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LIBYA

COUNTRY OF ORIGIN INFORMATION (COI) REPORT

BACKGROUND AND SECURITY SITUATION

COI Service

25 July 2011

SECURING OUR BORDER CONTROLLING MIGRATION

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Preface

- i This Country of Origin Information (COI) Report has been produced by the COI Service, United Kingdom Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The main body of the report includes information available up to 14 July 2011. The 'Latest News' section contains further brief information on events and reports accessed from 15 July 2011 to 20 July 2011. The report was issued on 25 July 2011.
- ii The Report is compiled wholly from material produced by a wide range of external information sources and does not contain any UKBA opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.
- iii The Report aims to provide a compilation of extracts from the source material identified, focusing on the main issues raised in asylum and human rights applications. In some sections where the topics covered arise infrequently in asylum/human rights claims only web links may be provided. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- iv The structure and format of the Report reflects the way it is used by UKBA decision makers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.
- v The information included in this Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated. Similarly, the absence of information does not necessarily mean that, for example, a particular event or action did not occur.
- vi As noted above, the Report is a compilation of extracts produced by a number of information sources. In compiling the Report no attempt has been made to resolve discrepancies between information provided in different source documents though COI Service will bring the discrepancies together and aim to provide a range of sources, where available, to ensure that a balanced picture is presented. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties, etc. Reports do not aim to bring consistency of spelling but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.

- vii The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.
- viii This Report and the accompanying source material are public documents. All Reports are published on the UKBA website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified are available in electronic form, the relevant weblink has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from COI Service upon request.
- ix Reports are published regularly on the top 20 asylum intake countries. Reports on countries outside the top 20 countries may also be produced if there is a particular operational need. UKBA officials also have constant access to an information request service for specific enquiries.
- x In producing this Report, COI Service has sought to provide an accurate, up to date, balanced and impartial compilation of extracts of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to COI Service as below.

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INDEPENDENT ADVISORY GROUP ON COUNTRY INFORMATION

- xi The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of the UK Border Agency to make recommendations to him about the content of the UKBA's COI material. The IAGCI welcomes feedback on UKBA's COI Reports and other COI material. Information about the IAGCI's work can be found on the Independent Chief Inspector's website at <http://icinspector.independent.gov.uk/country-information-reviews/>
- xii In the course of its work the IAGCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. A list of the Reports and other documents which have been reviewed by the IAGCI or the Advisory Panel on Country Information (the independent organisation which monitored UKBA's COI material from September 2003 to October 2008) is available at <http://icinspector.independent.gov.uk/country-information-reviews/>
- xiii Please note: it is not the function of the IAGCI to endorse any UKBA material or procedures. Some of the material examined by the Group relates to countries designated or proposed for designation to the Non-Suspensive Appeals (NSA) list. In such cases, the Group's work should not be taken to imply any endorsement of the

decision or proposal to designate a particular country for NSA, nor of the NSA process itself. The IAGCI can be contacted at:

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Website: <http://icinspector.independent.gov.uk/country-information-reviews/>

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Latest News

EVENTS IN LIBYA FROM 15 JULY 2011 TO 20 JULY 2011

The Latest News provides a non-exhaustive selection of significant events since 15 July 2011. Further information may also be available from the list of useful sources below.

The Home Office is not responsible for the content of external websites.

18 July 2011 Libyan rebels say they are largely in control of the key eastern town of Brega, after close fighting in residential areas. Rebels say forces loyal to Libyan leader Col Muammar Gaddafi are retreating west towards the town of Ras Lanuf.

BBC News

Libyan rebels claim victory in battle for Brega

<http://www.bbc.co.uk/news/world-africa-14180293>

Accessed 18 July 2011

15 July 2011 US Secretary of State Hillary Clinton has announced that The United States has recognised the Libyan opposition as the country's 'legitimate governing authority'. The move means billions of dollars of Libyan assets frozen in US banks could be released to the rebels.

BBC News

US recognises Libyan rebel TNC as legitimate authority, 15 July 2011

<http://www.bbc.co.uk/news/world-africa-14164517>

Accessed 18 July 2011

USEFUL NEWS SOURCES FOR FURTHER INFORMATION

A list of news sources with Weblinks is provided below, which may be useful if additional up to date information is required to supplement that provided in this report.

AlertNet (Thomson Reuters) <http://www.alertnet.org/thenews/newsdesk/index.htm?news=all>

Al-Jazeera <http://english.aljazeera.net/indepth/spotlight/libya/>

British Broadcasting Corporation (BBC) <http://news.bbc.co.uk>

Cable News Network (CNN) <http://edition.cnn.com/WORLD/?fbid=i0gUtrVnUAY>

Canadian Immigration and Refugee Board, National Documentation Packages

http://www2.irb-cisr.gc.ca/en/research/ndp/index_e.htm?id=1140

ECOI.net <http://www.ecoi.net/>

Integrated Regional Information Networks (IRIN) <http://www.irinnews.org/>

UNHCR Refworld <http://www.unhcr.org/refworld/publisher,UNHCR,COUNTRYPOS,,,0.html>

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Background Information

1. GEOGRAPHY

- 1.01 The official state name is Great Socialist People's Libyan Arab Jamahiriya (Al Jumahiriyah al Arabiyah al Libiyah ash Shabiyah al Ishtirakiyah). (Programme on Governance in the Arab Region (POGAR), 2010).¹ Libya is the fourth largest country in Africa. It lies on the north coast of Africa, on the Mediterranean Sea, and is bordered by Tunisia, Algeria, Niger, Chad, Sudan and Egypt. It is a low-lying country, much of which is desert. There are mountainous regions in the South and North West and North East. (FCO Country Profile – Libya, 10 March 2011)²
- 1.02 The Central Intelligence Agency (CIA) *World Factbook, profile of Libya*, updated 3 May 2011, estimated that in July 2011 the population would be 6,597,960 (including 166,510 non-nationals). It also estimated that the median age would be 24.5 years.³
- 1.03 The United States Department of State (USSD) *Background note on Libya* (updated 17 November 2010) stated:
- “Libya has a small population in a large land area. Population density is about 50 persons per sq. km. (80/sq. mi.) in the two northern regions of Tripolitania and Cyrenaica, but falls to less than one person per sq. km. (1.6/sq. mi.) elsewhere. Ninety percent of the people live in less than 10% of the area, primarily along the coast. More than half the population is urban, mostly concentrated in the two largest cities, Tripoli and Benghazi. Thirty-three percent of the population is estimated to be under age 15.”⁴
- 1.04 Europa World Online on *its Libya country page* (accessed 10 May 2011) stated that the capital was Tripoli (Tarabulus), with a population of 997,065 (based on a 2006 census) and listed the main towns (in descending order of population, based on the 2006 census) as: Benghazi (Banghazi) 622,148, Misurata (Misratah) 511,628, Al-Jifarah 422,999, Al-Marqab 410,187, Zawia (Al-Zawiyah) 270,751 followed by Al-Nuquat al-Khams, Al-Jabal al-Akhdar, Al-Marj, Al-Wahah, Darnah, Al-Butnan and Sirte (Surt).⁵
- 1.05 The same source also noted that the country is divided into three provinces, 10 governorates and 1,500 administrative communes.⁶
- 1.06 The USSD *Background note on Libya* (updated 17 November 2010) noted, “Native Libyans are primarily a mixture of Arabs and Berbers. Small Tebou and Tuareg tribal groups in southern Libya are nomadic or semi-nomadic. Among foreign residents, the largest groups are citizens of other African nations, including North Africans (primarily Egyptians and Tunisians), West Africans, and other Sub-Saharan Africans.”⁷

¹ POGAR – Libya in brief, 2010

<http://www.undp-pogar.org/countries/country.aspx?cid=10> Accessed 10 May 2011

² Foreign and Commonwealth Office, Libya Country Profile, 10 March 2011

<http://www.fco.gov.uk/en/travel-and-living-abroad/travel-advice-by-country/country-profile/middle-east-north-africa/libya/?profile=geography> Accessed 10 May 2011

³ CIA World Factbook – Libya, updated 3 May 2011

<https://www.cia.gov/library/publications/the-world-factbook/geos/ly.html>

Accessed 10 May 2011

⁴ USSD Background note – Libya updated 17 November 2010

<http://www.state.gov/r/pa/ei/bgn/5425.htm> Accessed 10 May 2011

⁵ Europa World Online (Country Statistics: Area and Population), Subscription only – hard copies available on request. Accessed 10 May 2011

⁶ Europa World Online (Government), Subscription only – hard copies available on request. Accessed 10 May 2011

⁷ USSD Background note – Libya updated 17 November 2010

<http://www.state.gov/r/pa/ei/bgn/5425.htm> Accessed 10 May 2011

1.07 Map

(Maps of World) – Libya Political Map⁸

⁸ Maps of World, Libya Political Map
<http://www.mapsofworld.com/libya/libya-political-map.html> Accessed 11 May 2011

- 1.08 Europa World Online, on its *Libya country page* (accessed 10 May 2011), noted “Arabic is the official language, although English and Italian are also used in trade. Almost all of the population are Sunni Muslims.”⁹
- 1.09 The Economist Intelligence Unit, in its *Libya report*, basic data, updated 8 April 2011, gave details of public holidays, “Commercial offices and government establishments are closed on Fridays. Other than the usual Islamic celebrations, national holidays include Declaration of the People's Power Day (March 3rd); Evacuation Day (June 11th); Revolution Day (July 23rd); and National Day (September 1st)”¹⁰

GEOGRAPHIC AND TRIBAL ISSUES

- 1.10 The International Crisis Group, in a report of 6 June 2011, called *Popular Protest in North Africa and the Middle East (V): Making sense of Libya*, stated:

“Libya’s three distinct parts – Tripolitania in the west, Cyrenaica in the east and Fezzan in the south – came together as a united country only in the 1950s. Its divisions are partly geographical. The main towns in the east, west and south are separated by vast expanses of desert, with transport and communications between them limited. For example, there is no railway or motorway – only a highway – connecting the two main cities, Tripoli and Benghazi. The only efficient way to move from one to the other is by air, something far beyond the means of most ordinary Libyans. As a result, many in the east traditionally have felt closer to Egypt than to the west of Libya, a sentiment accentuated by the fact that many Libyan tribes extend into the western regions of their eastern neighbour. In contrast, people from western Libya tend to feel closer to the Maghreb, particularly Tunisia, and – due to old trading links – Europe. Residents of the capital generally consider themselves more outward looking and cosmopolitan than their eastern counterparts; even the Arabic spoken in the two areas differs markedly.

“Strong tribal differences likewise distinguish east from west. Although, as explained above, many tribes extend across regions, tribal structures are more tightly preserved in the east, a reflection of the difficulties successive invading forces and colonisers have had in bringing the eastern hinterlands under their control. The main resistance to Italian invaders occurred in the east, where Libya’s best known national hero, Omar Al-Mukhtar, led a guerrilla war. Tribal structures in the east also were sustained thanks to the Sanussi brotherhood – a religious order that established itself in Cyrenaica and enmeshed itself within local tribal structures.”¹¹

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See also [Ethnic Groups](#)

⁹ Europa World Online (Country Profile: Language, Religion), Subscription only – hard copies available on request. Date accessed 10 May 2011

¹⁰ Economist Intelligence Unit, Basic Data, 8 April 2011 Subscription only – hard copies available on request. Date accessed 10 May 2011

¹¹ International Crisis Group, *Popular Protest in North Africa and the Middle East (V): Making sense of Libya*, 6 June 2011 <http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/North%20Africa/107%20Popular%20Protest%20in%20North%20Africa%20and%20the%20Middle%20East%20V%20-%20Making%20Sense%20of%20Libya.ashx> Accessed 7 June 2011

THE EAST

Islamism

- 1.11 The same source described how “The east also has been heavily associated with Islamism, its population reputed for its more traditional and socially conservative orientation.” It went on to say:

“It is the region where the Sanussi order was established and flourished... [which] was a revivalist movement that sought to combine the esoteric spiritual teachings of the Sufi Islamic tradition with elements of religious reform...

“In more recent decades, the east also provided most recruits for various Islamist opposition currents, both moderate (such as the Libyan Islamic Group, the local arm of the Muslim Brotherhood) and militantly jihadi (such as the Libyan Islamic Fighting Group).¹²

State policy towards the east

- 1.12 The same source considered Gaddafi’s policy towards the eastern side of Libya:

“From the outset, Qaddafi has been wary of the eastern regions. The feeling is rooted in centuries-old tribal rivalries between the Qadadfa and some of the larger tribes in the east, the eastern region’s history of rebellion against colonialism and especially its close association with the monarchy that Qaddafi and his colleagues overthrew. It was exacerbated when the regime uncovered several militant Islamist cells there in the late 1980s; in 1989, security forces rounded up thousands of suspected Islamists whom Qaddafi described as ‘more dangerous than AIDS’. Later, in the mid-1990s, after militant groups led an insurgency, the regime arrested thousands and turned the east into a virtual security zone with a heavy security presence.

“This painful history may help to explain easterners’ belief that Qaddafi’s regime has kept their region in a perpetual state of underdevelopment as punishment for its rebelliousness and starved of funds as investment focused almost exclusively in the north west. Local residents have complained that infrastructure was so poor that raw sewage was pumped straight into Benghazi’s main lake, where families’ picnic, and that, despite the country’s vast oil wealth, some eastern residents have been forced to live in small shanty towns. After the 2011 uprising broke, a local historian in Benghazi said, ‘the whole city has been neglected for more than 30 years.... The money goes to Tripoli. I guess we are used to it’. In fact, however, shanty towns are to be found in many areas of Libya; the east has no monopoly. And the statistical evidence, such as it is, does not really bear out easterners’ claims of suffering discriminatory treatment where public investment is concerned.

“Nonetheless, the conviction that they have suffered discriminatory treatment has contributed to some (and possibly many) easterners’ strong resentment at what they consider, rightly or wrongly, is their status as second-class citizens...

¹² International Crisis Group, Popular Protest in North Africa and the Middle East (V): Making sense of Libya, 6 June 2011 <http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/North%20Africa/107%20Popular%20Protest%20in%20North%20Africa%20and%20the%20Middle%20East%20V%20-%20Making%20Sense%20of%20Libya.ashx> Accessed 7 June 2011

“Aware of these currents of opinion, the regime has sought in the past few years to focus more attention on the east. Aside from releasing Islamist detainees, Saif Al-Islam [Gaddafi] promised a major eco-friendly tourism zone in the Jebel Akhdar (Green Mountains) as well as development projects. But, due to administrative and bureaucratic delays, wrangling within the regime and, most importantly, lack of political will, none of these projects materialised.”¹³

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TRANSPORT

Roads

- 1.13 The Economic Intelligence Unit's *2008 Country Profile on Libya*, stated, “Libya has an extensive and reliable network of about 25,000 km of tarmac roads. Most major towns and villages, including the desert oases, are accessible by car... The country's most important road link is the 1,822-km coastal road from Tunisia through Libya, via Tripoli and Benghazi, to the Egyptian border. A second major artery runs from the coastal road at Tripoli down to Sebha in the south.”¹⁴

Railways

- 1.14 The same report added, “There has been no rail service in Libya since 1964, when the line between Benghazi and Barce (Al Marj) was abandoned.”

International and internal airports and flight routes

- 1.15 Temehu, a travel website, gave details of *International & Internal Flights And Schedules In Libya*. Although accessed on 29 June 2011 this information would have been written before the conflict:

“International Flights:

“Air Malta, British Airways and Lufthansa all fly direct to Tripoli. You can also fly to Djerba in Tunisia and then continue your journey over land... You can also take the boat from Malta or Italy to Tripoli or Tunis.

“The Main Airports:

“There are three main airports in Libya that function on a daily basis: Tripoli, Benghazi and Sabha. The other three airports, namely Ghadames, Ghat and Alkufra, do not operate on a daily basis, but only one, two or three flights per a week and without a fixed timetable.

- Tripoli International Airport
- Benghazi Airport
- Sabha Airport
- Ghadames Airport

¹³ International Crisis Group, *Popular Protest in North Africa and the Middle East (V): Making sense of Libya*, 6 June 2011 <http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/North%20Africa/107%20Popular%20Protest%20in%20North%20Africa%20and%20the%20Middle%20East%20V%20-%20Making%20Sense%20of%20Libya.ashx> Accessed 7 June 2011

¹⁴ Economic Intelligence Unit, *2008 Country Profile on Libya* 21 November 2008. Accessed 118 July 2011 Subscription only.

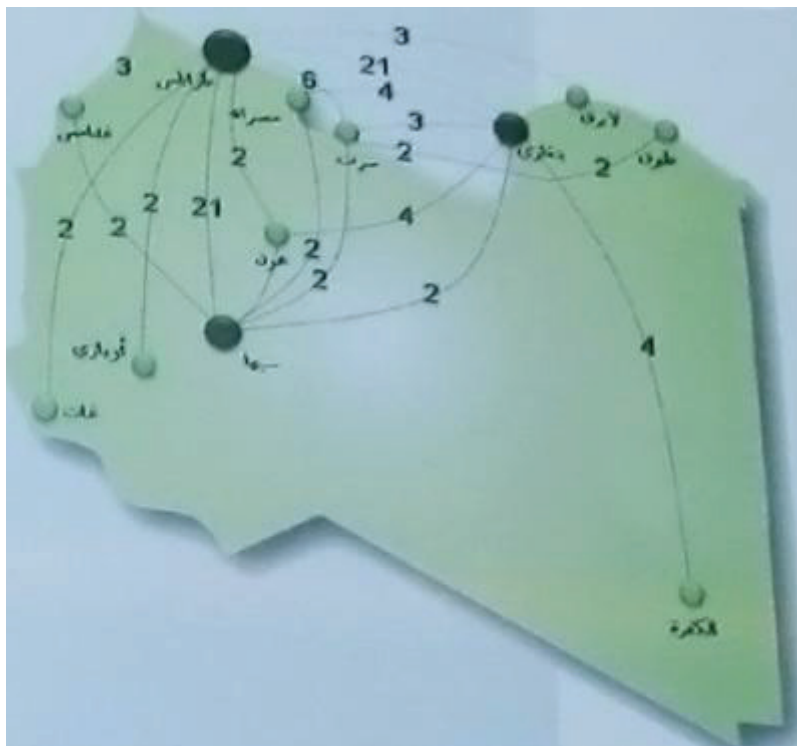
- Ghat Airport
- Alkufra Airport
- Sirte Gulf Airport
- Mitiga Airport
- Tobruk Civil Airport
- Misratha Airport
- Zuwarah Civil Airport"

1.16 The same source showed a map of the internal flights in Libya:

"Internal Routes:

- Tripoli - Sabha
- Sabha - Tripoli
- Tripoli - Benghazi
- Benghazi - Tripoli
- Tripoli - Ghat.
- Tripoli - Ghadames.
- Tripoli – Alkufra"

The legend is in Arabic, so the map will need to be looked at in conjunction with the [map at 1.07](#). The three main airports are the large dark circles with Tripoli to the west on the Mediterranean coast, Benghazi on the right and Sabha in the south.



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For more information on the airports at Tripoli, Misrata and Benghazi see [Section 9 Areas of Conflict](#)

¹⁵ Temehu, International & Internal Flights And Schedules In Libya. <http://www.temehu.com/internal-flights-and-airports.htm>
Accessed 29 June 2011

Sea ports

1.17 Temehu also provided a list of Libyan seaports:

“The following list of Libyan sea ports provides an introductory information about the main Libyan ports...The list includes summary information about the following Libyan sea ports: Abu Kammash Port, Bouri Oil Terminal, Benghazi Port, Darna Port, Elbrega Port (Marsa Brega), Khoms Port, Marsa al-Hariga Oil Terminal, Musratha Port (Misurata or Qasr Ahmed), Ras Lanouf Oil Terminal, Ras Lanouf Port (RASCO), As-Sidrah Port (Oil Terminal), Tobruk Port, Tripoli Port, Zawya (Zawiya or Azzawya) Port, Zwitina Port (or Zueitina), and Zwara (Zuwarah) Port: Marsa Zuwarah.

“Tripoli Port is currently the only port that receives tourists, and there are a number of visitors arriving at the port from Europe and elsewhere. All other ports are mostly industrial or commercial.”¹⁶

1.18 Relief Web, in conjunction with the World Food Programme (WFP), in a report of 11 March 2011, called *Libyan Ports Functionality Update*, noted:

“Benghazi: On 10 March, a vessel discharged containerised cargo including 1,182 mt of WFP commodities at Benghazi port. This illustrates that the port is useable for more than just break-bulk, and it has functioning container handling equipment. The port can be viewed as functional.

“Darnah: The Port Authority in Darnah has informed WFP that the port has sustained some damage to handling equipment and is not in a position to receive vessels at this time.

“Tobruk: The Port Authority in Tobruk has informed WFP that the port is functioning normally.

