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Libya: Civilians Under Siege in Benghazi - Fighting Traps Families

(Tunis) – Civilians have been trapped for months in a neighborhood of the eastern [Libyan](#) city of Benghazi, by fighting between the Libyan National Army (LNA) and Islamist militias that form the Benghazi Revolutionaries Shura Council (BRSC). All sides to the conflict in Benghazi should allow all civilians to leave the Ganfouda neighborhood, and allow for the safe passage of humanitarian aid into the neighborhood.

Ganfouda is one of the few remaining holdouts of militant Islamist groups in Benghazi. The LNA, which has Ganfouda under siege, has said it will not allow any evacuation of males between ages 15 and 65 and has set a series of other conditions. The Islamist coalition controlling the neighborhood has also set conditions for evacuation of civilians.

“The Libyan National Army should let any civilian who wants to leave the battle zone go, whatever their age or gender,” said [Hanan Salah](#), senior Libya researcher at Human Rights Watch. “The presence of fighters nearby doesn’t give the LNA license to trap civilians in a battle zone facing near-starvation.”

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Hanan Salah

Senior Libya Researcher

The LNA, since early 2014 under the command of a retired general of the ousted Gaddafi government, Khalifa Hiftar, has gained control over territory in and around Benghazi since the outbreak of hostilities in May 2014. It has carried out air strikes and fired mortars on Ganfouda, killing or wounding an unknown number of civilians, and damaging infrastructure, Benghazi residents told Human Rights Watch.

The Islamist groups under the BRSC have shelled adjacent areas of Benghazi, killing and wounding civilians, and destroying property. They are also arbitrarily detaining about 100 supporters of the former Gaddafi government who were arrested during the 2011 revolution and held in Bouhdeima Military Prison in Benghazi until they were seized by militants in October 2014.

Affiliates of the Islamic State, also known as ISIS, are also opposing the LNA in Ganfouda.

Human Rights Watch spoke by cellphone with six Ganfouda residents, as well as with relatives abroad, activists, commanders, and representatives of the LNA and the BRSC. Residents said they live in constant fear of air strikes and have had no access to fresh food for months, no access to medical care with exception of one

doctor with limited capacities, and limited drinking water. Electricity had been cut off for months, and only those residents who had a generator and fuel had access to some electricity. They said the intense fighting made them afraid to try to leave their neighborhood to get food and other necessities. They said they could not use a sea route in the coastal city, due to the LNA's expansion of the siege to include coastal areas.

The residents interviewed said they wanted to leave but have been prevented by the refusal of the LNA to allow many males to leave, as well as by the fighting. Residents also said they feared arrest or humiliation if they had to pass through LNA checkpoints. The BRSC alliance of Islamist militias that includes former members of Ansar al-Sharia has rejected the LNA's conditions and demanded that civilians leave by sea for somewhere in western Libya, such as Misrata or Tripoli.

All parties to the conflict should allow the safe passage of civilians wishing to leave the zone of conflict, Human Rights Watch said. The LNA should stop refusing the passage of any boy or man between the ages of 15 and 65. If it screens people leaving it should presume them to be civilians unless there is evidence to the contrary. Any screening process should be limited to hours rather than days or weeks, and the LNA should grant anyone it takes into custody all protection for detainees provided under Libyan and international law. It should not presume affiliation to ISIS or other extremist groups based solely on gender, age, or tribal affiliation.

The Paris Principles on Children Associated with Armed Forces or Armed Groups (2007) [states](#) that "children who are accused of crimes under international law allegedly committed while they were associated with armed forces or armed groups should be considered primarily as victims of offences against international law; not only as perpetrators. They must be treated in accordance with international law in a framework of restorative justice and social rehabilitation."

The laws of war require that all parties to a conflict take constant care during military operations to spare the civilian population and to "take all feasible precautions" to avoid or minimize the incidental loss of civilian life and damage to civilian objects.

All parties to the conflict must allow and facilitate rapid and unimpeded passage of humanitarian relief for civilians in need. The LNA and adversaries from Islamist groups are obligated to grant humanitarian relief personnel freedom of movement, and protect them from attack, harassment, intimidation, and arbitrary detention. The laws of war do not prohibit sieges of enemy forces. However, starvation of civilians as a method of warfare is prohibited and constitutes a war crime. All parties to a conflict should facilitate the safe movement of civilians, in particular to enable them to escape a zone of fighting or a siege.

