized people in the Tripoli neighbourhood of Abu Salim through enforced disappearances, torture, unlawful killings and other crimes under international law. He should be investigated and, if there is enough admissible evidence, prosecuted in a fair trial."

Amnesty International wrote to the Libyan authorities on the complaints received against Abdel Ghani al-Kikli and his former deputy Lotfi al-Harari on 19 April 2022, demanding their removal from positions that would allow them to commit further violations, interfere in investigations or grant them immunity, pending investigations. No response was received in time for publication.

An Amnesty International delegation visited Libya in February and spoke to nine people who said they suffered grave human rights violations at the hands of the SSA members, as well as eight family members and three activists.

Migrants intercepted and detained in abysmal conditions

Ministry of Interior representatives in Tripoli confirmed to Amnesty International that the SSA intercepts refugees and migrants at sea and takes them to detention centres under SSA control. They said that the ministry has no oversight over the SSA's operations since it answers to the Prime Minister, not the Minister of Interior. When asked on what legal basis the SSA had become involved in interception operations, the Ministry of Interior representatives said they did not know.

Three migrants told Amnesty International that they and hundreds of others were held in February 2022 in the overcrowded and poorly ventilated al-Mayah detention centre controlled by SSA. They received little food or water, forcing them to drink toilet water. They told Amnesty International that they witnessed guards regularly beating detained migrants and refugees and subjecting them to forced labour, rape and other sexual violence, including forced prostitution.

The SSA does not share information about the number of detainees al-Mayah detention centre or allow access to independent organizations.

SSA's interceptions of refugees and migrants at sea since September 2021 have been marred by reports of violence, leading to loss of life at sea. On 18 February 2022, the SSA militiamen were responsible for the death of one man and the injury of others during the interception of a boat carrying migrants and refugees across the Mediterranean, according to the International Organization for Migration (IOM).

"Mass arbitrary detention, torture, forced labour, rape and other horrific violations by SSA militiamen against refugees and migrants are yet another grim reminder that refugees and migrants intercepted at sea should never be returned to Libya. EU and member states should urgently suspend any co-operation with Libya on migration and border control. They must ensure that any future cooperation is contingent upon Libyan authorities ending the policy of arbitrary detention of migrants and refugees and effectively investigating crimes against them," said Diana Eltahawy.

Libyan detainees subjected to enforced disappearances, beatings, sexual violence and deaths in custody

Amnesty International has documented recent crimes including enforced disappearances and deaths in custody by SSA militiamen under "Gheniwa's" command. For instance, the body of a 34-year-old man was found with clear signs of torture in August 2021. He had been abducted days earlier by men affiliated with the SSA in Tripoli.

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>
> **Diana Eltahawy, Amnesty International**

Over the past 10 years, Amnesty International and others have **documented** **arbitrary detention**s, enforced disappearances, torture, unlawful killings and other crimes under international law by the Central Security Force-Abu Salim militia and its predecessor Abu Salim Military Council under the command of "Gheniwa" and his then deputy and head of investigations **Lotfi al-Harari**, who is now heading the Tripoli-based Internal Security Agency, another militia **implicated in crimes and human rights violations**.

Six former detainees held at a detention facility between 2016 and 2019 run by the Central Security Force-Abu Salim when "Gheniwa" was commander told Amnesty International that they were subjected to mock executions, food deprivation, beatings, electric shocks, sexual violence and denial of medical care while in custody.

One man who was detained between May and October 2018 said he was regularly beaten with water pipes, sticks and backs of rifles while held in a tiny room with no toilet. On several occasions, he said Lotfi al-Harari beat him, threatened to rape him and fired live ammunition at him.

Another man detained around the same time told Amnesty International that Lotfi al-Harari had ordered him and other detainees to stand against a wall before shooting at them with his gun, wounding some of them in their limbs.

Most of those detained have been subjected to enforced disappearance, with militiamen refusing to inform detainees' families of their fate and whereabouts for months and sometimes years. Those released were warned not to speak out.

Families of eight men told Amnesty International how the Central Security Forces- Abu Salim abducted and detained their loved ones between 2017 and 2022, some of them their fates remain uncertain to date. One detainee was abducted in 2017 from the Abu Salim neighbourhood by men identified by witnesses as working with the Central Security Force-Abu Salim. His family approached the prosecution for help and said that a prosecutor telephoned Lotfi al-Hariri, who confirmed having him in custody. Yet, when the family visited the detention centre, militiamen denied having him in custody on six occasions and the prosecutor told them he was powerless to do anything.

Under international criminal law commanders are individually criminally responsible if they knew or must have known that the subordinates were about to commit or were committing such crimes and did not take all necessary and reasonable measures in their power to prevent their commission, or if such crimes had been committed, to hold the persons responsible accountable.

Background:

The SSA is tasked with securing government buildings and officials, participating in combat operations, apprehending those suspected of national security crimes, and cooperating with other security bodies.

The SSA militia was formally established by government decree in January 2021. The Government of National Unity's (NGU) 2021 proposed budget allocated 40 million LYD (8.9 million USD) to the SSA, of which 5 million LYD (1.1 million USD) was for payroll. Additional ad hoc payments also take place: in February 2022, GNU Prime Minister Abdelhamid Debibah authorized a payment of 132 million LYD (around $28 million) to the SSA.

Since its founding, the militia rapidly expanded its influence beyond Tripoli to al-Zawiya and towns in western Libya.

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