“Misurata: WFP last used this port in 2009 and has no current/updated information on the port. Note that, at the time of writing, this location is affected by conflict.

“Disclaimer: This article is simply an outline of the current functionality of selected ports in Libya. WFP is not in a position to provide security advice on the use of these ports. The list is provided for general information only and the inclusion of a port on this list does not imply a recommendation to use that port.”¹⁷

1.19 The BBC News, in a report of 5 May 2011, called *Libya conflict: Clearing mines at Misrata port*, noted, “The Royal Navy has been involved in clearing mines off the Libyan port of Misrata, which they say were laid by pro-Gaddafi forces.”¹⁸

1.20 The United Nations Office for the Co-ordination of Humanitarian Affairs, on 16 June 2011, in a report called *Libyan Arab Jamahiriya • Crisis Situation Report No. 45* noted, “Access to Misrata has improved, since a second channel into the sea port has been

¹⁶ Temehu, Libyan Sea ports <http://www.temehu.com/Libyan-ports.htm> Accessed 29 June 2011

¹⁷ Relief Web, Libyan Ports Functionality Update , 11 March 2011 <http://reliefweb.int/node/391604> Accessed 29 June 2011

¹⁸ BBC News Libya conflict: Clearing mines at Misrata port, 5 May 2011 <http://www.bbc.co.uk/news/world-africa-13300510> Accessed 29 June 2011

cleared...Partners in the Joint Mine Action Coordination Team cleared at least 645 ERW [explosive remnants of war] in and around Ajdabiya, Benghazi and Tubruq.”¹⁹

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2. ECONOMY

- 2.01 The Central Intelligence Agency (CIA) *World Factbook, profile of Libya*, updated 3 May 2011, gave details of the economy:

“The Libyan economy depends primarily upon revenues from the oil sector, which contribute about 95% of export earnings, 25% of GDP, and 80% of government revenue...Substantial revenues from the energy sector coupled with a small population give Libya one of the highest per capita GDPs in Africa, but little of this income flows down to the lower orders of society. Libyan officials in the past five years have made progress on economic reforms as part of a broader campaign to reintegrate the country into the international fold...Libyan oil and gas licensing rounds continue to draw high international interest; the National Oil Corporation (NOC) set a goal of nearly doubling oil production to 3 million bbl/day by 2012...The non-oil manufacturing and construction sectors, which account for more than 20% of GDP, have expanded from processing mostly agricultural products to include the production of petrochemicals, iron, steel, and aluminium. Climatic conditions and poor soils severely limit agricultural output, and Libya imports about 75% of its food. Libya's primary agricultural water source remains the Great Manmade River Project, but significant resources are being invested in desalinization research to meet growing water demands.”²⁰

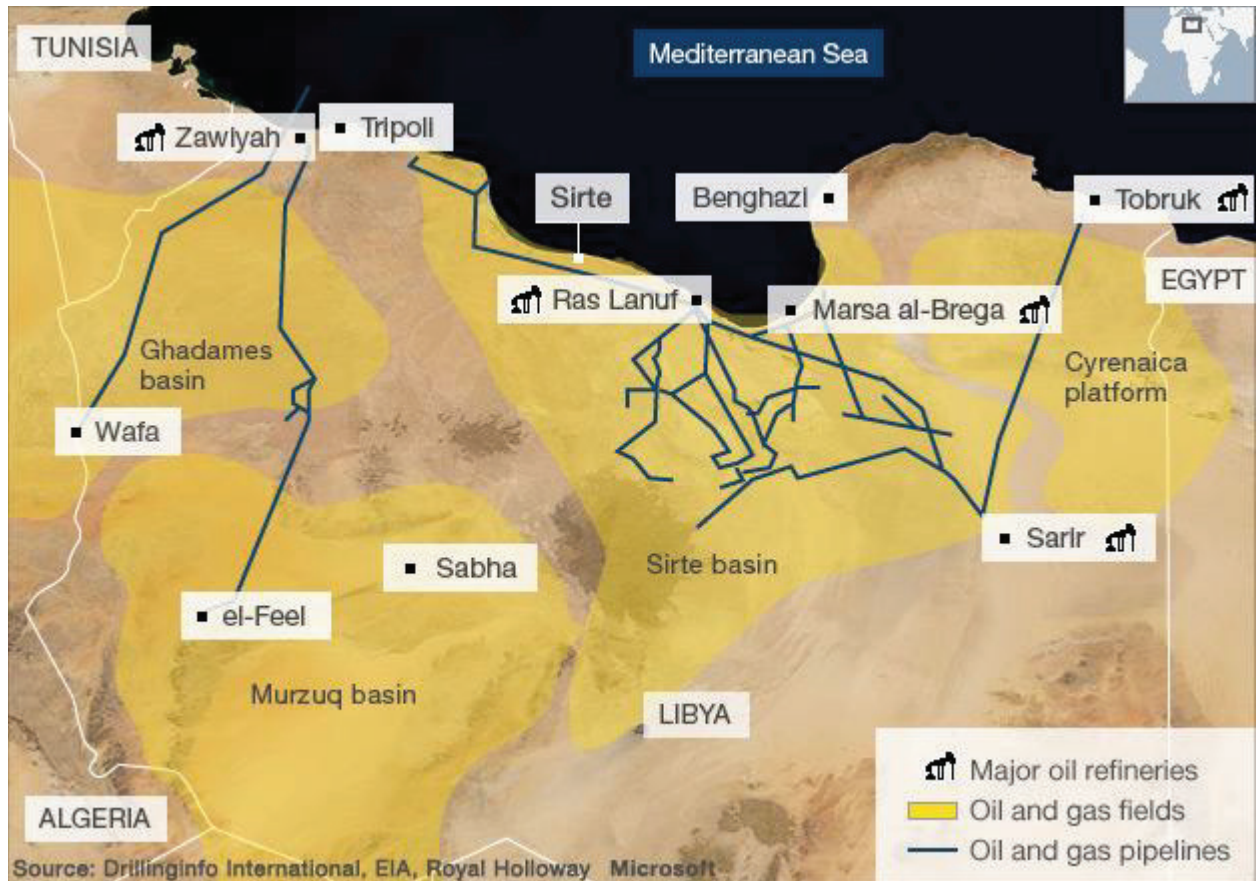
- 2.02 The BBC News, *Key maps of Libya*, accessed 11 May 2011, shows that “The Sirte basin is responsible for most of Libya's oil output. It contains about 80% of the country's proven oil reserves, which amount to 44 billion barrels, the largest in Africa.”

¹⁹ United Nations Office for the Co-ordination of Humanitarian Affairs, Libyan Arab Jamahiriya • Crisis Situation Report No. 45, 16 June 2011

<http://reliefweb.int/sites/reliefweb.int/files/resources/revsiterep45Libyan%20Arab%20Jamahiriya%20%E2%80%A2%20Crisis.pdf> Accessed 29 June 2011

²⁰ CIA World Factbook – Libya, updated 3 May 2011

<https://www.cia.gov/library/publications/the-world-factbook/geos/ly.html> Accessed 11 May 2011



"Libya produces 2.1% of the world's oil. Since the protests began, production has dropped, although Saudi Arabia has promised to make up any shortfall."²¹

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2.03 The Economist Intelligence Unit, in its *Libya report - economy*, updated 8 April 2011, stated:

"According to the International Energy Agency, oil exports from Libya, which amounted to just under 1.3m barrels/day (b/d) in 2010, had 'ground to a halt' by mid-March. The problem was partly a result of lower production, but legal restrictions on the sale of oil played just as significant a part. Initially sanctions made buying Libyan oil illegal, but on March 28th the US announced that it would allow oil sales from rebel-held areas provided that separate payments systems were put in place to ensure that none of the cash from any sales went to the NOC, the Central Bank of Libya, or any other government entity. AGOCO, the main producer in the east, remains on OFAC's [Office of Foreign Assets Control] list of sanctioned bodies, however. In late March the opposition said that it was producing up to 130,000 b/d of oil and could increase this to 300,000 b/d. In the west, oil supplies are running out as the regime has run down its stocks and the Azzawiya refinery has reportedly shut down. In an interview published by The Wall Street Journal on April 5th, Shokri Ghanem, the chairman of the NOC, said that Libya was producing between 250,000 b/d and 350,000 b/d of oil, down from

²¹ BBC News, Key Maps of Libya
<http://www.bbc.co.uk/news/world-africa-12572593> , Accessed 11 May 2011

previous levels of 1.6m b/d. The Qadhafi regime has warned that it will sue any company that strikes an oil deal with the rebels.”²²

2.04 The same source also noted:

“In a statement issued on March 19th, the Transitional National Council announced it had designated the Central Bank of Benghazi ‘as a monetary authority competent in monetary policies in Libya’ and appointed Ahmed el-Sharif as governor. The opposition also established the Libyan Oil Company, which, like the Central Bank, will be ‘based temporarily in Benghazi’.

“The independence of the two institutions from the Central Bank of Libya and the National Oil Corporation (NOC) in Tripoli should enable the opposition to circumvent the international sanctions imposed on the Qadhafi regime...

“OFAC said that should NOC ‘subsidiaries or facilities come under different ownership and control’, the Treasury Department would consider ‘authorising dealings’ with them.

“The NOC and the Central Bank of Libya remain under EU and UN sanctions.”²³

2.05 The United States Department of State, *Country Report on Human Rights Practices 2010, Libya*, published 8 April 2011, stated:

“The minimum wage was 250 dinars (\$208) per month. The government paid an additional pension of 90 dinars (\$75) for a single person, 130 dinars (\$108) for a married couple, and 180 dinars (\$150) for a family of more than two. Although there was no information available regarding whether the average wage was sufficient to provide a worker and family with a decent standard of living, the government heavily subsidized rent and utilities, and government workers received an additional 130 dinars (\$108) per month for food staples during the year.”²⁴

2.06 The same source also noted, “Although some public sector categories, such as professors, have received pay increases in recent years, a freeze imposed more than a decade ago continued to depress earnings.”²⁵

2.07 The Wall Street Journal, in an article of June 2011, called *Libyans Protect Assets Amid War*, stated:

“Civil war, more than two months of bombardment from the North Atlantic Treaty Organization and international sanctions have battered Libya's economy...Currency and gold traders...say activity has surged during the war as Libyans seeking to preserve assets buy foreign cash and precious metals in bulk, or seek to move savings overseas...usually Dubai. The biggest transfers, in some cases amounting to millions of

²² Economist Intelligence Unit, Economy, 8 April 2011 Subscription only – hard copies available on request. Date accessed 10 May 2011

²³ Economist Intelligence Unit, Economy, 8 April 2011 Subscription only – hard copies available on request. Date accessed 10 May 2011

²⁴ The United States Department of State, Country Report on Human Rights Practices 2010, Libya, published 8 April 2011, Section 6e: Acceptable conditions of work.

<http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154467.htm> Accessed 11 May 2011

²⁵ The United States Department of State, Country Report on Human Rights Practices 2010, Libya, published 8 April 2011, Section 6e: Acceptable conditions of work.

<http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154467.htm> Accessed 11 May 2011

dollars, have come from wealthy regime loyalists, in preparation to defect or to protect their assets, traders said.

“The expansion of trade in this corner of the market shows the toll that sanctions and war are exacting on Libya's economy and the regime of Col. Gadhafi as it struggles to maintain power amid more than three months of civil war and a NATO bombing campaign. While the regime insists it is solvent, the twin drivers of economic growth, oil production and foreign investment, have evaporated, and the banking system has been hobbled.”²⁶

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3. HISTORY

EARLY HISTORY TO 1911

- 3.01 The Foreign and Commonwealth Office, *Country Profile of Algeria*, reviewed 10 March 2011, stated, “The Arabs conquered North Africa in the seventh century AD. In the following centuries, most of the indigenous peoples adopted Islam and the Arabic language and culture. The Ottoman Turks conquered the area in the 16th century. The provinces of Cyrenaica (now eastern Libya), Tripolitania (west) and Fezzan (south) remained part of their empire - although at times virtually autonomous - until Italy invaded in 1911.”²⁷

ITALIAN OCCUPATION TO THE PEACE TREATY OF 1947

- 3.02 The same source continued:

“[Following their invasion in 1911] Italian control over territory outside Tripoli remained weak until the late 1920s and resistance subsided only after the execution of Omar Mukhtar in 1931.

“In 1934, Italy adopted the name ‘Libya’ (used by the Greeks for all of North Africa, except Egypt) as the official name of the colony. Libyan resistance to Italian occupation between the two World Wars was led by the Sanussiyya religious brotherhood. Its head, Sidi Idris al-Senussi, was recognised by the Italians as Emir of Cyrenaica, but had lived in exile in Egypt since 1922. He returned to Libya in 1942, where he was subsequently invited to become Emir of Tripolitania. From 1943 to 1951, Tripolitania and Cyrenaica were under British administration; the French controlled Fezzan. Under the terms of the 1947 peace treaty with the Allies, Italy relinquished all claims to Libya.”

1949 UNDER KING IDRIS UNTIL THE MILITARY COUP OF SEPTEMBER 1969

- 3.03 The same source continued:

“On 21 November 1949, the UN General Assembly passed a resolution stating that Libya should become independent before 1 January 1952. Sidi Idris represented Libya in the subsequent UN negotiations. When Libya declared its independence on

²⁶ Wall Street Journal, Libyans Protect Assets Amid War, 11 June 2011, http://online.wsj.com/article/SB10001424052702304563104576362833044006162.html?mod=googlenews_wsj Accessed 13 June 2011

²⁷ The Foreign and Commonwealth Office, *Country Profile of Algeria*, reviewed 10 March 2011 <http://www.fco.gov.uk/en/travel-and-living-abroad/travel-advice-by-country/country-profile/middle-east-north-africa/libya/?profile=history> Accessed 11 May 2011

December 24, 1951, it was the first country to do so through the United Nations. Libya was proclaimed a constitutional and hereditary monarchy under the King Idris I. The discovery of significant oil reserves in 1959 and the subsequent income from petroleum sales enabled what had been one of the world's poorest countries to become extremely wealthy, as measured by per capita GDP. King Idris ruled the Kingdom of Libya until he was overthrown in a military-led coup on 1 September 1969.”²⁸

1 SEPTEMBER 1969 – 2011 LIBYA UNDER COLONEL MUAMMAR AL QADHAFI [AKA GADDAFI] ‘LEADER OF THE REVOLUTION’ (DE FACTO HEAD OF STATE)

3.04 The same source continued:

“The new regime, headed by the Revolutionary Command Council (RCC), abolished the monarchy and proclaimed the new Libyan Arab Republic. Col. Muammar Al Qadhafi emerged as leader of the RCC and eventually as de facto head of state, a position he still holds. Qadhafi became known as the ‘Brother Leader of the Revolution’, but his only official position is Supreme Commander of the Armed Forces.

“Seeking new directions, the RCC's motto became ‘freedom, socialism, and unity.’ It pledged itself to remove backwardness, take an active role in the Palestinian Arab cause, promote Arab unity, and encourage domestic policies based on social justice, non-exploitation, and an equitable distribution of wealth.

“An early objective of the new revolutionary government was the withdrawal of all foreign military installations from Libya. Following negotiations, British military bases at Tobruk and nearby El Adem closed in March 1970, and U.S. facilities at Wheelus Air Force Base near Tripoli closed in June 1970. That July, the Libyan Government ordered the expulsion of several thousand Italian residents. By 1971, libraries and cultural centres operated by foreign governments were closed. Libya claimed leadership of Arab and African revolutionary forces and sought active roles in various international organisations. In the late 1970s, Libyan embassies were re-designated as ‘people's bureau’, as Qadhafi sought to portray all Libyan policy as an expression of the popular will. The ‘people's bureau’, aided by Libyan religious, political, educational, and business institutions overseas, exported Qadhafi's revolutionary philosophy abroad.”

3.05 Europaworld in its *Libyan Country Profile, historical content*, accessed 11 May 2011, observed:

“The Arab Socialist Union (ASU) was established in June 1971 as the country's sole political party. People's Congresses and Popular Committees were formed, and an undertaking was made to administer the country in accordance with Islamic principles. The General National Congress of the ASU (which comprised members of the RCC, leaders of the People's Congresses and Popular Committees, and of trade unions and professional organizations) held its first session in January 1976; it was subsequently restyled the General People's Congress (GPC).

“In March 1977 the GPC endorsed constitutional changes, recommended by Qaddafi, whereby the official name of the country was changed to the Socialist People's Libyan Arab Jamahiriya. Power was vested in the people through the GPC and its constituent parts. The RCC was dissolved, and a General Secretariat of the GPC (with Qaddafi as

²⁸ The Foreign and Commonwealth Office, Country Profile of Algeria, reviewed 10 March 2011 <http://www.fco.gov.uk/en/travel-and-living-abroad/travel-advice-by-country/country-profile/middle-east-north-africa/libya/?profile=history> Accessed 11 May 2011

Secretary-General) was established. The GPC elected Qaddafi as Revolutionary Leader of the new state. The Council of Ministers was replaced by a General People's Committee, initially with 26 members—each a secretary of a department.

"In March 1979 Qaddafi resigned from the post of Secretary-General of the General Secretariat of the GPC to devote more time to 'preserving the revolution'. The creation in early 1984 of the post of Secretary for External Security and of an office, attached to the Secretariat for Foreign Liaison, to 'combat international terrorism', combined with repressive measures to curb the activity of dissidents, apparently reflected Qaddafi's increasing sensitivity to the growth of opposition groups—principally the National Front for the Salvation of Libya (NFSL), which he accused foreign governments of fostering. In 1986 the country's official name was changed to the Great Socialist People's Libyan Arab Jamahiriya."²⁹

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The Green Book

- 3.06 Freedom House, in its report published 12 May 2011, *Freedom in the World 2011 - Libya*, noted:

"In the early years of his rule, al-Qadhafi published a multivolume treatise, the Green Book, in which he expounded his political philosophy and ideology – a fusion of Arab nationalism, socialism, and Islam... It is illegal for any political group to oppose the principles of the 1969 revolution, which are laid out in the Green Book, although market-based economic changes in recent years have diverged from the regime's socialist ideals."³⁰

The Men of the Tent

- 3.07 The International Crisis Group, in a report of 6 June 2011, called *Popular Protest in North Africa and the Middle East (V): Making sense of Libya* noted:

"Qaddafi's informal network of advisers and trusted confidants sometimes referred to as Rijal al-Khaimah ('the Men of the Tent'), has been a key feature of the regime since the revolution. This inner circle comprises members of Qaddafi's own family and of his particular branch of the Qadadfa tribe. Important figures from the family in this circle include his cousins, Ahmed Qadhaf Al-Dam, who has long been responsible for relations with Egypt, and Ahmed Ibrahim, the former Deputy Secretary of the General People's Congress and current head of the World Centre for Research and Studies on the Green Book.

"This network also comprises key individuals who carried out the revolution with Qaddafi and belonged to the original Revolutionary Command Council... Others within this network consist of loyal individuals whose personal connections to Qaddafi often date back to before the revolution.

²⁹ Europa World Online (Country Profile: Historical Context), Subscription only – hard copies available on request. Date accessed 10 May 2011

³⁰ Freedom House, *Freedom in the World 2011 – Libya*, 12 May 2011
<http://www.unhcr.org/refworld/country,,,LIBY,,4dcbf517c,0.html> Accessed 16 May 2011

"This group has seen relatively little new blood and thus operates rather like an old boys' club. The principal exceptions have been Qaddafi's sons, who have grown in importance as they have come of age."³¹

The rise to prominence of Seif al-Islam Gaddafi

- 3.08 Europaworld in its *Libyan Country Profile, recent developments*, accessed 11 May 2011, described the rise of Colonel Gaddafi's son Seif (Saif al-Islam Gaddafi):

"In October 2009 Col Qaddafi asked the country's senior administrators to find an official role not limited to a four-year mandate for Seif al-Islam in order to allow him to continue the implementation of his reform programme. The following day it was announced that Seif al-Islam would be appointed as co-ordinator of social and popular committees, a role which elevated Qaddafi's son to the second most powerful position in the Libyan leadership. The decision was widely interpreted as the formal approval by the Libyan authorities of Seif al-Islam as the successor to his father.