"Although the LNA has legitimate security concerns, there is no excuse for a policy that treats all men and even children as combatants by denying them the ability to escape from a besieged war zone," Salah said. "The LNA is trying to force mothers to leave behind their 15-year-old sons in order to survive."

The Siege of Ganfouda

The LNA has been besieging Ganfouda, a coastal neighborhood of Benghazi, since July 2014, after General Hiftar announced the start of a military intervention called "Dignity" to root out "terrorists." After a strong push by the LNA between July and October, Ganfouda and the downtown areas of al-Sabri and Souq el-Hout, remain the only areas where the LNA is encountering armed resistance, led by BRSC militants and affiliates of ISIS.

According to Tamim al-Gharyani, the mediator on behalf of the BRSC, at least 120 families still live in Ganfouda, including several hundred children. Al-Gharyani, who is head of the Benghazi Crisis Committee in Tripoli, a body affiliated with the National Salvation Government in Tripoli, said the BRSC was not able to determine the exact number of families due to the fighting and communication difficulties. The civilians include foreign and Libyan local residents of Ganfouda, as well as people displaced from other Benghazi neighborhoods, and an unknown number of foreign workers.

The Sudanese Foreign Ministry confirmed in a [statement](#) on August 15 the death of five of its citizens during military operations in Ganfouda and said that 200 of its nationals, mostly migrant workers, remained unaccounted for due to the ongoing siege of the area.

In a [statement](#) issued on September 3, 2016, the LNA accused the militant groups of hindering civilians from leaving Ganfouda and using them as "shields" to prevent the LNA from advancing into militants' stronghold. Human Rights Watch could not confirm the LNA's allegation.

BRSC also holds an unknown number of detainees, including some from a group of about 150 detainees whom militants seized, in October 2014, from Bouhdeima Military Prison in Benghazi. The Bouhdeima detainees are supporters of the former Gaddafi government who had been detained there since the 2011 civil war. A September 4 [statement](#) by the BRSC said that 22 of those detainees were killed or have been missing since an air strike on their prison in Ganfouda on August 17. A commander allied with the BRSC who communicated with

Human Rights Watch on October 13, said that about 80 of the detainees remained alive. Human Rights Watch could not verify that number.

Members of at least six families in Ganfouda have been killed by air strikes and shelling from neighboring areas in 2016, according to residents. Civilians in other parts of Benghazi have fallen victim to attacks by militants, including shelling from areas under the control of BRSC and other militants on October 17, that [killed one child](#) and injured six members of his family on Syria Street, in al-Wheishi area, according to news reports. The attack came only hours after the BRSC issued a statement saying the group [would target LNA-controlled areas](#).

Ganfouda residents said they had some opportunities to leave the neighborhood by boat until July, when the LNA extended its siege to the coastal side of the neighborhood. As the fighting intensified elsewhere, BRSC and ISIS affiliates, as well as civilians, fled into the neighborhood from other parts of Benghazi, such as al-Gwarsha and the downtown area.

Conditions in Ganfouda

Ganfouda residents said that until recently, the BRSC distributed food items such as pasta, rice, cooking oil, and tomato paste, which had been delivered by sea earlier this year. Residents said that flour was now unavailable and that remaining dry food stocks were past their expiration date. Although they had some livestock, they have had no fresh fruit or vegetables since February. One resident said, "My 3-year old daughter asked me the other day what a cucumber is. My eyes hurt from the strain of picking out the worms from the rice before I cook it."

Children in Ganfouda have had only intermittent access to education since the beginning of 2015, when their school was hit by an airstrike, residents said. Classes were moved to a nearby mosque, but airstrikes damaged it soon afterward. Since then, children have had no access to public education, residents said.

Omar Gaoda, the chairman of the National Libyan Red Crescent Society, which is headquartered in Benghazi, said the organization has been unable to enter the neighborhood to deliver humanitarian aid and relief since the hostilities broke out in July 2014, due to the intensity of fighting and the failure of all parties to the conflict to guarantee the safety of its staff.

Conditions Set for Leaving

An activist who acted as a mediator between the conflict parties because they have refused to meet face-to-face, told Human Rights Watch the LNA and BRSC agreed to work toward arranging safe passage for civilians to leave Ganfouda and formed a committee to negotiate terms. While the representatives of BRSC met with mediators, NGOs and the UN Mission in Libya (UNSMIL) in Istanbul, the committee failed to convene with all members.