"In December 2009, in a move widely viewed as an attempt by Libya to open up to the west, Seif al-Islam's Human Rights Association published a report detailing wide-ranging examples of the use of torture, wrongful imprisonment and other human rights abuses, and criticizing the Libyan state's dominance of the media."³²

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4. CONSTITUTION

- 4.01 The United States Department of State, *Country Report on Human Rights Practices 2010, Libya*, published 8 April 2011, noted:

"The country does not have a constitution, and citizens do not have the right to change their government by peaceful means. The country's governing principles stem from al-Qadhafi's Green Book, which combines Islamic ideals with elements of socialism and pan-Arabism. The Green Book states that direct popular rule is the basis of the political system and that citizens play a role in popular congresses; in practice al-Qadhafi and his close associates monopolized every aspect of decision making in the government."³³

- 4.02 The same source also noted, "In theory citizens rule the country through a pyramid of popular congresses, communes, and committees, as laid out in the 1969 Constitutional Proclamation and the 1977 Declaration on the Establishment of the Authority of the People."³⁴

³¹ International Crisis Group, *Popular Protest in North Africa and the Middle East (V): Making sense of Libya*, 6 June 2011 <http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/North%20Africa/107%20Popular%20Protest%20in%20North%20Africa%20and%20the%20Middle%20East%20V%20-%20Making%20Sense%20of%20Libya.ashx> Accessed 7 June 2011

³² Europa World Online (Country Profile: Recent Developments), Subscription only – hard copies available on request. Date accessed 10 May 2011

³³ The United States Department of State, *Country Report on Human Rights Practices 2010, Libya*, published 8 April 2011, Section 3 Respect for Political Rights. <http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154467.htm> Accessed 16 May 2011

³⁴ The United States Department of State, *Country Report on Human Rights Practices 2010, Libya*, published 8 April 2011, Introduction. <http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154467.htm> Accessed 16 May 2011

- 4.03 The Constitutional Proclamation of 11 December 1969 can be accessed via the following link:
<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=3ae6b5a24&skip=0&coi=LBY&querysi=constitution&searchin=title&display=10&sort=date>³⁵

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5. POLITICAL SYSTEM

BEFORE FEBRUARY 2011 UPRISING

- 5.01 Europa World online (accessed 16 May 2011) stated:

“Following the overthrow of King Idris I in 1969, a Constitutional Proclamation was issued by the Revolutionary Command Council. In 1977 a further document, the Declaration on the Establishment of the Authority of the People, was approved by the General People's Congress (GPC). Under the system set out in this document, power is vested in the people through People's Congresses, Popular Committees, Trade Unions, Vocational Syndicates, and with the GPC and its General Secretariat. The Head of State is the Revolutionary Leader, elected by the GPC; however, Col Muammar al-Qaddafi himself rejects this nomenclature and all other titles. Executive power is exercised by the General People's Committee. The country is divided into three provinces, 10 governorates and 1,500 administrative communes.”³⁶

General People's Committee

- 5.02 The same source gave details of the General People's Committee:

“The Senate and House of Representatives were dissolved after the coup d'état of September 1969, and the provisional Constitution issued in December 1969 made no mention of elections or a return to parliamentary procedure. However, in January 1971 Col Qaddafi announced that a new legislature would be appointed, not elected; no date was mentioned. All political parties other than the Arab Socialist Union were banned. In November 1975 provision was made for the creation of the 1,112-member General National Congress of the Arab Socialist Union, which met officially in January 1976. This later became the General People's Congress, which met for the first time in November 1976 and in March 1977 began introducing wide-ranging changes.”

The 1977 declaration on the establishment of the authority of the people

- 5.03 The United States Department of State, *Country Report on Human Rights Practices 2010, Libya*, published 8 April 2011, noted:

“The government prohibits the creation of and membership in political parties. The 1977 Declaration on the Establishment of the Authority of the People dictates how citizens exercise their political rights. The government is structured in a pyramid of directly

³⁵ The Constitutional Proclamation of 11 December 1969

<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=3ae6b5a24&skip=0&coi=LBY&querysi=constitution&searchin=title&display=10&sort=date> Accessed 16 May 2011

³⁶ Europa World Online (Country Profile: Government), Subscription only – hard copies available on request. Date accessed 16 May 2011

elected residential people's committees (roughly neighbourhood voting districts), which in turn form the 424 basic people's congresses, municipal people's committees (sha'abiyas, formed of the basic people's congresses), the 760-member General People's Congress, and the 20 cabinet-level secretaries of the General People's Committee with a general secretary, each layer of which is involved in the selection of the next-higher level. Citizens participate through numerous organizations, including residential, vocational, professional, and skilled labour congresses. Voting for leaders of the local congresses is mandatory for all citizens 18 or older. In practice the regime exercised significant influence over legislation and enforcement of the General People's Congress' decisions.

"Elections to the General People's Committee occur at meetings of the General People's Congress. Elections generally are held every three years. The most recent elections were held in March 2009 with the people's congresses, the local bodies comprising all citizens, electing their leadership committees. The election process continues through the hierarchy of committees and congresses. Finally, the General People's Congress chooses the General People's Committee, which manages the daily affairs of the government. Al-Qadhafi is considered the 'Brotherly Leader and Guide of the Revolution' and is not elected by the citizens. He is structurally outside the political system but in practice retains authority over the government.

"Revolutionary committees guard against political dissent and assure that citizens adhere to sanctioned ideology. These committees approve candidates for the General People's Congress. In practice revolutionary committees played an unclear role in enforcing official ideology, sometimes appearing increasingly marginalized and sometimes appearing active in political life."³⁷

Political parties

- 5.04 Freedom House, in its report published 12 May 2011, *Freedom in the World 2011-Libya*, noted, "Political parties are illegal, and the government strictly monitors political activity. Organizing or joining anything akin to a political party is punishable by long prison terms and even the death penalty. Many Libyan opposition movements and figures operate outside the country."³⁸

For information about opposition groups based abroad see [Section 17.11](#) and for information about the interim administration see [Section 8](#).

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³⁷ The United States Department of State, Country Report on Human Rights Practices 2010, Libya, published 8 April 2011, Section 3 Respect for Political Rights.

<http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154467.htm> Accessed 16 May 2011

³⁸ Freedom House, *Freedom in the World 2011 – Libya*, 12 May 2011

<http://www.unhcr.org/refworld/country,,,LIBY,,4dcbf517c,0.html> Accessed 16 May 2011

Human Rights

6. INTRODUCTION

BEFORE FEBRUARY 2011 UPRISING

- 6.01 The Foreign and Commonwealth Office, in its report on *Human Rights and Democracy: Libya*, published 31 March 2011, stated, “We remain concerned, in particular, by restrictions on freedom of association and expression; continued incidences of arbitrary detention; shortcomings in Libya’s respect for the rights of migrants; and mistreatment of detainees.”³⁹
- 6.02 Human Rights Watch, in its *World Report 2011: Libya* (covering events of 2010), noted:
- “Government control and repression of civil society remain the norm in Libya, with little progress made on promised human rights reforms. While releases of large numbers of Islamist prisoners continued, 2010 saw stagnation on key issues such as penal code reform, freedom of association, and accountability for the Abu Salim prison massacre in 1996.
- “Libya maintains harsh restrictions on freedom of assembly and expression, including penal code provisions that criminalize ‘insulting public officials’ or ‘opposing the ideology of the Revolution,’ although there has been slightly more media debate in recent years, particularly online.”⁴⁰

SINCE THE FEBRUARY 2011 UPRISING

- 6.03 The UN News Service, in a news release of 1 June 2011 called *Libyan Government forces and opposition committed war crimes - UN panel*, reported:
- “A United Nations-ordered panel investigating human rights abuses in Libya says that both Government forces and the opposition have committed war crimes during the weeks of fighting following the uprising against the regime of Colonel Muammar al-Qadhafi...
- “The commission ‘has reached the conclusion that crimes against humanity and war crimes have been committed by the Government forces of Libya,’ according to a news release issued in Geneva.
- “‘The commission received fewer reports of facts which would amount to the commission of international crimes by opposition forces; however, it did find some acts which would constitute war crimes.’
- “The acts falling under crimes against humanity include murder, imprisonment, torture, persecution, enforced disappearance and sexual abuse, which the report stated were

³⁹ The Foreign and Commonwealth Office, *Human Rights and Democracy, Libya*, 31 March 2011
<http://s3-eu-west-1.amazonaws.com/htcdn/Human-Rights-and-Democracy-The-2010-Foreign-Commonwealth-Report.pdf>
 Accessed 31 May 2011

⁴⁰ Human Rights Watch, *World Report 2011: Libya*, 24 January 2011
<http://www.hrw.org/en/world-report-2011/libya> Accessed 31 May 2011

committed by Government forces ‘as part of a widespread or systematic attack against a civilian population.’

“Serious violations of international humanitarian law committed by Government forces amounting to war crimes include intentionally directing attacks against protected persons and targets such as civilian structures, medical units and transport.”⁴¹

For information on war crimes see [Section 7.11](#)

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7. SECURITY SITUATION – ANTI-GADDAFI UPRISING

7.01 The BBC News *Timeline: Libya*, updated 21 May 2011, provided a brief overview of the conflict:

“2011 February - Arrest of human rights campaigner sparks violent protests in eastern city of Benghazi that rapidly spread to other cities. Authorities use aircraft to attack protestors. Many Libyan diplomats resign in protest. Gaddafi insists that he will not quit, and remains in control of the capital, Tripoli.

“2011 March - UN Security Council authorises a no-fly zone over Libya and air strikes to protect civilians, over which NATO assumes command. London conference of world powers, European Union and Arab League calls on Col Gaddafi to quit.

“Backed by extensive NATO air raids, Libyan rebels initially capture territory but are then forced back by better-armed pro-Gaddafi forces. Rebels ask West for arms.

“Foreign Minister Moussa Koussa flies to Britain in protest at attacks on the rebels. Other senior figures defect in subsequent weeks.

“2011 May - International Criminal Court seeks arrest of Gaddafi for crimes against humanity following ‘widespread and systematic attacks’ on civilians.”⁴²

7.02 The Integrated Regional Information Networks (IRIN), gives a more detailed timeline until 8 April 2011, which can be accessed via the following link:

Libya: Timeline of key events since February 2011, published 8 April 2011.

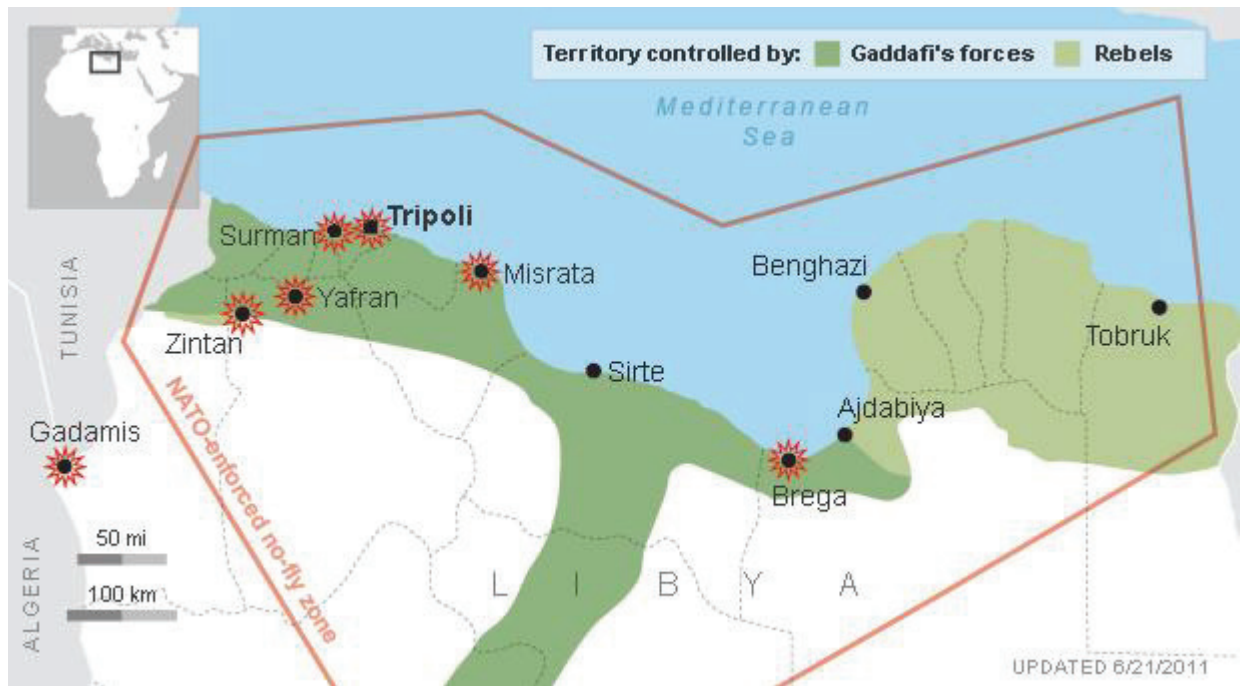
<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=4da3f65517&skip=0&coi=LBY&querysi=timeline&searchin=title&display=10&sort=date>⁴³

⁴¹ UN News Service, Libyan Government forces and opposition committed war crimes - UN panel, 1 June 2011
<http://www.unhcr.org/refworld/country,...LBY..4decc44a2.0.html> Accessed 13 June 2011

⁴² BBC News, Timeline: Libya
<http://news.bbc.co.uk/1/hi/world/africa/1398437.stm> Accessed 1 June 2011

⁴³ Integrated Regional Information Networks, Libya: Timeline of key events since February 2011, 8 April 2011
<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=4da3f65517&skip=0&coi=LBY&querysi=timeline&searchin=title&display=10&sort=date>

- 7.03 A map on the Reuters UK *Libya* page, updated 21 June 2011, shows the areas controlled by Gaddafi's forces and by rebels:



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- 7.04 The International Crisis Group, in a report of 6 June 2011, called *Popular Protest in North Africa and the Middle East (V): Making sense of Libya*, stated:

"Much remains to come to light about the way in which the anti-Qaddafi rising began. It is widely supposed that the protests started on 15-16 February and that the initial locus of the revolt was Benghazi and certain other towns in the east of the country. The first impetus came from a call broadly circulated on internet and social networking sites to demonstrate on a 'Day of Rage', 17 February, the anniversary of the demonstrations against the Danish cartoons of the Prophet which took place in 2006 and degenerated into riots in which ten demonstrators were killed by security forces and scores were injured. It has been suggested that what triggered the demonstrations in 2011 was the regime's repressive attempts to pre-empt them, notably by arresting a well-known lawyer and human rights activist, Fathi Terbil, in Benghazi on 15 February.

"That the regime sought to pre-empt the 'Day of Rage' protests is clear. But this initially took the form of a political manoeuvre rather than repression, for Qaddafi himself called for a rally against the government on 17 February in what seems to have been, once again, an attempt to co-opt popular unrest by placing himself at its head and channelling it into demonstrations that targeted government officialdom rather than his own authority and the regime as a whole. Terbil apparently was arrested on a quite separate matter... News of his arrest triggered a small protest in Benghazi on 16 February, and several protesters were arrested.

"Subsequent Western media coverage has identified this incident with the explicitly anti-regime demonstrations that got under way in the days that followed and has encouraged the perception that the anti-Qaddafi movement originated in the east. But,

⁴⁴ Reuters UK Libya – map updated 21 June 2011, <http://uk.reuters.com/places/libya> Accessed 29 June 2011

as informed Libyan sources told Crisis Group, 'a big misconception is that the Libyan uprising was organised in the east; in fact, the online protest calls originated from Libyans abroad, in Switzerland and the United Kingdom'...

"In addition to security measures, the regime deployed other means to pre-empt the protest movement, including mobilising supporters in pro-regime rallies. In addition, Qaddafi warned tribal leaders not to allow their youth to engage in protests and toured the country, seeking to show a more sympathetic face by listening to popular demands. Despite this, once demonstrations began in Benghazi, they quickly spread to other eastern towns, including Derna, Tobruk and Al-Baida, while security and military personnel in the region either fled or joined them...

"Like the regime itself, many observers expected Libyans in the west of the country to follow the example of the east. Indeed, although the west has fared better under Qaddafi, the grievances of easterners are not unique; to a large degree, they are shared in Tripoli and other western towns. Yet, although some of these did in fact rise up, the protests in the capital were on a relatively small scale...

"Determination to hold on at all cost was a reason why Qaddafi resorted to brutal violence against protesters, including firing at unarmed civilians during funerals for those killed by the regime. There also have been largely uncorroborated reports, especially on Al Jazeera television, that the regime attacked hospitals, destroyed blood banks, raped women and executed the injured. Qaddafi's regime has long been cited by international human rights groups as employing brutal techniques against those who have dared to challenge it.

"At the same time, much Western media coverage has from the outset presented a very one-sided view of the logic of events, portraying the protest movement as entirely peaceful and repeatedly suggesting that the regime's security forces were unaccountably massacring unarmed demonstrators who presented no real security challenge. This version would appear to ignore evidence that the protest movement exhibited a violent aspect from very early on. While there is no doubt that many and quite probably a large majority of the people mobilised in the early demonstrations were indeed intent on demonstrating peacefully, there is also evidence that, as the regime claimed, the demonstrations were infiltrated by violent elements. Likewise, there are grounds for questioning the more sensational reports that the regime was using its air force to slaughter demonstrators, let alone engaging in anything remotely warranting use of the term 'genocide'. That said, the repression was real enough, and its brutality shocked even Libyans. It may also have backfired, prompting a growing number of people to take to the streets...

"Qaddafi's special security forces, which have always been far stronger than the regular army, are dominated by the leader's family and tribe, plus those allied tribes (such as the Magarha) that have remained loyal to the regime. As such, their fate is almost entirely enmeshed with that of Qaddafi and his regime, and they are likely to defend the regime to the last. Similarly, there is little reason to expect Qaddafi's inner circle to force him out; for the most part, they have known him since his schooldays, and their power is derived from their personal connection to him. Again in contrast to in Tunisia and Egypt, there does not appear to be an institution capable of forcing Qaddafi out and preserving the state while overseeing some kind of transition process."⁴⁵

⁴⁵ International Crisis Group, Popular Protest in North Africa and the Middle East (V): Making sense of Libya, 6 June 2011

UN RESOLUTION 1973 (2011)

- 7.05 The UN Security Council, in a news release of 17 March 2011, called *Security Council Approves 'No-Fly Zone' over Libya, Authorizing 'All Necessary Measures' to Protect Civilians, by Vote of 10 in Favour with 5 Abstentions*, stated:

“Demanding an immediate ceasefire in Libya, including an end to the current attacks against civilians, which it said might constitute ‘crimes against humanity’, the Security Council this evening imposed a ban on all flights in the country’s airspace — a no-fly zone — and tightened sanctions on the Qadhafi regime and its supporters.

“Adopting resolution 1973 (2011) ... the Council authorized Member States, acting nationally or through regional organizations or arrangements, to take all necessary measures to protect civilians under threat of attack in the country, including Benghazi, while excluding a foreign occupation force of any form on any part of Libyan territory — requesting them to immediately inform the Secretary-General of such measures...

“The Council stressed the need to intensify efforts to find a solution to the crisis that responded to the legitimate demands of the Libyan people, noting actions being taken on the diplomatic front in that regard. It further demanded that Libyan authorities comply with their obligations under international law and take all measures to protect civilians and meet their basic needs and to ensure the rapid and unimpeded passage of humanitarian assistance.

“In that connection, the Council specified that the flight ban would not apply to flights that had as their sole purpose humanitarian aid, the evacuation of foreign nationals, enforcing the ban or other purposes ‘deemed necessary for the benefit of the Libyan people’.”⁴⁶

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NATO AIRSTRIKES

- 7.06 The Ministry of Defence in its *Defence Factsheets: Libya: Operations Updates* gave specific details of “updates on the UK Armed Forces operations in Libya to enforce United Nations Security Council Resolution 1973, as given by the Chief of the Defence Staff’s Strategic Communication Officer.”

This site gives very detailed accounts of each UK airstrike mission including dates, details of targets and successful attacks against the regime.

The site can be accessed via the following link:

<http://www.mod.uk/DefenceInternet/FactSheets/LibyaOperationsUpdates.htm>⁴⁷

For information on civilian casualties following a NATO airstrike on Tripoli see [Section 9.25](#)

<http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/North%20Africa/107%20Popular%20Protest%20in%20North%20Africa%20and%20the%20Middle%20East%20V%20-%20Making%20Sense%20of%20Libya.ashx>

Accessed 7 June 2011

⁴⁶ UN Security Council, Approves ‘No-Fly Zone’ over Libya, Authorizing ‘All Necessary Measures’ to Protect Civilians, 17 March 2011 <http://www.un.org/News/Press/docs/2011/sc10200.doc.htm> Accessed 7 June 2011

⁴⁷ Ministry of Defence, Defence Factsheets: Libya: Operations Updates <http://www.mod.uk/DefenceInternet/FactSheets/LibyaOperationsUpdates.htm> Accessed 27 June 2011

REBEL FIGHTERS

7.07 The FT, in a report of 20 March 2011, called *Q&A: Who are the Libyan rebels?* stated:

“Who are the Opposition?”