Colonel Ahmed al-Oreibi, who was appointed military governor for Benghazi in August, and who represents the LNA in the Ganfouda committee, told Human Rights Watch by phone on October 13, that the LNA had established conditions for the exit of civilians from Ganfouda. Al-Oreibi said only women and children and males younger than 15 and older than 65, would be given a safe passage, along with seriously injured fighters from BRSC and ISIS, so they could receive medical treatment. To prevent men from sneaking out, the LNA would not allow women to wear a niqab that covers their faces fully. Males between the ages of 15 and 65 would not be allowed to leave the neighborhood at any time, as the LNA considered them all to be potential fighters, al-Oreibi said.

The LNA further demanded the release of its members held captive by the armed groups in Ganfouda, the remains of LNA members killed in the fighting, and the release of the detainees from Bouhdeima Prison who are in BRSC custody.

Tamim al-Gharyani, the Tripoli-based head of the Benghazi Crisis Committee, and mediator on behalf of the BRSC, told Human Rights Watch on October 14, that BRSC had also set conditions for people leaving Ganfouda. He said the coalition wants any unarmed person to be considered a civilian. Further, residents should all leave via sea and be transferred under the protection of an international organization at the port, with any searches of people leaving the neighborhood on a ship belonging to an international entity, and lists of passengers handed over only upon arrival at the destination. The destination would need to be agreed upon by BRSC and the civilians wishing to leave.

As for the group of detainees from Bouhdeima, they are free to decide where they want to go, according to al-Gharyani. He said that some did not wish to be evacuated to Misrata, since they had concerns for their safety there. The exchange of prisoners and of remains of members of the LNA and affiliated forces needed to be governed by another agreement, he said.

Al-Oreibi said the LNA would agree to families leaving by land or by sea. However, the LNA insisted on directly overseeing their exit, in the presence of international monitors, he said. Women, children under 15, and the

elderly who leave would not be detained, and any non-Libyan civilians, such as migrant workers, would be handed over to their embassies.

Accounts by Residents

Due to the risk of reprisals and revenge attacks against family members, Human Rights Watch is withholding identities of Benghazi residents who spoke with the organization.

A resident of Ganfouda and mother of four children told Human Rights Watch by phone on October 10, that she could barely provide one meal a day for the children, mostly rice or pasta. She said that although there was one medical doctor in the area, the repeated overflights and air strikes made it nearly impossible to transport sick and injured people to get medical care. She said:

Whenever there's a plane in the sky, it means there will be a strike. Most people in the area want to leave because of the persistent strikes. People here want a safe passage out for the whole family. We heard that children over 14 or 15 would not be allowed to leave. Tell me, which woman will agree to this? No mother will leave her child or her husband behind.

She said that four months ago, a woman delivered a baby by caesarian section, which was carried out at home and took five hours.

Another resident said during a call that the medication available in her neighborhood was past its expiration date. She said that overflights kept people from leaving their homes for long periods, even when there were casualties:

One older man, al-Hajj Salem, refused to eat for 10 days and died. No one was able to leave the house for several days after he died. We could hear the daughters cry after their father died, but nothing could be done. The family called the Red Crescent to take him away, but the charity never came so the family had to bury him on their own. We are stuck at home and cannot leave because of all the air strikes.

One resident said by phone that approximately 120 families were still living in the neighborhood, and that members of six families had been killed by airstrikes since the beginning of hostilities. The resident described how attacks on a home on October 4, [killed two women and two children](#):

In one incident, a mother and her two children from the Zubi family were killed after an airstrike on their home. The plane struck at around 9 p.m., when the mother was at home with her children and the father was having a tea with his Egyptian neighbor. After the strike, the father went running and found his wife, who was pregnant, and one of his children injured but not dead. He went running for help, and in the meantime, the wife of the Egyptian man came with her two children to try and help. The plane struck again and the two women and their children were killed. The two remaining Zubi children are in bad shape. The girl who is 12 has lost her memory.

Another airstrike killed a mother and three children from the Abdali family, together with an old woman originally from al-Gwarsha, and an elderly man also living there, the resident said.

A third airstrike on August 12, killed a mother, father, and two daughters from the Sudanese Doma family, the resident said. It took place at night, after the family had left the television on: "They made the mistake of not covering the window with a blanket. I went to see the damage, and it was chilling."

One resident said during a phone call that women were afraid of arrest, harassment and humiliation by the LNA if they left the neighborhood for the LNA-controlled part of the city:

The Army [LNA] told residents that we could leave, so an old woman, 80 years, left her home. She called us once she reached Misrata and told us that she was arrested briefly by the army and was beaten on her back. She told us to beware and not to leave.