Libya, one of the region’s most closed societies, is very different to its north African neighbours, with no established opposition groups, civil society groups or strong state institutions after 41 years of Colonel Gaddafi’s oppressive rule. The uprising was also far more violent than in Egypt or Tunisia, with security forces repeatedly using live fire in a bid to crush the protests while civilians responded with their own attacks on military bases. These factors meant that when the regime’s hold on the east was broken, there was no clear leadership in the so-called liberated areas. In an effort to fill the vacuum, lawyers, academics, businessmen and youths who participated in the ‘February 17th revolution’ formed committees to organise themselves and run cities and towns...

“Who are the rebel fighters?”

The opposition’s disorganisation and lack of clear leadership structures has been at its most conspicuous with its fighting forces. Army, air force, and naval personnel defected to the opposition, but their strength and capacity, as well as who led them, has often been unclear. When Col. Gaddafi’s forces launched counter-offensives in the east, most of the rebel fighters were young volunteers in looted uniforms who careered into battle in pick-up trucks with virtually no training. The defected army units, officers said, supported them with arms and some volunteer officers, but there was no mass movement of the professional soldiers as army officers spoke of shoring up the defences of territory under opposition control...

“[Another] key figure on the opposition’s military front is General Abdul Fatah Younis. He was also involved in the 1969 coup and was seen as an integral part of the regime and close ally of Col. Gaddafi until the uprising wrought bloodshed on Benghazi. He resigned as interior minister around February 20 and used his post as head of Libya’s special forces to support the civilian fighters. However, some Libyans are still wary of his true loyalties. As the regime forces moved eastwards towards Benghazi, the army appeared to take on a more active role.”⁴⁸

7.08 An article by Jon Lee Anderson in the *New Yorker*, dated 4 April 2011, and called *Who Are the Rebels?* stated:

“During weeks of reporting in Benghazi and along the chaotic, shifting front line, I’ve spent a great deal of time with these volunteers. The hard core of the fighters has been the shabab—the young people whose protests in mid-February sparked the uprising. They range from street toughs to university students (many in computer science, engineering, or medicine), and have been joined by unemployed hipsters and middle-aged mechanics, merchants, and storekeepers. There is a contingent of workers for foreign companies: oil and maritime engineers, construction supervisors, translators. There are former soldiers, their gunstocks painted red, green, and black—the suddenly ubiquitous colours of the pre-Qaddafi Libyan flag.

“And there are a few bearded religious men, more disciplined than the others, who appear intent on fighting at the dangerous tip of the advancing lines. It seems unlikely, however, that they represent Al Qaeda. I saw prayers being held on the front line at Ras Lanuf, but most of the fighters did not attend. One zealous-looking fighter at Brega

⁴⁸ FT, *Q&A Who are the Libyan Rebel Fighters?* 20 March 2011
<http://www.ft.com/cms/s/0/5bfb98b0-52fd-11e0-86e6-00144feab49a.html#axzz1O2IdzPx8> Accessed 1 June 2011

acknowledged that he was a jihadi—a veteran of the Iraq war—but said that he welcomed U.S. involvement in Libya, because Qaddafi was a kafir, an unbeliever.

“Outside Ajdabiya, a man named Ibrahim, one of many émigrés who have returned, said, ‘Libyans have always been Muslims—good Muslims.’ People here regard themselves as decent and observant; a bit old-fashioned and parochial, but not Islamist radicals. Ibrahim is fifty-seven. He lives in Chicago, and turned over his auto-body shop and car wash to a friend so that he could come and fight. He had made his life in the United States, he said, but it was his duty as a Libyan to help get rid of Qaddafi—‘the monster.’

“In the past month, men like Ibrahim have rushed into combat as if it were an extension of the street protests, spurred by bravado and defiance but barely able to handle weapons. For many of them, the fighting consists largely of a performance—dancing and singing and firing into the air—and of racing around in improvised gun wagons. The ritual goes on until they are sent scurrying by Qaddafi’s shells. In the early days of Qaddafi’s counterattack, youthful fighters were outraged that the enemy was firing real artillery at them. Many hundreds have died.

“The reality of combat has frightened the rebels, but it has also strengthened the resolve of those who have lost friends or brothers. Outside Ajdabiya, I met Muhammad Saleh, a young mechanic armed with only a bayonet. Just an hour or two earlier, he had seen his younger brother die. A few days later, he told me that he was planning to buy black-market weapons and, with a group of ten friends, return to the battlefield. With professional training and leadership (presumably from abroad), the rebels may eventually turn into something like a proper army. But, for now, they have perhaps only a thousand trained fighters, and are woefully outgunned. Last week, a former Army officer told me, ‘There is no army. It’s just us—a few volunteers like me and the shabab.’...

“Before Qaddafi’s troops arrived in Benghazi, there was a great deal of revolutionary bluster; Libyans were united in their hatred of Qaddafi, rebels said, and if his forces tried to take the city they would stand and fight. But, when the first columns of soldiers reached the city’s edge, many thousands of Benghazians—including some city-council members—fled eastward. Of those who stayed to fight, more than thirty died, and the effort was saved only by the arrival of French warplanes. Since then, the rhetoric about unity has changed to include suspicious asides about Qaddafi loyalists, scores of whom have been rounded up and detained, in some cases violently...

“In Benghazi, an influential businessman named Sami Bultaina expressed a common sentiment: ‘We want democracy. We want good schools, we want a free media, an end to corruption, a private sector that can help build this nation, and a parliament to get rid of whoever, whenever, we want.’ These are honourable aims. But to expect that they will be achieved easily is to deny the cost of decades of insanity, terror, and the deliberate eradication of civil society.”⁴⁹

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⁴⁹ The New Yorker, Who are the Rebels?, 4 April 2011

http://www.newyorker.com/talk/comment/2011/04/04/110404taco_talk_anderson#ixzz1Hv5AcdAY Accessed 1 June 2011

National Liberation Army

- 7.09 France 24 International News reported on 31 May 2011, in an article called *Libyan rebels rename themselves National Liberation Army*:

"Libya's rebel leaders, the National Transitional Council (NTC), have announced that they have renamed their armed forces the National Liberation Army (NLA).

"The NTC hopes that the temporary name will help better define the increasingly professional and disciplined military efforts to overcome the Kadhafi regime,' said the statement.

"Rebels have been fighting troops loyal to Libyan leader Moamer Kadhafi since the February 17 uprising that has effectively split the country in two, with the rebel forces entrenched in the east of the country.

"But their military force is made largely of young, inexperienced volunteers and the force is poorly equipped compared to the soldiers fighting for Kadhafi."⁵⁰

Defectors

- 7.10 The International Crisis Group, in a report of 6 June 2011, called *Popular Protest in North Africa and the Middle East (V): Making sense of Libya*, stated:

"Since the uprising began, a number of key defectors have joined the opposition, including members of the government and diplomatic corps as well as military and security personnel. Most significant among these was foreign affairs secretary (minister) Musa Kusa, long a central regime figure with very close ties to Qaddafi...

"Of lesser significance yet nonetheless a blow to the regime was the resignation of the ambassador to the UN, Abdelrahman Shalgam, a longstanding regime servant who previously spent years as foreign affairs secretary...Most other defections have been General People's Committee members or diplomats, embarrassing but not of critical importance to the regime. A majority have come from the east.

"So far, the most noteworthy feature arguably has been the limited number of high-level defections and the apparent loyalty of Qaddafi's inner circle. This has been a major factor in his ability to hold on to Tripoli, although there are unconfirmed reports that members of the Revolutionary Command Council and the so-called 'Men of the Tent' are in effect under house arrest, with armoured vehicles outside their houses to prevent their defection. Their reluctance to part from the regime, assuming they are not being barred from doing so, likely reflects their belief that their fates are so closely tied to Qaddafi's that their only choice is to fight with him until the end.

"Other defections have included Fathi Ben Shetwan, former energy secretary and former industry secretary in the General People's Committee, who fled by boat from Misrata in April 2011 and Ferhat Ben Ghadara, governor of the Central Bank, who also defected in April. It was reported on 17 May 2011 that the head of the National Oil

⁵⁰ France 24 International News Libyan rebels rename themselves National Liberation Army, 31 May 2011
<http://www.france24.com/en/20110531-libyan-rebels-rename-themselves-national-liberation-army> Accessed 7 June 2011

Company, Shukri Ghanem, had likewise defected. Although not a key member of the regime, Ghanem is a competent oil man with strong connections to the West.”⁵¹

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WAR CRIMES

7.11 The UN News Service, in a news release of 1 June 2011, *Libyan Government forces and opposition committed war crimes - UN panel*, stated:

“A United Nations-ordered panel investigating human rights abuses in Libya says that both Government forces and the opposition have committed war crimes during the weeks of fighting following the uprising against the regime of Colonel Muammar al-Qadhafi.

“The three-member International Commission of Inquiry, dispatched by the UN Human Rights Council, submitted its findings to the 47-member body in Geneva today. The report comes as concern grows about the worsening humanitarian situation in the North African country, including dwindling food stocks, and as diplomatic efforts to help resolve the crisis continue.

“The commission ‘has reached the conclusion that crimes against humanity and war crimes have been committed by the Government forces of Libya,’

“‘The commission received fewer reports of facts which would amount to the commission of international crimes by opposition forces; however, it did find some acts which would constitute war crimes.’

“The acts falling under crimes against humanity include murder, imprisonment, torture, persecution, enforced disappearance and sexual abuse, which the report stated were committed by Government forces ‘as part of a widespread or systematic attack against a civilian population.’

“Serious violations of international humanitarian law committed by Government forces amounting to war crimes include intentionally directing attacks against protected persons and targets such as civilian structures, medical units and transport.

“The commission said it had received, but was unable to verify, individual accounts of rape. ‘It notes, however, that sufficient information was received to justify further investigation to ascertain the extent of sexual violence, including whether cases were linked to incitement by the command of either side.’

“Further investigation is also warranted, it stated, with regard to the use and recruitment of child soldiers, the use of excessive force by Government forces against demonstrators, arrests and detentions that were carried out in a ‘blanket’ fashion, and a ‘pattern of enforced disappearances.’

“The commission also found that torture and other forms of cruel, inhuman or degrading treatment were committed by both the Government and opposition forces in violation of obligations under international human rights law and humanitarian law.

⁵¹ International Crisis Group, *Popular Protest in North Africa and the Middle East (V): Making sense of Libya*, 6 June 2011 <http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/North%20Africa/107%20Popular%20Protest%20in%20North%20Africa%20and%20the%20Middle%20East%20V%20-%20Making%20Sense%20of%20Libya.ashx>
Accessed 7 June 2011

"The team, led by Professor Cherif Bassiouni, an Egyptian jurist and war crimes expert, calls on the Government to immediately cease acts of violence against civilians in violation of international humanitarian and human rights law, and to conduct 'exhaustive, impartial and transparent' investigations into all alleged violations.

"It also calls on the National Transitional Council, the umbrella group representing the opposition, to conduct similar investigations into alleged violations, and to ensure the immediate implementation of applicable international humanitarian and human rights law."⁵²

- 7.12 In a further press release on 8 June 2011, called *Evidence emerging of use of rape as tool of war in Libya - ICC prosecutor*, the UN News Service stated:

"Investigators with the International Criminal Court (ICC) are gathering evidence that the Libyan leadership is using rape as a tool of war and repression and had even acquired large quantities of drugs for its soldiers in an apparent bid to make them more likely to commit sexual assault, the court's prosecutor said today.

"'We have information to confirm that it was a policy in Libya to rape those who were against the Government,' Luis Moreno-Ocampo, the ICC Prosecutor told reporters at United Nations Headquarters. 'We are getting some information that [Libyan leader Muammar al-] Qadhafi decided to [use] rape. Rape is a new aspect of the repression,' said Mr. Moreno-Ocampo...

"Mr. Moreno-Ocampo said at the time that his office had gathered direct evidence detailing the orders issued by Mr. Qadhafi, the role of Saif Al Islam Qadhafi in recruiting mercenaries, and the participation of intelligence chief Abdullah Al Sanousi in attacks against demonstrators.

"In his press conference today, Mr. Moreno-Ocampo said a rape charge is likely be added to the previous ones, once the investigations are completed and after the judges have made a ruling on the first set of charges."⁵³

- 7.13 The International Criminal Court, in a press release of 27 June 2011 called *Pre-Trial Chamber I issues three warrants of arrest for Muammar Gaddafi, Saif Al-Islam Gaddafi and Abdualla Al-Senussi*, stated:

"Today, 27 June 2011, Pre-Trial Chamber I of the International Criminal Court (ICC) issued three warrants of arrest respectively for Muammar Mohammed Abu Minyar Gaddafi, Saif Al-Islam Gaddafi and Abdullah Al-Senussi for crimes against humanity (murder and persecution) allegedly committed across Libya from 15 February 2011 until at least 28 February 2011, through the State apparatus and Security Forces.

"The Chamber, composed of Judges Sanji Mmasenono Monageng (Presiding), Sylvia Steiner and Cuno Tarfusser, considered that there are reasonable grounds to believe that the three suspects committed the alleged crimes and that their arrests appear necessary in order to ensure their appearances before the Court; to ensure that they do not continue to obstruct and endanger the Court's investigations; and to prevent them

⁵² UN News Service, *Libyan Government forces and opposition committed war crimes - UN panel*, 1 June 2011 <http://www.un.org/apps/news/story.asp?NewsID=38578&Cr=libya&Cr1> Accessed 6 June 2011

⁵³ UN News Service, *Evidence emerging of use of rape as tool of war in Libya - ICC prosecutor*, 8 June 2011 <http://www.unhcr.org/refworld/country,,,LIBY,,4df2111b2,0.html> Accessed 13 June 2011

from using their powers to continue the commission of crimes within the jurisdiction of the Court.

“The situation in Libya was referred to the ICC Prosecutor by the United Nations Security Council, through the unanimous adoption of Resolution 1970 on 26 February 2011. The Security Council decided, under Chapter VII of the United Nations Charter, that ‘the Libyan authorities shall cooperate fully with and provide any necessary assistance to the Court and the Prosecutor pursuant to this resolution’ and, while recognizing that States not party to the Rome Statute have no obligations under the Statute, the Security Council urged all States and concerned regional and other international organisations to cooperate fully with the Court and the Prosecutor.

“On 3 March 2011, the ICC Prosecutor decided to open an investigation and requested, on 16 May 2011, the issuance of the arrest warrants.”⁵⁴

- 7.14 The UN News Service, in a news release of 9 June 2011 called *Ban calls for continued aid to Libyan civilians as crisis continues*, stated, “Libya presented a written report to the commission saying that no widespread and systematic violations of human rights had taken place under the orders of the Libyan authorities and denying widespread and systematic attacks against civilians, torture and other violations.”⁵⁵

For more information on the fighting see [Section 9 Areas of conflict](#)

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8. INTERIM ADMINISTRATION

NATIONAL TRANSITIONAL COUNCIL

- 8.01 The BBC News, in a report of 10 March 2011 called *Q&A: Libyan National Council*, noted:

“Amid the popular Libyan uprising against Col Muammar Gaddafi, residents of towns and cities in the areas of eastern Libya controlled by rebels have formed an interim administration. The Interim Transitional National Council aims to provide political and military leadership, organise basic services and represent Libyans abroad...

“By 1 March, it appeared that agreement had been reached on the creation of an ‘interim national council’ in Benghazi, headed by Mr Mustafa Abdul Jalil and with Mr Abdul Hafez Ghoga as his deputy, although its exact title remained unclear. Four days later, the rebels declared the establishment of the ‘Interim Transitional National Council of the Libyan Republic’ (not of the Libyan Arab Jamahiriya, the name for Col Gaddafi’s system of government).”

- 8.02 The report gave details of the aims of the Council:

“On its website the Interim Transitional National Council says its aim is to ‘steer Libya during the interim period that will come after its complete liberation and the destruction of Gaddafi’s oppressive regime’.

⁵⁴ The International Criminal Court, Press release: Pre-Trial Chamber I issues three warrants of arrest for Muammar Gaddafi, Saif Al-Islam Gaddafi and Abdulla Al-Senussi, 27 June 2011 <http://www.icc-cpi.int/NR/exeres/D07229DE-4E3D-45BC-8CB1-F5DAF8370218.htm> Accessed 28 June 2011

⁵⁵ The UN News Service, *Ban calls for continued aid to Libyan civilians as crisis continues*, 9 June 2011 <http://www.unhcr.org/refworld/country,,,LIBY,,4df727b92,0.html> Accessed 14 June 2011

"It will guide the country to free elections and the establishment of a constitution for Libya.'

"Elsewhere, it states: 'We call on all the people of Libya to participate in achieving these lofty goals through the commitment to the noble Libyan ethics and by prioritising our country before the self in the same way our ancestors did to liberate it from the Italian colonisers.'

"Spokesmen for the council have made similar proclamations and, in addition, vowed that it will not allow Libya to be split into two states."

8.03 The report went on to explain who supported the council:

"On its website, the council declares that it 'derives its legitimacy from the decisions of local councils set up by the revolutionary people of Libya on 17 February', two days after the first protest in Benghazi.

"These local councils facilitated a mechanism to manage daily life in the liberated cities and villages. The council consists of 31 members representing the various cities of Libya from the east to the west and from the north to the south.'

"The council has also said its membership is 'open to all Libyans'.

"On its website are oaths of allegiance made by people in several towns, including Nalut, Zintan, Ajdabiya, Kufra, Rajban and Maslata.

"We have placed ourselves under the authority of the interim government in Benghazi,' said Shaban Abu Sitta, a lawyer in Nalut."⁵⁶

8.04 The website of the Libyan Interim National Council can be accessed via the following link:

<http://www.ntclibya.org/english/>⁵⁷

8.05 The BBC News, in a report of 28 March 2011 called *Key figures in Libya's rebel council*, stated:

"Its leaders say the council is not a government, but aims to 'steer' Libya into what they hope will be a post-Gaddafi era and then 'guide the country to free elections and the establishment of a constitution for Libya'.

"According to its website, the body currently has 31 members representing the various regions and cities of Libya. Some have been named, while those representing Ajdabiya, Kufra, Ghat, Nalut, Misrata, Zintan and Zawiya will remain anonymous. Five seats on the council are held by women and five by young people.

"Correspondents have described the council's meetings as chaotic and its leadership as contradictory, and it is not always clear who the council represents."

8.06 The report went on to give details of the key figures in the Council:

⁵⁶ BBC News, Q&A: Libyan National Council, 10 March 2011
<http://www.bbc.co.uk/news/world-africa-12699785> Accessed 1 May 2011

⁵⁷ Libyan Interim National Council
<http://www.ntclibya.org/english/>

"Mustafa Mohammed Abdul Jalil - Chairman

Mr Abdul Jalil quit as Libya's justice minister on 21 February in protest at 'the excessive use of violence against unarmed protesters' by the state, the first member of the General People's Committee to do so... Mr Abdul Jalil was known during his career as a judge for ruling consistently against the government... As justice minister, Mr Abdul Jalil won praise from human rights groups and Western powers for his efforts to reform Libya's criminal code.

"Abdul Hafez Ghoga - Vice-chairman, spokesman

Mr Ghoga is a Benghazi-based human rights lawyer and community organiser... Mr Ghoga was accused by Col Gaddafi's son of betraying his country. The former president of the Libyan Bar Association was arrested on 19 February, shortly after the anti-government protests began, but was released a few days later.

"Omar al-Hariri - military affairs

Mr Hariri is one of the officers who took part in the military coup that brought Col Gaddafi to power in 1969... Mr Hariri is a member of the Farjan tribe, which is based in western Libya and has a strong presence in and around Col Gaddafi's stronghold of Sirte.

In 1975, while serving as secretary general of the revolutionary cabinet, Mr Hariri began to organise a plot to overthrow Col Gaddafi with his fellow officers. The plot was discovered... he spent the next 15 years in prison awaiting execution, four and a half of them in solitary confinement. Then in 1990, Col Gaddafi unexpectedly commuted Mr Hariri's death sentence and he was placed under house arrest in the eastern city of Tobruk. The security forces watched him closely until the uprising began.

"Mahmoud Jibril - foreign affairs

Before the uprising, Mr Jibril was involved in a project called 'Libyan Vision' with other intellectuals, which sought to establish a democratic state. He is also head of the rebel council's crisis committee, which aims to streamline decision making.

"Ali Issawi - foreign affairs

Mr Issawi resigned as Libyan ambassador to India on 21 February in protest at the government's 'use of violence against its citizens' and deployment of 'foreign mercenaries against Libyans.'

"Ahmed al-Zubair Ahmed al-Sanusi - political prisoners

The dissident was Libya's longest-serving 'prisoner of conscience'. He was accused of conspiracy in an attempted coup against Col Gaddafi in 1970 and spent 31 years in prison, many of them in solitary confinement.

"Fathi Mohammed Baja - Benghazi

Mr Baja is a US-educated political science professor at the University of Benghazi and a member of Benghazi's city council. He was once accused by Libya's state security apparatus of writing articles critical of the government.

“Fathi Tirbil Salwa - young people

Mr Tirbil played a significant part in sparking the uprising. The young lawyer and activist helped organise a peaceful demonstration in Benghazi on 15 February by the families of some of the 1,200 inmates of the notorious Abu Salim prison who were massacred by Libyan security forces in 1996 in retaliation for a revolt in the eastern city.

“Salwa al-Dighaili - women

A Benghazi-based lawyer, who is from a prominent family in eastern Libya. Her uncle was imprisoned for opposition activities.”⁵⁸

- 8.07 The Foreign and Commonwealth Office, in a news release of 12 May 2011, called *Head of the Libyan National Transitional Council visits UK*, quoted the Foreign Secretary, William Hague, as saying:

“Over the last few months the National Transitional Council have made great progress, today we have welcomed their clear commitments to build a better future for Libya based on principles of openness and tolerance. We have invited them to open a mission in London; this is an important statement of our engagement and our commitment to deepen our relationship. It will improve our ability to communicate with the National Transitional Council leadership and complement the work undertaken by our own office in Benghazi.

“The United Kingdom has also been at the forefront of efforts to support the NTC financially including by setting up a Temporary Financial Mechanism (TFM) which will soon come on stream.”⁵⁹

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ARBITRARY ARREST AND DETENTION BY OPPOSITION FORCES

- 8.08 Human Rights Watch, in a report of 5 June 2011 *Libya: Opposition Arbitrarily Detaining Suspected Gaddafi Loyalists*, stated:

“Libyan opposition authorities are arbitrarily detaining dozens of civilians suspected of activities in support of Muammar Gaddafi, Human Rights Watch said today. The opposition authorities, which exercise control in eastern Libya and parts of the west, should provide the detainees with full due process rights or release them, Human Rights Watch said.

“The authorities should also bring volunteer security groups that have formed in the east under a recognized civilian authority and investigate their alleged abuses, Human Rights Watch said. One detainee of a volunteer group was apparently tortured to death in custody.

“‘There is no excuse to delay the rule of law in areas under opposition control,’ said Sarah Leah Whitson, Middle East and North Africa director at Human Rights Watch. ‘The authorities should rein in volunteer security groups, establish a clear civilian authority for criminal justice, and make sure detainees get full due process rights.’

⁵⁸ BBC News, Key Figures in Libya’s Rebel Council, 28 March 2011

<http://www.bbc.co.uk/news/world-africa-12698562> Accessed 1 June 2011

⁵⁹ FCO Head of the Libyan National Transitional Council visits UK, 12 May 2011

<http://www.fco.gov.uk/en/news/latest-news/?view=News&id=594960582> Accessed 1 June 2011

“Arrests should be made only by civilian authorities based on concrete criminal charges backed by evidence, rather than on vague accusations of pro-Gaddafi activity, Human Rights Watch said. Civilian detainees should be informed of the grounds for their detention, have access to a lawyer, and be able to challenge the allegations before an independent judicial authority.”

8.09 The report continued in more detail:

“Over the past two months, Human Rights Watch has visited rebel-held detainees in Benghazi, Misrata, and Zintan, interviewing the detainees and the opposition officials holding them. In all three opposition-held cities, the authorities allowed Human Rights Watch unrestricted access, including private meetings with detainees.

“As of May 28, 2011, opposition forces were detaining about 330 civilians and combatants - 118 in Benghazi, 160 in Misrata, and 52 in Zintan. Detainees in some eastern Libyan towns have been released or transferred to Benghazi after interrogation. Additional detainees may be held in other opposition controlled cities and towns.

“The exact number of civilian detainees - non-fighters, most of them accused of association with Gaddafi’s internal security apparatus or Revolutionary Committees - remains unclear because the opposition authorities do not always distinguish them from captured fighters. The Revolutionary Committees are an influential ideological organization Gaddafi has used to enforce control.

“In Benghazi, at least 41 of the detainees as of May 28 were civilians. Human Rights Watch interviewed 20 of them privately between March and May. None complained of mistreatment in detention or showed signs of physical abuse, but four alleged they had been physically abused when they were captured. None had seen a lawyer or been able to challenge their detention before an independent judicial authority.

“‘I have not seen a lawyer or a judge,’ said one civilian detainee in Benghazi who was subsequently released. He claimed he was being held ‘just because someone hated me.’”⁶⁰

For information about arbitrary arrest by the Gaddafi government see [Section 11.22 Arbitrary arrest and detention](#) and [Section 14 Arrest and detention – legal rights](#)

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INTERIM JUDICIAL SYSTEM

8.10 The same report gave details of the Transitional Council’s fledgling judicial system:

“Senior members of the National Transitional Council (NTC), the opposition ruling body with de facto control over the east and parts of the west, say they recognize the problems and are working to correct them. Mustafa Abdul Jalil, chairman of the NTC and the justice minister under Gaddafi from 2007 until the February 2011 uprising, told Human Rights Watch that civilian detainees would receive ‘a fair trial and someone to defend them.’

⁶⁰ Human Rights Watch, Libya: Opposition Arbitrarily Detaining Suspected Gaddafi Loyalists, 5 June 2011 <http://www.unhcr.org/refworld/country,,,LIBY,,4dedbd2e2,0.html> Accessed 8 June 2011

“The main group responsible for detentions in Benghazi is a unit of the Martyrs of the February 17 Revolution, also known as the February 17 Brigade, which makes some arrests and runs the civilian detention facilities. The official in charge of civilian detainees, Mustafa el-Sagizli, told Human Rights Watch that the brigade reports to the rebel military commander, Abdul Fatah Younis.

“The authority for arresting and detaining criminal suspects should be promptly transferred to a purely civilian institution that respects international human rights standards, Human Rights Watch said.

“El-Sagizli told Human Rights Watch that the February 17 Brigade releases civilian detainees within 72 hours when it has no evidence against them. The investigator at the February 17 base in Benghazi estimated that as of May 28 the brigade had released about 200 civilians since detentions began in early March. Those released are required to sign a pledge that they will not ‘say or do anything against the Martyrs of the February 17 Brigade.’ Relatives must promise to take responsibility if the person takes actions that ‘harm the revolution.’”⁶¹

For information about the judiciary under the Gaddafi government see [Section 13 Judiciary](#)

Detention conditions

- 8.11 The report continued, “Conditions for detainees visited by Human Rights Watch, both civilian and military, appeared to meet acceptable standards. All of the detainees in Benghazi, Misrata, and Zintan, interviewed in private, said they had adequate access to medical care, food and water. At the February 17 Brigade’s base in Benghazi, the detainees are allowed family visits and have been able to call relatives on a satellite phone.”

For information about prisons under the Gaddafi government see [Section 15 Prison conditions](#)

VOLUNTEER SECURITY FORCES

- 8.12 The report gave details of volunteer armed groups which have sprung up:

“In addition to arrests by the February 17 Brigade, however, dozens of volunteer security forces are arresting criminal suspects in eastern Libya, sometimes with excessive force, and delivering them to the brigade detention facility, Human Rights Watch said. These groups proliferated after the fall of Gaddafi’s government in late February and the dissolution of police forces in the east.

“Fathi Terbil, a lawyer and member of the NTC, who has been the council’s interlocutor with the volunteer armed groups in Benghazi, said that 11 of these groups are operating independently in Benghazi alone, some with multiple bases. Jamal Bennor, the justice coordinator of the Benghazi Council, the body in charge of the city, put the number of volunteer groups there at above 40. Volunteer security forces are also active in other eastern cities...

⁶¹ Human Rights Watch, Libya: Opposition Arbitrarily Detaining Suspected Gaddafi Loyalists, 5 June 2011 <http://www.unhcr.org/refworld/country,,,LIBY,,4dedbd2e2,0.html> Accessed 8 June 2011

“According to documents viewed by Human Rights Watch, a volunteer group called the February 17 Security Committee held el-Dabr from April 27 to 30. The group is one of seven volunteer security groups in the city that opposition authorities recently brought under their jurisdiction. An investigation is under way, and a local court has issued arrest warrants for two suspects, the Baida authorities told Human Rights Watch...

“Bennor said the rebel authorities were working to rein in the volunteer armed groups. Benghazi’s police chief, Dr. Ashour Shuwil, said they would like to bring all the volunteer groups under the newly established Interior Ministry once proper procedures are in place.”⁶²

For details of security forces, arbitrary arrest and detention, torture, extra judicial killing, under Gaddafi regime see [Chapter 11 Security Forces](#).

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9. AREAS OF CONFLICT

- 9.01 The Wall Street Journal, in *On Edge in Libya*, included a daily interactive map showing the current situation in the major cities across Libya. This can be accessed via the following link:

http://online.wsj.com/article/SB10001424052702303848104576381414277446824.html?mod=WSJEUROPE_newsreel_world#project%3DLIBYA110319%26articleTabs%3Dinteractive⁶³

- 9.02 Reuters, in a report of 9 June 2011, called *Up to 15,000 killed in Libya war: U.N. rights expert* stated, “An estimated 10,000 to 15,000 people have been killed on both sides in four months of fighting in Libya, according to Cherif Bassiouni, who led a U.N. Human Rights Council mission to Tripoli and rebel-held areas in late April.”⁶⁴

- 9.03 The Norwegian Refugee, Internal Displacement Monitoring Council, stated in a press release of 14 April 2011:

“As of 14 April, repeated advances and retreats of both pro-Qadhafi and opposition forces had left cities and villages deserted, with civilians increasingly bearing the brunt of the combat.

“As of 14 April, aid organisations reported that about 106,000 people had been internally displaced many of them several times. The Libyan Committee for Humanitarian Aid and Relief had reported that 35,000 people had been displaced from Ajdabiya to Benghazi; UNHCR reported that about 6,000 IDPs [internally displaced persons] were seeking shelter in Tubruq. As of 25 March, International Medical Corps’ East Libya Team reported that 25,000 IDPs had gathered in Al Butwen. Meanwhile, according to the Libyan Red Crescent, some 5,000 people were displaced in Derna.

⁶² Human Rights Watch, Libya: Opposition Arbitrarily Detaining Suspected Gaddafi Loyalists, 5 June 2011

<http://www.unhcr.org/refworld/country,,,LIBY,,4dedbd2e2.0.html> Accessed 8 June 2011

⁶³ Wall Street Journal, *On Edge in Libya*,

http://online.wsj.com/article/SB10001424052702303848104576381414277446824.html?mod=WSJEUROPE_newsreel_world#project%3DLIBYA110319%26articleTabs%3Dinteractive Accessed 13 June 2011

⁶⁴ Reuters, *Up to 15,000 killed in Libya war: U.N. rights expert*, 9 June 2011 <http://uk.reuters.com/article/2011/06/09/us-libya-un-deaths-idUSTRE7584UY20110609> Accessed 15 June 2011

“The Telegraph reported that in Nouflia, 32 kilometres east of Ben Jawad, an undetermined number of people had set up improvised camps to escape the violence. OCHA also reported on 12 April that it had received information that about 24,000 people had fled from the periphery of Misrata to the city centre.

“While the opposition movement has facilitated assistance in the eastern region of Cyrenaica, access has remained restricted by the fighting and the air bombardments. Several organisations have called for the establishment of humanitarian corridors. Some estimate that about four million people, including a million children, could be in need but remain inaccessible.”⁶⁵

WEST

Nafusa Mountains

- 9.04 Details of a UNHCR and inter-agency visit to Libya were given in a news release of 7 June 2011, called *Libya: UN trip to conflict areas finds displacement, violence and humanitarian need*:

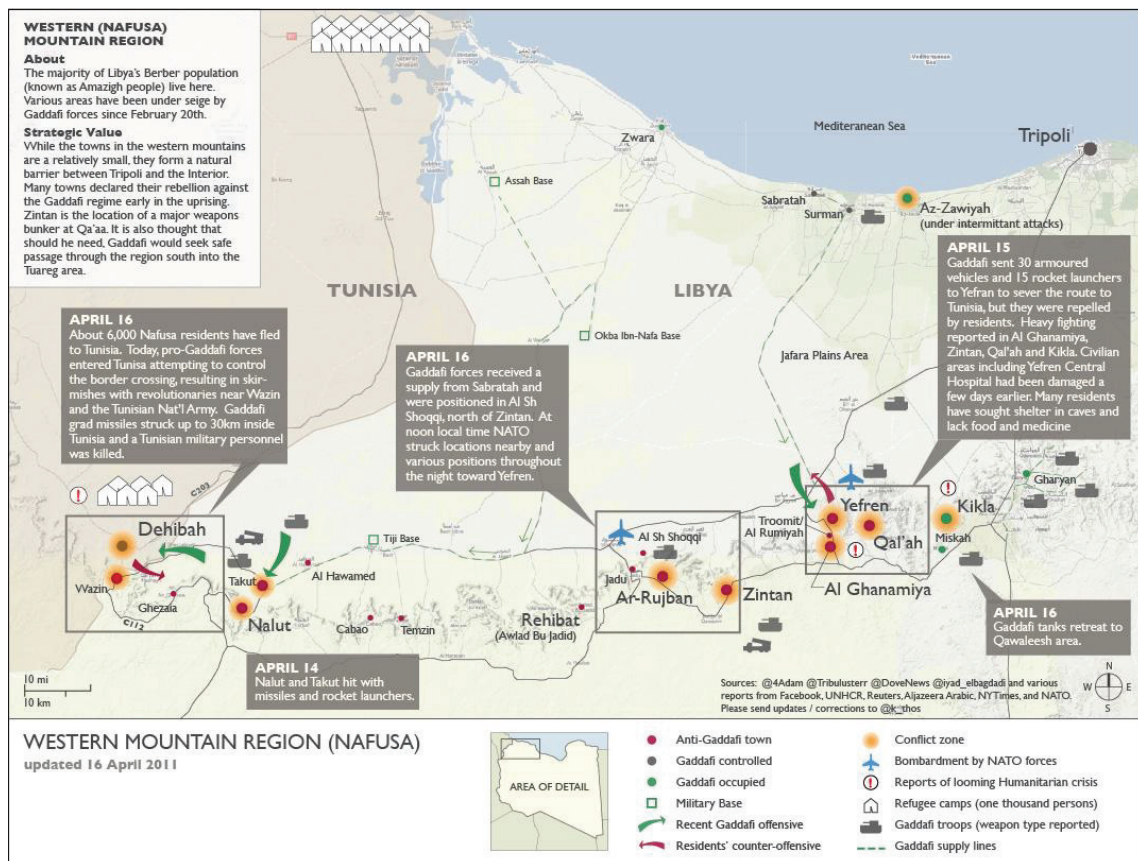
“The trip [during the first week of June 2011] to the frontline areas of Zlitan, Al Khums and the Nafusa Mountain area of Gharian was coordinated with the Government. The mission’s conclusion was that the thousands of IDPs [internally displaced persons] in those areas were coping relatively well with their plight, Mr. Edwards [spokesperson] said.

“Most are housed in hotels, dormitories and seaside homes and are being provided with assistance by the Government and some private charities. Warehouses are well stocked with basic food items, but it was apparent that the combined impact of protracted conflict and sanctions are eroding the Government’s ability to effectively deliver assistance.”⁶⁶

⁶⁵ Internal Displacement Monitoring Centre (IDMC), Libya: Increasing reports of internal displacement, 21 April 2011 <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=4db6a18e2&skip=0&coi=LB&querysi=casualties&searchin=fulltext&display=10&sort=date> Accessed 15 June 2011

⁶⁶ UN News Centre Libya: UN trip to conflict areas finds displacement, violence and humanitarian need, 7 June 2011 <http://www.un.org/apps/news/story.asp?NewsID=38637&Cr=libya&Cr1> Accessed 8 June 2011

9.05 A map, from a blog site, (blog.spot.com) showed the situation at 16 April 2011:



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9.06 Amnesty International, in a report of 27 May 2011, *Libya: Disappearances in the besieged Nafusa Mountain as thousands seek safety in Tunisia*, stated:

"The Nafusa Mountain area in the far west of Libya [which hosts a cluster of towns and villages, where most residents belong to the Amazigh minority who speak Tamazight], where people have largely declared their allegiance to the opposition forces controlling Benghazi, has been under siege and under fire since early March 2011. In mid-April 2011, as fighting intensified in the area...thousands of people fled across the nearby border into Tunisia – nearly 55,000 according to the UN Office for the Coordination of Humanitarian Affairs. The UN Refugee Agency (UNHCR) has reported that since 21 April 2011 an average of 657 Libyans a day have crossed into Tunisia at Wazin and Dhehiba...

"Since the siege began, scores of people, mostly young men, have 'disappeared' in the Nafusa Mountain area at the hands of forces loyal to Colonel al-Gaddafi and have not been seen from or heard of again – they are victims of enforced disappearance. They are believed to have been transferred to detention facilities in and around Tripoli, and there are serious concerns about their safety and wellbeing."⁶⁸

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⁶⁷ http://3.bp.blogspot.com/-JY_xGGaylUA/TbHBMv7QMmI/AAAAAAAAAB4k/wzccozMii9w/s1600/278687063.jpg
 Accessed 13 June 2011

⁶⁸ Amnesty International, *Libya: Disappearances in the besieged Nafusa Mountain as thousands seek safety in Tunisia* 27 May 2011 <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=4de4dd6a2&skip=0&coi=LB&querysi=tripoli&searchin=fulltext&display=10&sort=date>

- 9.07 The BBC News, in a report of 13 June 2011, called *Libyan rebels smuggling weapons through Tunisia*, stated:

"Libyan rebels are being helped to smuggle weapons through Tunisia to fight Col Muammar Gaddafi's forces in western Libya, the BBC has learned...Pro-Gaddafi forces are on the Tunisian border, and shelling often spills over

"The fledgling Tunisian government is fearful of giving overt support to the rebels, and Tunisian border guards are under orders to search each car going in to Libya. But members of the Libyan diaspora are funding the purchase of small arms to send to western Libya, said the Libyan smuggler, who agreed to speak on condition of anonymity....

"The weapons are destined for towns in the Nafousa mountains, where rebels are fighting to wrest control of the west from Col Gaddafi. While Benghazi in the east has sent weapons to rebel-held coastal enclaves like Misrata, the Nafousa mountains are landlocked...

"Rebel Commander Ahbeel Dody, who we met on his way through Tunisia back into the mountains in the West, said a shortage of weapons in the Nafousa mountains was prolonging the war. Towns in the area have gained ground in frequent clashes with Col Gaddafi's forces.

"He says he and the other rebel commanders have a registration programme in which they record the serial number of each weapon and the name of the fighter it is given to, so the weapons can be collected when the war is over. (Not independently verified).

"When we win, we will collect all the weapons for the new Libyan army, we will not keep them,' says Cdr Dody. 'I want to get back to my work of building houses.' Among his fighters are the manager of a local bank and a pensioner."⁶⁹

- 9.08 Human Rights Watch, in an article of 21 June 2011, called *Libya: Government Using Landmines in Nafusa Mountains*, stated:

"Libyan government forces placed more than 150 antipersonnel landmines in at least one location in the Nafusa Mountains, Human Rights Watch said today. Human Rights Watch visited the site, inspected mines that had been removed, and interviewed the rebel fighters who removed them.

"These antipersonnel landmines pose a huge threat to civilians,' said Steve Goose, arms director at Human Rights Watch. 'More than 150 countries have banned landmines, but Libya continues to defy this global trend.'

"Human Rights Watch has confirmed government use of five types of landmines in six separate locations in Libya, including the use of antipersonnel and antivehicle landmines near Ajdabiya.

"This is the first confirmed use of landmines in the Nafusa Mountains, in the far western part of Libya."⁷⁰

⁶⁹ BBC News, Libyan rebels smuggling weapons through Tunisia 13 June 2011 <http://www.bbc.co.uk/news/world-africa-13745337> Accessed 15 June 2011

⁷⁰ Human Rights Watch, Libya: Government Using Landmines in Nafusa Mountains, 21 June 2011 <http://www.unhcr.org/refworld/country,,,LIBY,,4e0464202,0.html> Accessed 28 June 2011

Tunisian/Libyan border

9.09 The same report went on to describe the tensions in the border area of Tunisia:

"Any flow of weapons through its territory is clearly of concern to Tunisia's interim government. It has its own fledgling revolution to protect. It is dealing with strikes and demonstrations, trying to organise elections and establish security and stability in the aftermath of its uprising. And the Tunisian government is wary of going against Col Gaddafi, especially with his forces taking positions so close to its borders... One resident of the dusty Tunisian town of Dahiba said. 'The rockets come right across the border at night.'

"The men in Dahiba say their income from cross-border trade has dried up because of the war. 'We haven't been able to plant or water our fields either because they are too close to the shelling,' one of them says... Tourism in Tunisia is down by 50%.

"Tunisian towns cannot bear the strain much longer, says Nader Elhamessi from World Medical Camp Libya. Libyan refugees have increased the population of one town, Tataouine, by half. 'That's a lot of electricity, water, food and medicine to pay for,' says Mr Elhamessi. 'It's just not sustainable, people will start to resent it and there will be incidents.'

"The tensions are already visible. The trademark Land Cruiser vehicles favoured by members of Col Gaddafi's government and entourage can be seen driving along the seafront at Djerba, with its ice-cream parlours and its plush hotels.

"The odd fight breaks out too. In the border town of Ben Gardane, there were clashes between pro- and anti-Gaddafi Tunisians on Sunday. Many Tunisians who have lost their income because of the Libyan war say they support the rebels."⁷¹

9.10 The United Nations Office for the Co-ordination of Humanitarian Affairs, on 16 June 2011, in a report called *Libyan Arab Jamahiriya • Crisis Situation Report No. 45*, stated:

"Intense fighting has been reported outside Brega and Misrata (towards Zlitan) and around Kikla (in the Nafusa Mountains), and shelling continues to be reported near the Dhibat/Wazin border area and in Zintan. However, so far, no unmet humanitarian needs have been reported as a result of this fighting in any of the above-mentioned areas. Fighting in Zawiah on 12 June coincided with a reported reduction in border traffic at the Ras Ajdir border that same day. It is still unclear whether there was a link between the reduction in border traffic and the fighting. The Dhibat/Wazin border remains open and NGOs are able to access the Nafusa Mountains from this crossing, although intermittent shelling continues. NGOs report that the security situation has improved in Yafran and supply routes from Tunisia have been restored."⁷²

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⁷¹ BBC News, Libyan rebels smuggling weapons through Tunisia 13 June 2011 <http://www.bbc.co.uk/news/world-africa-13745337> Accessed 15 June 2011

⁷² United Nations Office for the Co-ordination of Humanitarian Affairs, Libyan Arab Jamahiriya • Crisis Situation Report No. 45, 16 June 2011 <http://reliefweb.int/sites/reliefweb.int/files/resources/revsiterep45Libyan%20Arab%20Jamahiriya%20%E2%80%A2%20Crisis.pdf> Accessed 29 June 2011

Misrata

- 9.11 Amnesty International, in a detailed report released on 5 May 2011, called *Libya: Attacks against Misratah residents point to war crimes*, reported its findings from a fact finding mission to Misrata between 14 and 20 April 2011. The full report can be accessed via the following link:⁷³

<http://www.amnesty.org/en/library/asset/MDE19/019/2011/en/4efa1e19-06c1-4609-9477-fe0f2f4e2b2a/mde190192011en.pdf>

- 9.12 A UNHCR and inter-agency visit to Libya, called *Libya: UN trip to conflict areas finds displacement, violence and humanitarian need*, gave further details of the situation [observed during their visit in first week on June 2011] in Misrata:

“In opposition-controlled Misrata, which has seen some of the heaviest fighting, the mission met members of the city’s Transitional Council and was informed that there are an estimated 25,000 displaced people in the city or approximately 5,000 families.

“Most of the IDPs [internally displaced persons] are staying with host families and relatives, while others have moved into schools and unoccupied new buildings.

“In many cases Libyans are hosting up to seven or eight displaced families in their homes – a situation that is almost certainly unsustainable. People have not received salaries since January and banks are not operational,’ said Mr. Edwards.

“Several groups in Misrata, including the Libyan Committee for Humanitarian Relief, local businesses and engineering companies, are exploring ways to quickly provide accommodation for the IDPs.

“UNHCR is also ready to support the rebuilding of homes. We are also continuing to deliver regular relief by boat from Benghazi to Misrata through local partners,’ said Mr. Edwards.

“Several people spoke of widespread abductions in Misrata, with local charities and human rights groups saying that at least 1,000 people, mainly men, have been kidnapped or have disappeared since the conflict started in February, according to Mr. Edwards.

“Life is slowly picking up in Misrata with youth cleaning up the streets and shops reopening, but according to the Misrata Transitional Council, the city is facing food and medicine shortages,’ he said.

“Five hospitals in the city have recorded 630 deaths and 6,000 cases of injury, including those blamed on unexploded ordnance. Some 80 per cent of the nurses in the hospitals, most of whom were expatriates, left the city early into the crisis and are being progressively replaced by medical students. Electricity has recently been restored in some parts of the city, according to Mr. Edwards.”⁷⁴

For information on Misrata's hospitals see Medical Issues [Section 19.06](#)

⁷³ Amnesty International, *Libya: Attacks against Misratah residents point to war crimes* 5 May 2011
<http://www.amnesty.org/en/library/asset/MDE19/019/2011/en/4efa1e19-06c1-4609-9477-fe0f2f4e2b2a/mde190192011en.pdf>
 Accessed 15 June 2011

⁷⁴ UN News Centre Libya: *UN trip to conflict areas finds displacement, violence and humanitarian need*, 7 June 2011
<http://www.un.org/apps/news/story.asp?NewsID=38637&Cr=libya&Cr1> Accessed 8 June 2011

- 9.13 The UN News Service, in a news release of 1 June 2011, called *More UN food aid reaches besieged Libyan city of Misrata*, noted:

"A ship carrying enough United Nations food assistance to feed 25,000 people for one month arrived in the besieged Libyan city of Misrata today, as the World Food Programme (WFP) voiced concern once again about dwindling food stocks in the strife-torn country.

"The ship, which was chartered by the International Organization for Migration (IOM), also brought a WFP team that is part of a UN inter-agency mission that will conduct a rapid needs assessment of the humanitarian situation on the ground.

"The UN team will also evacuate the wounded and stranded migrants, and deliver up to 700 tons of food and blankets, kitchen sets and medical supplies."⁷⁵

- 9.14 The Telegraph, in an article of 11 June 2011, called *Misrata bombarded by Gaddafi's artillery*, noted:

"Anti-Gaddafi rebels in Misrata were pounded with rockets and artillery on Friday as they prepared to launch a new offensive, with at least 20 killed and 100 more wounded... 'All the hospitals are busy. There are wounded flooding in everywhere, and we have dead here lying in the corridors. He [Gaddafi] is trying to kill us as much as he can. This is power. He has no philosophy, just brutality,' said Dr Khaled Abu Falgha, who operated on wounded fighters.

"The newly confident fighters have received fresh supplies of men, weapons and ammunition delivered by fishing boats from Benghazi, and their morale had soared after British Apache helicopters made their appearance around Misrata on Thursday.

"Rebel commanders said they planned to coordinate attacks with an attempted uprising in Zlitan, the next town east along the coast towards Tripoli."⁷⁶

- 9.15 The BBC News, in a report of 15 June 2011 called *Libya unrest: Rebels edge west at Misrata*, stated:

"At Zlitan, just west of the rebel-held city of Misrata and about 135km (85 miles) from Tripoli, Nato forces dropped leaflets bearing the Nato symbol, along with an image of an Apache attack helicopter and burning tanks.

"An Arabic script reads: 'There's no place to hide. If you continue to threaten civilians, you will face destruction.'

"Rebels say they have been told by Nato to hold the line between Misrata and Zlitan in advance of expected bombing runs.

"Earlier, rockets damaged generators at an oil refinery near Misrata's port, disrupting fuel supply lines, Reuters reported."⁷⁷

⁷⁵ UN News Centre More UN food aid reaches besieged Libyan city of Misrata, 1 June 2011 <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=4decc2c42&skip=0&coi=LB&querysi=misrata∓searchin=title&display=10&sort=date>

⁷⁶ The Telegraph, Misrata bombarded by Gaddafi's artillery, 11 June 2011 <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8569716/Misrata-bombarded-by-Gaddafis-artillery.html> Accessed 13 June 2011

- 9.16 Amnesty International, in a report of 23 June 2011, called *Libya: Renewed rocket attacks target civilians in Misratah* stated:

"Forces loyal to Libyan Colonel Mu'ammar al-Gaddafi are once again targeting civilians in Misratah by firing rockets, some containing ball bearings, into the city's residential areas, Amnesty International said today.

"At least two civilians, a 14-year-old boy and two women were killed and several others, including children, were injured in recent days when 'Grad' rockets struck their homes in the port city's residential neighbourhoods.

"These rockets are indiscriminate weapons which cannot be directed at a particular target and their use may amount to war crimes... Amnesty International is receiving more reports of casualties from other rocket attacks but with telephone and internet connections to Misratah still cut off, it is very difficult to obtain and verify information."⁷⁸

- 9.17 The BBC correspondent, Andrew Harding, recorded on 27 June 2011, in a report called, *Besieged Misrata: 100 days of bombing*:

"In recent days Nato has intensified its efforts here, with warships firing at Col Gaddafi positions just along the coast, and Apache helicopters targeting heavy weapons near the town of Zlitan. But the front lines around Misrata have barely moved in weeks.

"Your energy and courage inspire,' says Gen Suleiman Mahmoud [a well-known figure here - one of the earliest senior defectors from Col Gaddafi's armed forces] in a brief speech to the group of rebel fighters. He's come here from Benghazi on a morale-boosting, fact-finding tour of the front lines around this besieged city.

"You are making history here. If Misrata falls, Libya will be divided. We are behind you and united,' says the general.

"Then it's the fighters' turn to speak. 'We need more weapons, more ammunition. We need cars. Ours are in very bad shape. And we need binoculars.' ...

"The rebel fighters suffer casualties and complain that Nato makes too few air strikes. They've been stuck out here in the dunes for more than a month now, under almost daily rocket and artillery bombardment. Frustration is evidently growing... The general promises to take their demands back to Benghazi."⁷⁹

For details of NATO airstrikes see [Section 7.06](#)

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Airport

- 9.18 The BBC News, in a report of 12 May 2011, called *Libya rebels 'capture Misrata airport'* stated, "Libyan rebels say they have captured Misrata airport, driving back troops loyal to Col Muammar Gaddafi... It is probably too soon to consider whether the airport can

⁷⁷ BBC News Libya unrest: Rebels edge west at Misrata, 15 June 2011 <http://www.bbc.co.uk/news/world-africa-13767462>
Accessed 15 June 2011

⁷⁸ Amnesty International, *Libya: Renewed rocket attacks target civilians in Misratah*, 23 June 2011
<http://www.unhcr.org/refworld/country,,,LIBY,4e045d5b2,0.html> Accessed 28 June 2011

⁷⁹ BBC News, *Besieged Misrata: 100 days of bombing*, 27 June 2011 <http://www.bbc.co.uk/news/world-africa-13925376>
Accessed 27 June 2011

be used to bring supplies - civilian or military - into Misrata. Col Gaddafi's forces have managed, despite intensified Nato air raids, to keep hold of long-range weapons with a range of more than 30km (20 miles)."⁸⁰

For more information about Misrata's air and sea ports see [Section 1.15 International and Internal airports and flight routes](#) and [1.17 Sea ports](#).

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Zlitan

- 9.19 The Guardian, in an article of 15 June 2011, called *Misrata rebel leader appeals to Nato to save neighbouring town* reported:

"The leader of the besieged Libyan rebel city of Misrata has appealed to Nato to save the inhabitants of a neighbouring town facing annihilation from government forces.

"Sheikh Khalifa Zuwawi, chairman of Misrata council, made the appeal after reports that Muammar Gaddafi had demanded that rebel-held areas of Zlitan, 30 miles west of Misrata, surrender or face destruction.

"Zlitan's uprising began on Friday with battles around the town's hospital, but sources in Misrata say the rebels are now pinned into one district under heavy artillery fire...

"Zlitan lies along the coastal highway from Misrata, about 100 miles east of Tripoli, and rebel commanders say its capture would open the road to the capital. But they face formidable foes in the shape of the elite 32nd brigade, controlled by Gaddafi's son Khamis, which has made Zlitan its headquarters."⁸¹

Tripoli

- 9.20 The Economist, in an article of 19 May 2011 called *The colonel feels the squeeze* noted, "Colonel Qaddafi's forces are running increasingly short of fuel. The people of Tripoli, his embattled capital, are short of just about everything, including food."⁸²
- 9.21 The UN News Service, in a news release of 9 June 2011, called *Ban calls for continued aid to Libyan civilians as crisis continues*, stated, "A UN humanitarian needs assessment mission in and around Tripoli and other areas reported: 'Food stocks are getting depleted; there are fuel shortages, concerns about access to water services, and an acute lack of medical personnel owing to the departure of most foreign nationals.'"⁸³
- 9.22 A Reuters article of 6 June 2011, called, *Explosions in Tripoli, rebels seize Libyan town* noted, "Rebels control the east of Libya, the western city of Misrata and the range of

⁸⁰ BBC news Libya rebels 'capture Misrata airport' 12 May 2011 <http://www.bbc.co.uk/news/world-africa-13363782> Accessed 29 June 2011

⁸¹ The Guardian, *Misrata rebel leader appeals to Nato to save neighbouring town*, 15 June 2011 <http://www.guardian.co.uk/world/2011/jun/15/misrata-rebel-leader-appeal-nato> Accessed 27 June 2011

⁸² The Economist, *Libya: Looming threat of scattered munitions in the east*, 19 May 2011, http://www.economist.com/node/18713650?story_id=18713650 Accessed 8 June 2011

⁸³ The UN News Service, *Ban calls for continued aid to Libyan civilians as crisis continues*, 9 June 2011 <http://www.unhcr.org/refworld/country,,,LIBY,,4df727b92,0.html> Accessed 14 June 2011

mountains near the border with Tunisia. But they have been unable to advance on the capital against Gaddafi's better-equipped forces, despite NATO air strikes."⁸⁴

Civilian casualties following NATO airstrike

- 9.23 NATO, in a press release of 17 June 2011, called *NATO acknowledges civilian casualties in Tripoli strike*, stated:

"NATO says that a military missile site was the intended target of air strikes in Tripoli last night. However, it appears that one weapon did not strike the intended target and that there may have been a weapons system failure which may have caused a number of civilian casualties.

"NATO regrets the loss of innocent civilian lives and takes great care in conducting strikes against a regime determined to use violence against its own citizens,' said Lieutenant-General Charles Bouchard, Commander of Operation Unified Protector. 'Although we are still determining the specifics of this event, indications are that a weapons system failure may have caused this incident,' he added.

"This campaign has conducted over 11,500 sorties and every mission is planned and executed with tremendous care to avoid civilian casualties. NATO remains fully committed to this operation."⁸⁵

For more information about NATO air strikes see [Section 7.06](#)

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Tripoli International Airport

- 9.24 The United Nations Institute for Training and Research, in a report of 20 April 2011 called *Operational Status of Tripoli International Airport (as of 11 April 2011)* ,noted:

"The operational status of the international airport in Tripoli, Libya was assessed from an analysis of satellite imagery collected on 11 April and 25 March 2011. Although there are no visible damages to airport building facilities and no obstructions apparent along the runways, several large aircraft have been parked along the majority of taxiways connecting Runways 09/27 and 18/36 to the terminal buildings and other airport facilities.... This is an initial assessment and has not yet been independently verified on the ground."⁸⁶

- 9.25 The Independent, in an article of 29 May 2011, called *South African president Jacob Zuma flies into Tripoli*, noted, "South African President Jacob Zuma flew into Tripoli on Monday [30 May 2011] ... On arrival in Tripoli Zuma was met by a host of dignitaries."⁸⁷

For more information about Tripoli's air and sea ports see [Section 1.15 International and Internal airports and flight routes](#) and [1.17 Sea ports](#).

⁸⁴ Reuters, Explosions in Tripoli, rebels seize Libyan town, 6 June 2011, <http://uk.reuters.com/article/2011/06/06/uk-libya-idUKTRE74E11420110606> Accessed 13 June 2011

⁸⁵ NATO, Press release NATO acknowledges civilian casualties in Tripoli strike, 17 June 2011 http://www.nato.int/cps/en/natolive/news_75639.htm Accessed 6 July 2011

⁸⁶ United Nations Institute for Training and Research, Operational Status of Tripoli International Airport (as of 11 April 2011), 20 April 2011 <http://www.unitar.org/unosat/node/44/1561> Accessed 29 June 2011

⁸⁷ The Independent, South African president Jacob Zuma flies into Tripoli, 29 May 2011 <http://www.independent.co.uk/news/world/africa/south-african-president-jacob-zuma-flies-into-tripoli-2290983.html> Accessed 29 June 2011

Yafran

- 9.26 A Reuters article of 6 June 2011, called, *Explosions in Tripoli, rebels seize Libyan town* noted, "Rebels seized Yafran, 100 km (60 miles) southwest of Tripoli, on Monday after British warplanes destroyed two tanks and two armoured personnel carriers on June 2. Yafran is spread over a hill, the bottom part of which had been controlled by pro-Gaddafi forces for more than a month and used to besiege the rebel-controlled part. Food, drinking water and medicines were running short."⁸⁸

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Zawiyah

- 9.27 Reuters, in an article of 11 June 2011, called *Fighting in Zawiyah shuts Libya coast road: resident*, noted:

"Fighting between Libyan troops loyal to Muammar Gaddafi and rebels broke out in the town of Zawiyah on Saturday, a resident said, shutting the coastal highway that links the capital Tripoli with Tunisia.

"The road has been used throughout the four-month-old conflict by his officials to reach the outside world -- including fleeing defectors -- and by trucks bringing in food and other supplies to territory under Gaddafi's control.

"Zawiyah was held by rebels early in the uprising against Gaddafi in February, but was recaptured by government forces in a crackdown in which scores of people died.

"Rebels now hold the mountains to the southwest of Tripoli and the city of Misrata along the coastal road to the east, and ultimately want to encircle the capital and cut it off."⁸⁹

EAST

- 9.28 The Integrated Regional Information Networks (IRIN), in a report of 16 May 2011, *Libya: Looming threat of scattered munitions in the east*, noted:

"There is so much ammunition and unexploded ordnance (UXO) scattered across eastern Libya that local people will face a serious threat when they return home. However, it is difficult to determine the exact quantities because of ongoing fighting, experts say.

"In Tabrouk and Benghazi there are munition bunkers that were destroyed by [government] forces prior to the establishment of the no-fly zone,' Tekimiti Gilbert, spokesman for the UN Mine Action Service (UNMAS), said. 'Gaddafi's forces bombed the bunkers to deprive rebels of weapons. As a result, a lot of ammunition is spread across a wide area on the surface of the ground.

"Because there was access to bunkers, local people are scavenging for scrap metal for re-sale and also explosives which can be used for fishing,' he told IRIN...

⁸⁸ Reuters, Explosions in Tripoli, rebels seize Libyan town, 6 June 2011, <http://uk.reuters.com/article/2011/06/06/uk-libya-idUKTRE74E11420110606> Accessed 13 June 2011

⁸⁹ Reuters, Fighting in Zawiyah shuts Libya coast road: resident, 11 June 2011 <http://uk.reuters.com/article/2011/06/11/uk-libya-fighting-zawiyah-idUKTRE75A15920110611> Accessed 13 June 2011

“UXO, including rockets, shells and mortars, are strewn across public places and residential areas in Misrata, Ajdabiya and Benghazi, according to the ICRC. In Ajdabiya, a threat exists from unexploded devices around and even inside houses.

“Local populations have also accessed munitions that were stored in army bases in Ajdabiya, Benghazi and Tobruk, before they were abandoned in early March. Some of the stores exploded, scattering the munitions over vast areas. UXO has also been found in destroyed armoured fighting vehicles, truck-mounted rocket launchers and other military vehicles...

“The National Transitional Council, which controls the east, has directed that ‘no forces under [its] command and control will use anti-personnel or anti-vehicle landmines’.”⁹⁰

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Benghazi

- 9.29 The Economist, in an article of 19 May 2011 called *The colonel feels the squeeze* noted, “The rebels in the east, based in Benghazi, are managing to import their basic requirements—and are getting diplomatically, politically and militarily better organised.”⁹¹
- 9.30 The BBC’s Africa correspondent, Andrew Harding, in a report of 14 May 2011, called *Benghazi: 'We're all volunteers now'* described the situation as he walked along the streets of Benghazi:
- “It is surprising the city feels so calm, given how many guns and grudges there must be here. Nato fighter jets can take some of the credit for keeping Col Gaddafi’s army at bay.
- “But the tribal and political rivalries that still cause so much concern across Libya seem almost invisible on the streets.”⁹²
- 9.31 The New York Times, in an article of 10 May 2011, called *Killings and Rumours Unsettle a Libyan City* spoke of two bodies shot through the head, found, a few weeks earlier, on the outskirts of Benghazi, but summed up by saying, “The killings in Benghazi are taking place in a city that otherwise seems safer with each passing day. Police stations burned in February have reopened. Legions of young volunteers have recently taken to the streets, to sweep and pick up the trash.”⁹³
- 9.32 A report from Reuters on 2 June 2011, called *Benghazi blast shows risk of post-Gaddafi unrest*, stated:

⁹⁰ The Integrated Regional Information Networks (IRIN), Libya: Looming threat of scattered munitions in the east 16 May 2011 <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=4dd2617214&skip=0&coi=LB&querysi=benghazi&searchin=fulltext&display=10&sort=date> Accessed 8 June 2011

⁹¹ The Economist, Libya: Looming threat of scattered munitions in the east, 19 May 2011, http://www.economist.com/node/18713650?story_id=18713650 Accessed 8 June 2011

⁹² BBC News Benghazi: 'We're all volunteers now', 14 May 2011 <http://www.bbc.co.uk/news/world-africa-13393692> Accessed 24 May 2011

⁹³ The New York Times, Killings and Rumours Unsettle a Libyan City, 10 May 2011 http://www.nytimes.com/2011/05/11/world/africa/11benghazi.html?_r=1 Accessed 24 May 2011

“An explosion in rebel-held Benghazi may be a harbinger of the kind of unrest Libya could face in the event of Muammar Gaddafi's ousting as diehard loyalists seek to stifle revolutionary rule at birth.

“The blast on Wednesday [1 June] damaged a hotel used by rebels and foreigners in Benghazi, wounding one person, and rebel authorities said they believed the explosion might be linked to Gaddafi agents still operating in the east...

“More such attacks are likely if Gaddafi is toppled, analysts say, because the abundance of weaponry in a time of war would make them relatively easy for Gaddafi hardliners to stage.”⁹⁴

For information on Benghazi's hospitals see Medical Issues [Section 19.08](#)

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Benina International Airport, Benghazi

- 9.33 The script of a news report, called *Benghazi airport still in operation*, shown on China Central Television on 26 June 2011, noted:

“Commercial flights have been brought to a standstill, since the United Nations Security Council set up no-fly zones in Libya on March 17, Benghazi airport is still responsible for some important transportation duties.

“‘This airport was subject to air strike three times. There were around three holes, two holes near the military base here. The third one is beside the military base wall,’ said Jamal, manager of Benghazi Airport.

“Benghazi's food, fuel and medical supplies are dependent, in large, on overseas support. Flights carrying relief goods are landing at the airport almost daily. In addition, foreign envoys are also landing and taking-off from the airport.

“Now, the airport is trying to reopen the air route from Tunisia to Benghazi, for Libya refugees detained in Tunisia.

“‘As soon as the no fly zone is lifted we will hopefully be ready to operate this airport and we set a number of flights a day. This is our target, to start with five flights a day,’ said Jamal.”⁹⁵

For more information about Benghazi's air and sea ports see [Section 1.15 International and Internal airports and flight routes](#) and [1.17 Sea ports](#). For information about the media in Benghazi see [Section 18.13](#)

Brega

- 9.34 Reuters, in a report of 12 June 2011, noted “Rebels fighting against Libyan leader Muammar Gaddafi say they were repulsed by his forces in a battle to retake the eastern oil town of Brega, suffering at least four dead.”⁹⁶

⁹⁴ Reuters Benghazi blast shows risk of post-Gaddafi unrest 2 June 2011 <http://www.reuters.com/article/2011/06/02/us-libya-unrest-idUSTRE75149Q20110602> Accessed 14 June 2011

⁹⁵ CCTV Benghazi airport still in operation, 26 June 2011 <http://newscontent.cctv.com/news.jsp?fileId=112549> Accessed 29 June 2011

ACROSS LIBYA – ATTEMPTS TO CREATE STABILITY AND SAFE AREAS

- 9.35 A report, on 8 July 2011 by Radio Free Europe, called *UN chief calls for halt to Libya fighting*, stated:

“UN chief Ban Ki-moon has urged Libyan Prime Minister Baghdadi al-Mahmudi in a telephone call to stop the fighting and help improve humanitarian conditions.

“Ban stressed ‘the urgent need to find a way out of the current fighting and alleviate the dire humanitarian situation and work out a transition that could bring peace to all Libyans.’

“He also said his special envoy to Libya, Abdul Ilah al-Khatib, was aiming to reach a peace deal for all Libyans.

“Ban's office also said that Mahmudi had agreed that Khatib should be received in Tripoli ‘at an early date for urgent consultations.’

“In addition to the NATO assistance, the West has thrown its diplomatic and financial support behind the rebel National Transitional Council, which has been recognized by about 20 countries including Britain and France.”⁹⁷

- 9.36 The Foreign and Commonwealth Office *Travel Advice for Libya*, updated 14 July 2011 and still current on 18 July 2011, stated:

“NATO coordinated airstrikes have continued including in and near Tripoli, Mizdah, Zintan, Ajdabiya, Brega, Sebha, Sirte, Houn and Misrata...

“There have been armed clashes involving pro-Qadhafi and opposition forces in many parts of Libya, particularly in Misrata, the coastal strip between Ajdabiya and Sirte, Zawiya, Kufra and the Nafusa Mountains area near Zintan and Yefren, including at the border with Tunisia at Wazin. The situation across Libya is unpredictable and areas of conflict can change rapidly. Areas that have previously avoided conflict can also quickly destabilise.”⁹⁸

- 9.37 A UNICEF press note of 8 July 2011, called *UNICEF and Handicap International raising risk awareness through programs for children in Libya*, stated:

“As the crisis in Libya drags into its fifth month, children are at increasing risk of exposure to mines and explosive remnants of war (ERW). This risk has been compounded by the surge in availability of small arms and light weapons throughout much of the country. In response, Handicap International and UNICEF have partnered to raise awareness among children and families of the dangers posed by these weapons through a multi-faceted education program.

“The UN and NGOs, working through the Joint Mine Action Coordination Team (JMACT), have confirmed the presence of ERW and large caches of small arms in a

⁹⁶ Reuters, Battle for Libya oil town, fighting near Tripoli, 12 June 2011 http://www.reuters.com/article/2011/06/13/us-libya-idUSTRE7270JP20110613?feedType=RSS&feedName=worldNews&utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+reuters%2FworldNews+%28News+%2F+US+%2F+International%29 Accessed 12 June 2011

⁹⁷ Radio Free Europe UN chief calls for halt to Libya fighting, 8 July 2011 <http://www.unhcr.org/refworld/country,...,LIBY.,4e2043a42d,0.html> Accessed 18 July 2011

⁹⁸ Foreign and Commonwealth Office, Travel Advice: Libya 14 July 2011 <http://www.fco.gov.uk/en/travel-and-living-abroad/travel-advice-by-country/middle-east-north-africa/libya> Accessed 18 July 2011

number of heavily populated areas of Libya including Ajdabiya, Misrata and parts of the Nafusa Mountains region in the west of the country. Consequently, the awareness campaign is targeting the general population and displaced families in and around Benghazi, Misrata and Ajdabiya, with plans to expand to other communities as humanitarian access allows.

"Some areas still under heavy conflict or government control have not yet been assessed for contamination, but attempts are being made to secure access to these sites."⁹⁹

- 9.38 Human Rights Watch, in a report of 13 July 2011 called, *Libya: Opposition Forces Should Protect Civilians and Hospitals*, noted:

"Rebel forces in Libya should protect civilians and civilian property in areas they control, Human Rights Watch said today. The rebel forces should hold accountable anyone from their ranks responsible for looting, arson, and abuse of civilians in recently captured towns in western Libya, Human Rights Watch said.

"In four towns [al-Awaniya, Rayayinah, Zawiyat al-Bagul and al-Qawalish] captured by rebels in the Nafusa Mountains over the past month, rebel fighters and supporters have damaged property, burned some homes, looted from hospitals, homes, and shops, and beaten some individuals alleged to have supported government forces, Human Rights Watch said.

"Human Rights Watch witnessed some of these acts, interviewed witnesses to others, and spoke with a rebel commander about the abuses... The rebel military commander in the Nafusa Mountains, Col. El-Moktar Firmana, admitted that some abuses had taken place after rebels captured the towns, but said such attacks violated orders issued to the rebel forces not to attack civilians or damage civilian property. He claimed that some people had been punished, but did not say how many people or for what offenses.

"If we hadn't issued directives, people would have burned these towns down to the ground,' he told Human Rights Watch."¹⁰⁰

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10. LIBYANS LIVING ABROAD

- 10.01 The United States Department of State, *Country Report on Human Rights Practices 2010, Libya (USSD 2010 report)*, published 8 April 2011, noted, "They [security agencies] routinely monitored telephone calls and Internet usage, including e-mail communication with foreign countries. There was also physical surveillance of political activists and foreign organizations."¹⁰¹

⁹⁹ UNICEF UNICEF and Handicap International raising risk awareness through programs for children in Libya, 8 July 2011 http://www.unicef.org/media/media_59172.html Accessed 18 July 2011

¹⁰⁰ Human Rights Watch, *Libya: Opposition Forces Should Protect Civilians and Hospitals*, 13 July 2011

<http://www.hrw.org/en/news/2011/07/13/libya-opposition-forces-should-protect-civilians-and-hospitals> Accessed 18 July 2011

¹⁰¹ The United States Department of State, *Country Report on Human Rights Practices 2010, Libya*, published 8 April 2011, Section 1f - Role of the Police and Security Apparatus.

<http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154467.htm> Accessed 16 May 2011

GOVERNMENT SPONSORED STUDENTS IN THE UK

- 10.02 The *USSD 2010 report* noted, “Academic authorities encouraged selected students to study abroad, and some students were provided with government scholarships. According to HRW students were reportedly monitored by their embassies while abroad.”¹⁰²
- 10.03 The University of Leeds in a news release dated 17 March 2011, called *Supporting our Libyan students*, noted, “The ongoing political unrest in Libya has meant that these [Libyan] sponsored students have had their maintenance payments stopped by the Libyan Government with immediate effect. Staff from the international office have met with Libyan student representatives to find out what is needed and will work with LUU to explore options for how we support students.”¹⁰³
- 10.04 The Telegraph, in a report of 2 March 2011 called *Libya: LSE to donate £300,000 to Libyan students* stated: “A leading university is to donate up to £300,000 to struggling Libyan students amid mounting controversy over its links with the country’s tarnished regime. The London School of Economics (LSE) confirmed plans last night to set aside the sum; equivalent to the cash it had received from the family of Col Gaddafi, to establish a scholarship fund.”¹⁰⁴

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LIBYANS LIVING ABROAD BLAMED FOR UPRISING

- 10.05 In an article of 21 February 2011, called *Qaddafi's Son Says Protesters Must Chose Dialogue or Bloodshed in Speech*, the Bloomberg news site published excerpts of a speech given by Saif al-Islam Gaddafi, “Following are excerpts of the speech given by Saif al-Islam Qaddafi, the son of Libyan leader Muammar Qaddafi, on state television... ‘Libyans living abroad were instigating the unrest to come and rule us and rule Libya. They have health insurances and foreign passports and your children die in front of camps.’”¹⁰⁵
- 10.06 Jon Leyne, the BBC’s Middle East correspondent, in a report of 21 February 2011, called *Libya protests: Gaddafi's son warns of civil war, commented on the speech*, “This was one of the strangest political speeches I have ever watched or listened to. Saif al-Islam Gaddafi blamed everyone from foreigners, exiles, drug addicts, Islamists and the media for the crisis.”¹⁰⁶
- 10.07 In a report of 21 February 2011, called *Manchester Libyan ex-pat's brother killed in Benghazi*, the BBC News in Manchester stated, “Five hundred people in Manchester, which has the UK's largest expatriate Libyan community, staged a demonstration

¹⁰² The United States Department of State, Country Report on Human Rights Practices 2010, Libya, published 8 April 2011, Section 1d - Role of the Police and Security Apparatus.

<http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154467.htm> Accessed 16 May 2011

¹⁰³ The University of Leeds, *Supporting our Libyan students*, 17 March 2011

http://www.leeds.ac.uk/forstaff/news/article/1568/supporting_our_libyan_students Accessed 7 June 2011

¹⁰⁴ The Telegraph, *Libya: LSE to donate £300,000 to Libyan students*, 2 March 2011

<http://www.telegraph.co.uk/news/worldnews/africaandindianocan/libya/8355825/Libya-LSE-to-donate-300000-to-Libyan-students.html> Accessed 7 June 2011

¹⁰⁵ Bloomberg, *Qaddafi's Son Says Protesters Must Chose Dialogue or Bloodshed in Speech*, 21 February 2011

<http://www.bloomberg.com/news/print/2011-02-21/qaddafi-s-son-says-protesters-must-chose-dialogue-or-bloodshed.html> Accessed 2 March 2011

¹⁰⁶ BBC News *Libya protests: Gaddafi's son warns of civil war*, 21 February 2011 <http://www.bbc.co.uk/news/world-middle-east-12520586> Accessed 2 March 2011

outside the BBC's HQ in Oxford Road starting in the late afternoon. There has also been a smaller protest in Liverpool. In a televised address, Gaddafi's son Saif blamed Libyans who live abroad for causing unrest.”¹⁰⁷

- 10.08 The International Crisis Group, in a report of 6 June 2011, called *Popular Protest in North Africa and the Middle East (V): Making sense of Libya*, stated, “...informed Libyan sources told Crisis Group, ‘a big misconception is that the Libyan uprising was organised in the east; in fact, the online protest calls originated from Libyans abroad, in Switzerland and the United Kingdom’”¹⁰⁸

- 10.09 The BBC News, in a news item of 16 March 2011, called *Father living in Manchester detained in Libya*, reported:

“A man who has been living in Manchester has been detained in Libya by troops loyal to Colonel Gaddafi.

“Salah Mohammed Ali Aboaoba was paraded before journalists after being captured in Zawiyah and said he had fundraised for an Islamic group. His family said it was clear he had been forced to make a false confession.

“Mr Aboaoba said he had travelled to Libya when he had heard that foreign forces were preparing to attack the country, AFP reported.

“The agency quoted him saying he had not been involved in fighting but had fundraised for the Libyan Islamic Fighting Group, declared a terrorist organisation by Britain in 2005.”¹⁰⁹

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PROTESTS OUTSIDE THE LIBYAN EMBASSY IN LONDON

- 10.10 A BBC News report, of 21 February 2011, called *Libya unrest: London embassy protesters 'sense change'*, noted:

“As pressure increases on the Libyan government there has been another day of protests outside the embassy in London. A number of employees have begun joining the demonstrators outside and the Libyan flag has been switched for one that pre-dates Colonel Muammar Gaddafi's rule.

“A small but passionate crowd had gathered outside the embassy in Knightsbridge to voice their disapproval of Col Gaddafi's regime...

“Earlier, while Col Gaddafi's ‘green revolution’ flag still hung from the building, the demonstrators had detected a marked change in the behaviour of the building's occupants.

¹⁰⁷ BBC News Manchester Libyan ex-pat's brother killed in Benghazi, 21 February 2011 <http://www.bbc.co.uk/news/uk-england-manchester-12527577> Accessed 2 March 2011

¹⁰⁸ International Crisis Group, *Popular Protest in North Africa and the Middle East (V): Making sense of Libya*, 6 June 2011 <http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/North%20Africa/107%20Popular%20Protest%20in%20North%20Africa%20and%20the%20Middle%20East%20V%20-%20Making%20Sense%20of%20Libya.ashx> Accessed 7 June 2011

¹⁰⁹ BBC News, *Father living in Manchester detained in Libya*, 16 March 2011 <http://www.bbc.co.uk/news/uk-england-manchester-12756886> Accessed 14 June 2011

"Monday was the first day they had been there without an embassy video camera recording their faces and chants."¹¹⁰

- 10.11 A thread on *urban.75.net*, edited 8 March 2011, called *Protests outside Libyan embassy in London*, encouraged people to attend daily protests outside the Libyan embassy. It stated:

"British Libyan Solidarity Campaign for Freedom and Human Rights (BLSC) is holding a public protest outside the Libyan Embassy... This protest is still taking place every day 2pm-6pm. The London ambassador is still loyal to Gaddafi and still flying his green flag outside the London embassy. People are fighting and dying for their freedom in Libya right now. Please come and protest alongside the people outside the London embassy and show solidarity with the Libyan people as they struggle to remove Gaddafi.

"It is rumoured that this coming Thursday March 10th there might be another pro-Gaddafi counter-demo so please consider coming then to add some volume, numbers and moral support!"¹¹¹

- 10.12 The same source also gave details of previous demonstrations:

"Some of the previous protests:

- Thursday 24/02/11@libyansrevolt (Libyans Revolt): protests outside Libyan embassy in London tomorrow 2-6pm'
- United We Stand: Solidarity with the Arab people: Demonstrate Friday 25 February: Assemble 3.30pm Bahrain Embassy, 30 Belgrave Square, London SW1X 8QB March via the Libyan Embassy to Downing Street. Supported by: Libya Watch for Human Rights • British Libyan Solidarity Campaign • Yemeni Human Rights Watch • Egypt Liberation Initiative • Bahraini Freedom Movement • Stop the War Coalition • Palestine Solidarity Campaign • British Muslim Initiative
- Saturday (26/02/11): EMERGENCY DEMO: Libyan Embassy Sat 26 Feb. 11am-1pm. Knights bridge. SW1X 7LY #Libya #London. Immediately followed by: Time: 14:00 - 17:00 Location: Trafalgar Square. Created by: British Libyans and Friends In Solidarity with the Libyan People, Re Eam, Zahra Rose Alozai
- 1.15pm Wednesday 23rd Feb. 'Reminder demo in London today to show solidarity with the Libyan people will be taking outside US embassy today between 3-6pm. #Feb17 #Libya'
- Tuesday 22nd: Hundreds of the UK's Libyan community came to London from all over the country to protest against the Gaddafi government and the UK governments association with the despotic regime. Close to a thousand people gathered in front of Downing Street waving pre-Gaddafi flags and chanting anti-Gaddafi slogans. The protest lasted around 3 hours and finished when Libyan community leaders handed in a petition to Downing Street calling for sanctions against Colonel Gaddafi and a no-fly zone over Libya to stop mercenaries from entering the country.

¹¹⁰ BBC News report of 21 February 2011, Libya unrest: London embassy protesters 'sense change' <http://www.bbc.co.uk/news/uk-12529828> Accessed 14 June 2011

¹¹¹ Urban.75.net. Protests outside Libyan embassy in London, edited 8 March 2011. <http://www.urban75.net/vbulletin/threads/343743-Protests-outside-Libyan-Embassy-in-London> Accessed 25 July 2011

- 6.45pm Friday 18/02/11, 2pm onwards @ShababLibya (Libyan Youth Movement) 'reports from Manchester UK: all Libyans to head outside BBC building RIGHT NOW to protests RIGHT NOW'
- Thursday 17th February 2011, 1.00 pm – 4.00 pm Libyan Embassy, 15 Knightsbridge, SW1X 7LY (nb first day of protest at London Embassy)."

10.13 A BBC news report, *Libyan embassy rooftop protest: Four arrests* of 17 March 2011, detailed further protests in March:

"Four men have been arrested after protesters scaled the Libyan embassy in central London and staged a rooftop demo for 37 hours. Five men climbed on to the roof and removed Col Muammar Gaddafi's green flag - replacing it with a pre-Gaddafi era flag used by Libyan rebels...

"Earlier this month a group calling itself 'Topple The Tyrants' occupied a £10.9m home belonging to Col Gaddafi in Hampstead Garden Suburb in north London." ¹¹²

10.14 *Fresh Eyes on London*, on Blogspot.com, under the heading *Libyan Protest*, dated 22 March 2011, posted a photograph of a group of people supporting the rebel colours and flag and stated, "For the past month a group of protesters has held a vigil outside the Libyan Embassy." ¹¹³

10.15 On his website, philipbrennan.net, he posted, under the heading *Tripoli Calling Protest London 2011-07-06*, "On Wednesday the 6th of July, I attended the Pro-Libyan Revolution protest held outside the Libyan Embassy on Hyde Park Corner in London." Mr Brennan went on to describe his experiences:

"I arrived slightly later than I had hoped at around 14:30 hours. By then a crowd of around forty Libyans and their supporters had arrived, with more arriving over the next hour. They had brought with them a giant Libyan flag which measured over 100 meters long.

"Once everyone had gathered, the protest began in earnest. The chanting was vociferous, good natured, and with lots of humour and in-jokes. I would describe the comments about Gaddafi within the chants as a verbal Apec Duomai against him and his regime. Despite my lack of Arabic knowledge I could still pick up on some key words like 'Shahfoosha' (really fuzzy and unmanageable hair) or phrases like 'Zenga Zenga'.

"Towards the end of the protest there was a big march with the giant flag through Hyde Park. The protest wound down around 18:00 hours but many lingered on afterwards for an hour or so. During this time I got to meet and get to know many people who I had previously only known on Twitter, along with many others I had not yet met or talked to. All the people I met there were just ordinary folks who just wanted freedom from tyranny for their nation." ¹¹⁴

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¹¹² BBC News Libyan embassy rooftop protest, 17 March 2011. <http://www.bbc.co.uk/news/uk-england-london-12770621> Accessed 14 June 2011

¹¹³ Blogspot.com, *Fresh Eyes on London, Libyan Protest*, 22 March 2011. <http://aglimpseoflondon.blogspot.com/2011/03/libya-protest.html> Accessed 25 July 2011

¹¹⁴ Philipbrennan.net *Tripoli, Calling Protest London 2011-07-06* <http://www.philipbrennan.net/2011/07/08/tripoli-calling-protest-london-2011-07-06/> Accessed 25 July 2011

11. SECURITY FORCES

OVERVIEW

- 11.01 Jane's *Sentinel Country Risk Assessment of Libya* (Jane's Sentinel), in its section on armed forces, updated 18 March 2011, stated:

"Libya is in the midst of an armed rebellion that stemmed from protests and the demand for the resignation of Colonel Muammar Ghaddafi. The situation is amorphous due to its spontaneous nature, but the removal of Ghaddafi is seemingly the sole goal of the opposition. Security forces loyal to Colonel Muammar Ghaddafi have used helicopter gunships, fighter aircraft and heavy artillery to attack anti-government force... fissures have developed within Libya's armed forces. It is unclear how many units of active or reservists have joined the rebel forces. It is clear however that the number is not small. Additionally the rebels are alleged to have acquired guns, vehicles and ammunition from military arms caches and storage facilities. However, the opposition force strength remains unclear as well as their capability in the usage of this equipment.

"On 17 March 2011, the UN security Council approved a resolution to enforce a no-fly zone. Specifically outlined, it denies Libyan aircraft to take off from, land in or fly their territory"¹¹⁵

UNDER COLONEL GADDAFI

- 11.02 Jane's Sentinel also gave an overview of the armed forces in Libya as they were before the uprising;

"Despite its small population and consequently limited manpower, Libya has attempted to maintain armed forces of comparable strength to its much larger neighbour, Algeria. The capability of these forces has been largely untested since the late 1980s, but is understood to have deteriorated significantly from an already low level. The view in the West is that Ghadaffi's disastrous 1977-87 military operations in Chad, the military's only real experience of sustained conventional combat, proved how ineffective the armed forces are. The military was further disabled by purges of the senior ranks that followed a coup attempt against Ghadaffi in 1993. Since then the armed forces have not represented any challenge to the regime. Ghadaffi is acutely aware that he came to power through a military coup and as such is astute enough to ensure something similar will not unseat him. He regularly engages in purges of the armed forces and has been able to assure loyalty."

- 11.03 The United States Department of State, *Country Report on Human Rights Practices 2010, Libya*, published 8 April 2011, noted:

"The country maintains an extensive security apparatus that includes police and military units, multiple intelligence services, local 'revolutionary committees,' people's committees, and 'purification' committees. The result is a multilayered, pervasive surveillance system that monitors and controls the activities and everyday lives of individuals. In theory military and internal security forces are under direct civilian control under the Jamahiriya, or 'sovereignty of the masses' system. In practice an inner circle of elites close to al-Qadhafi wields total control and uses security services to protect regime interests..."

¹¹⁵ Jane's Sentinel Country Risk Assessments: Libya, updated 18 March 2011. Subscription only, hard copies available on request.

“The police and the ISO share responsibility for internal security. Armed forces and the External Security Service are responsible for external security. In practice it was unclear where authorities overlapped. Security forces were effective when combating internal and external threats against the regime.”¹¹⁶

National Security Commission

- 11.04 Jane’s Sentinel gave details of the National Security Commission, “In October 2006, the General People’s Committee issued a decree announcing the establishment of a new National Security Commission. The commission is an over-arching body bringing together the existing security sectors and covering both internal and external security. The specific functions of this body and the way in which it fits into the hierarchy of the Libyan security establishment remain unknown.”
- 11.05 Jane’s Sentinel also noted that this commission has been headed by Ghadaffi’s fourth-eldest son, Moatassim and the former head of external security, Musa Kusa.

For information about Musa Kusa’s defection see [Section 7.10](#)

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Police

- 11.06 The Library of Congress, *Country Profile: Libya*, dated April 2005, observed, “The Libyan police force has an estimated 10,000 policemen. Called the ‘People’s Security Force,’ the police perform such usual functions as investigating crime, arresting criminals and maintaining public order, but they also are responsible for the administration of prisons and assisting with passports and identity cards. Special police units are assigned to counterespionage duties.”¹¹⁷
- 11.07 Jane’s *Sentinel Country Risk Assessment of Libya*, in its section on security and foreign forces, updated 18 March 2010, stated,

“In the early 1970s a number of specialist units were formed including the Central Criminal Investigation Department, the Central Traffic Department, the Identity Investigation Department, the Arab International Criminal Police Bureau, the Ports Security Department and the Police Training Department... In November 2004, Ghadaffi announced that the People’s Security Force would be overhauled to try to make it more efficient. He also declared that it would try to attract better quality candidates for recruitment, including specifically targeting university graduates. Ghadaffi also announced that the police were to take on military powers in the fight against terrorism. He stated that their main focus should be on rooting out militants and that ordinary low-level police duties should be left to the Basic People’s Congresses.”¹¹⁸

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¹¹⁶ The United States Department of State, Country Report on Human Rights Practices 2010, Libya, published 8 April 2011, Section 1d - Role of the Police and Security Apparatus.

<http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154467.htm> Accessed 16 May 2011

¹¹⁷ The Library of Congress, Country Profile, Libya, April 2005

<http://memory.loc.gov/frd/cs/profiles/Libya.pdf> Accessed 16 May 2011

¹¹⁸ Jane’s Sentinel Country Risk Assessments: Libya, updated 18 March 2010 and 18 March 2011. Subscription only, hard copies available on request.

ARMED FORCES

The Army

11.08 Jane's Sentinel noted, "The Libyan leader Colonel Ghadaffi, who is in effect the supreme commander of the armed forces, maintains tight control over the forces through a coterie of trusted associates and relatives. The regime is secretive, and little accurate data is available as to the command structures through which control is exercised."

11.09 Jane's Sentinel estimated the army's strength to be 45,000 personnel.

People's Militia

11.10 Jane's Sentinel observed, "Known as the Quwwat al-Muqawama al-Shabiya, the People's Militia is linked to the armed forces and was established in the 1970s. With 40,000 active reserve personnel and with recent army training, the People's Militia is used to patrol rural areas, including desert regions, as well as to protect public buildings. It is considered ineffective and more a means to involve Arab tribes in the regime than an effective form of defence."

The Air force

11.11 Jane's Sentinel noted, "The Libyan Arab Republic Air Force (al-Quwwat al-Jawwiya al-Jamahiriyah al-Libya) has major deficiencies in its operational capabilities. It is possible that contract officers often fly important operational missions; such is the low standard of locally trained aircrew."

11.12 Jane's Sentinel estimated the Air force's strength to be 23,000 (10,000 regulars plus 13,000 conscripts).

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The Navy

11.13 Jane's Sentinel noted, "Libya's maritime forces offer no significant conventional threat to other Mediterranean navies and are mainly focused on patrolling the 1,770 km of Libya's coastline to protect its claims over the Gulf of Sidra. Operational effectiveness is not thought to be high due to poor maintenance and minimal logistic support."

11.14 Jane's Sentinel estimated the Navy's strength to be 8,000.

OTHER GOVERNMENT FORCES

Revolutionary Guards Corps

11.15 Jane's Sentinel noted, "The Revolutionary Guards Corps, known as al-Haras al-Thawri, is thought to comprise a force of about 3,000 trained personnel with access to a variety of weapons, including main battle tanks, armoured personnel carriers and helicopters. Some units are also reported to have anti-aircraft artillery and guided weapons in their

inventories. These units are linked to the Revolutionary Committees Movement and their main duty is to protect Ghadaffi and his family.”¹¹⁹

The Green Nuns or Amazonian Guard

11.16 Jane’s Sentinel continued, “The Green Nuns or Amazonian Guard are Ghadaffi’s personal bodyguard. They comprise a 40-strong unit composed entirely of ideologically-reliable female soldiers skilled in martial arts and the handling of firearms. They accompany the Libyan leader on all of his foreign visits where they often adopt a highly visible presence around Ghadaffi. Recruitment to the unit is reported - although not confirmed - to be at Ghadaffi’s personal request.”

The Jamahiriya Security Organisation

11.17 Jane’s Sentinel further noted, “The Jamahiriya Security Organisation is Libya’s intelligence/security service. It is divided into two main wings, one dealing with domestic security (al-Amn al-Dakhili) and the other with foreign intelligence gathering and operations (al-Amn al-Khariji) [also known as the Secretariat of External Security (ESO)].”

Information Bureau of the Leader

11.18 Jane’s Sentinel stated, “The Maktab Malumat al-Qaid or Information Bureau of the Leader is Ghadaffi’s personal intelligence office and is located in the Bab al-Aziziya residence in Tripoli. It was set up in the early 1970s and is a control and co-ordinating centre for the various security and intelligence services.”

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Military Secret Service

11.19 Jane’s Sentinel continued, “The military secret service or Al-Istikhbarat al-Askariya is affiliated to the High Command of the Armed Forces and is run by Mustafa al-Kharroubi.”¹²⁰

Other security agencies

11.20 Jane’s Sentinel observed, “There are also a plethora of other security bodies and committees that are part of the country’s official government structures. For example there is a department of Security Affairs that answers to the General People’s Committee (cabinet). However, this should not be confused with the post of secretary for public security (minister of the interior) in the General People’s Committee.”

HUMAN RIGHTS VIOLATIONS BY GOVERNMENT FORCES

11.21 The United States Department of State, *Country Report on Human Rights Practices 2010, Libya (USSD Report 2010)*, published 8 April 2011, noted, “The legal basis of security service authority is unclear; citizens have no obvious recourse against security

¹¹⁹ Jane’s Sentinel Country Risk Assessments: Libya, updated 18 March 2010 and 18 March 2011. Subscription only, hard copies available on request.

¹²⁰ Jane’s Sentinel Country Risk Assessments: Libya, updated 18 March 2010 and 18 March 2011. Subscription only, hard copies available on request.

services. Frequently cited laws are the 1971 and 1972 'Protection of the Revolution' laws, which criminalize activities based on political principles inconsistent with revolutionary ideology."¹²¹

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Arbitrary arrest and detention

- 11.22 The *USSD Report 2010* also stated, "The criminal code establishes procedures for pre-trial detention and prohibits arbitrary arrest and detention, but the government did not observe these prohibitions. As in previous years, there were reports that security forces arbitrarily arrested and detained citizens. Security services detained individuals without formal charges and held them indefinitely without court convictions."
- 11.23 The same source continued, "Security forces committed serious human rights abuses with impunity, including the lengthy extralegal detentions of political prisoners. They intimidated, harassed, and detained individuals without formal charges and held them indefinitely without court convictions, particularly in cases involving the political opposition. They regularly enjoyed impunity from criminal acts committed while performing their duties."¹²²
- 11.24 Human Rights Watch, in its *2011 World Report: Libya*, published 24 January 2011 (covering events of 2010), noted:
- "An estimated 213 prisoners who have served their sentences or been acquitted by Libyan courts remain imprisoned under Internal Security Agency orders. The agency, under the jurisdiction of the General People's Committee for Public Security, controls the Ain Zara and Abu Salim prisons, where it holds political and 'security' detainees. It has refused to carry out judicial orders to free these prisoners, despite calls from the secretary of justice for their release.
- "In March Libyan authorities released 214 prisoners, including 80 of a group of 330 detained despite the fact that courts had acquitted them and ordered their release. Some former prisoners have received compensation from the state for years of arbitrary detention. Others are still struggling to receive compensation, and many are banned from travelling outside Libya."¹²³
- 11.25 The *USSD Report 2010* stated "Incommunicado detention remained a problem. The government held many political detainees incommunicado for unlimited periods in unofficial detention centres controlled by branches of the security services. There were reports of nationals and foreigners detained without charge by the ISO."
- 11.26 The Foreign and Commonwealth Office, in its report on *Human Rights and Democracy: Libya*, published 31 March 2011, noted:

¹²¹ The United States Department of State, Country Report on Human Rights Practices 2010, Libya, published 8 April 2011, Section 1d - Role of the Police and Security Apparatus.

<http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154467.htm> Accessed 16 May 2011

¹²² The United States Department of State, Country Report on Human Rights Practices 2010, Libya, published 8 April 2011, Section 1d - Role of the Police and Security Apparatus.

<http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154467.htm> Accessed 16 May 2011

¹²³ Human Rights Watch, World Report 2011: Libya, 24 January 2011

<http://www.hrw.org/en/world-report-2011/libya> Accessed 31 May 2011

“We continue to have strong concerns about the practice of extra-judicial detention and the ability of the security forces to act outside of the law with impunity... A large number of individuals remain in arbitrary detention in Libya’s high-security prisons. Some are reported to have been detained without charge or remain in pre-trial detention. Others have been acquitted or have been convicted through court proceedings that do not meet international standards for a fair trial. At the General People’s Congress in January, the secretary of the General People’s Committee for Justice highlighted this problem and said that the Committee was not able to resolve it. He claimed that more than 300 individuals remained imprisoned without any legal basis...

“In response to international concern about arbitrary detentions, Libya claimed that it had released all of its arbitrary detainees and political prisoners who had ‘abandoned the use of terrorist acts’”.¹²⁴

For information about arbitrary arrest and detention by opposition forces – see [Interim Administration Section 8.08](#)

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Torture

11.27 The *USSD Report 2010* noted:

“The law prohibits torture and other cruel, inhuman, or degrading treatment or punishment, but security personnel reportedly tortured and abused detainees and prisoners routinely during interrogations or as punishment. In December 2009 the Qadhafi International Charity and Development Foundation (QDF), an NGO founded and chaired by Muammar al-Qadhafi’s son, Saif al-Islam al-Qadhafi, that is registered in Switzerland with executive offices in Tripoli, released a report on human rights practices in the country. In a statement accompanying the release, the QDF said during the year it had recorded ‘several flagrant violations’ and received a ‘large number of complaints’ of torture during imprisonment and called for the government to waive immunities from prosecution for officials accused of torture.

“There were reports of torture and abuse during the year. On July 2, HRW reported that guards had beaten members of a group of more than 300 Eritreans detained on charges of illegal immigration.

“In previous years reported methods of torture and abuse included chaining prisoners to a wall for hours; clubbing; applying electric shock; applying corkscrews to the back; pouring lemon juice in open wounds; breaking fingers and allowing the joints to heal without medical care; suffocating with plastic bags; depriving detainees of sleep, food, and water; hanging by the wrists; suspending from a pole inserted between the knees and elbows; burning with cigarettes; threatening with dog attacks; beatings on the soles of feet; being suspended by the arms; and denial of medical treatment.

“The law sanctioned corporal punishments such as amputation and flogging; no official cases were available for citation that such punishments were carried out...

“In July Saif al-Islam al-Qadhafi conceded publicly that acts of torture and excessive violence had taken place in prisons. In a 2009 meeting with HRW, Ministry of Justice

¹²⁴ The Foreign and Commonwealth Office, Human Rights and Democracy, Libya, 31 March 2011
<http://s3-eu-west-1.amazonaws.com/htcdn/Human-Rights-and-Democracy-The-2010-Foreign-Commonwealth-Report.pdf>

officials complained that they were denied permission from the Ministry of Public Security to prosecute members of the Internal Security Organization (ISO) for alleged crimes committed within ISO-run prisons as well as arbitrary detentions outside of official detention centres.”¹²⁵

- 11.28 The Foreign and Commonwealth Office, in its report on *Human Rights and Democracy: Libya*, published 31 March 2011, noted:

“Torture is considered a crime under the Libyan penal code, but prosecutions are rare and elements of the Libyan security services seem able to act with impunity. Both international and domestic human rights organisations have received credible reports of torture and mistreatment in recent years. In response to recommendations at the Universal Periodic Review that it should adopt domestic legislation in line with international standards on the definition of torture, Libya claimed that these had already been, or were in the process of being, implemented.”¹²⁶

For information about torture by opposition forces – see [Interim Administration Section 8.08](#)

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Extra-judicial killings

The 1996 Abu Salim Prison Massacre

- 11.29 Human Rights Watch, in its *2011 World Report: Libya*, published 24 January 2011, stated:

“The authorities have not made public any account of the June 1996 Abu Salim prison massacre in which 1,200 prisoners were killed, nor have they held anyone responsible. On September 6, 2009, the acting secretary of defense established a seven-judge investigation panel, headed by a former military tribunal judge, to conduct an investigation. The panel's final report was due in March 2010, but it remains unpublished at this writing. Libyan authorities offered compensation of 200,000 dinars (US\$162,000) to families who agree to relinquish all legal claims, but most of the victims' families in Benghazi, Libya's second-largest city, refused to accept compensation on those terms and continued to call for criminal accountability. In June families reported that local authorities and security officials were pressuring them to relinquish their compensation claims.”¹²⁷

- 11.30 The same report also noted “There are still dozens of unresolved disappearance cases in Libya.”

¹²⁵ The United States Department of State, Country Report on Human Rights Practices 2010, Libya, published 8 April 2011, Section 1c - Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

<http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154467.htm> Accessed 25 May 2011

¹²⁶ The Foreign and commonwealth Office, Human Rights and Democracy, Libya, 31 March 2011

<http://s3-eu-west-1.amazonaws.com/htcdn/Human-Rights-and-Democracy-The-2010-Foreign-Commonwealth-Report.pdf>

Accessed 31 May 2011

¹²⁷ Human Rights Watch, World Report 2011: Libya, 24 January 2011

<http://www.hrw.org/en/world-report-2011/libya> Accessed 31 May 2011

AVENUES OF COMPLAINT

- 11.31 Freedom House, in its annual report, *Freedom in the World 2011 – Libya*, published 12 May 2011 noted, “[Saif al-Islam al-Qadhafi] facilitated visits by foreign human rights activists, and according to press reports, his charitable umbrella organization—the Qadhafi International Foundation for Charity Associations—made it possible for Libyan citizens to report abuses by the authorities. Saif al-Islam also publicly criticized current conditions in Libya and advocated changes in the leadership.”¹²⁸
- 11.32 The *Amnesty International Annual Report 2011 - Libya*, published 13 May 2011, noted “The authorities took no steps to investigate past gross human rights violations or bring to justice those responsible.”¹²⁹

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12. MILITARY SERVICE

CONSCRIPTION

- 12.01 The Library of Congress, Country Profile: Libya, dated April 2005, observed that “Libya has selective conscription for 3–4 years.” The report went on to say, “The Compulsory Military Service Statute of 1978 made all eligible males between the ages of 17 and 35 subject to a draft commitment of three years of active service in the army or four years in the air force or navy. A 1984 statute mandated compulsory military training for all Libyans coming of age, whether male or female, to achieve total mobilization of the population in the event of national emergency.”¹³⁰
- 12.02 War Resisters’ International, in its report into conscription in Libya, updated 7 August 1998, added:

“Compulsory military service exists alongside the military training in the People's Militia, the reserve force.

“After performing military service, all men between 18 and 35 are subject to a few weeks of compulsory military training every year. Between the ages of 45 to 55 men are supposed to get trained in specific defence tasks. After 55, they become Moudjahidine in the coast guard or in the Jamahiriyan Guard.

“Not much is known about the actual recruitment into the armed forces. Considering the size of the armed forces and the potential of conscripts, it can be concluded that only a small proportion of conscripts is actually recruited.

“According to Amnesty International in 1985, recruitment often takes the form of press-ganging youth into the armed forces.”¹³¹

¹²⁸ Freedom House, *Freedom in the World 2011 – Libya*, 12 May 2011

<http://www.freedomhouse.org/template.cfm?page=22&year=2011&country=8077> Accessed 31 May 2011

¹²⁹ Amnesty International *Annual Report 2011 – Libya*, 13 May 2011

http://www.unhcr.org/refworld/country...LIBY_4dce155ac.0.html Accessed 31 May 2011

¹³⁰ The Library of Congress, Country Profile, Libya, April 2005 <http://memory.loc.gov/frd/cs/profiles/Libya.pdf> Accessed 16 May 2011

¹³¹ War Resisters’ International, *Libya – conscription*, 7 August 1998 http://www.wri-irg.org/programmes/world_survey/reports/Libya Accessed 16 May 2011

- 12.03 The Coalition to Stop the Use of Child Soldiers in its *Global Report 2008 - Libya*, published 20 May 2008, stated, "According to Libya's Second Periodic Report to the Committee, national service was compulsory for 'medically fit' men aged between 18 and 35."¹³²

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Since the February 2011 uprising

- 12.04 The Daily Telegraph, in an article of 15 April 2011, called *Libya crisis: Gaddafi using schoolboy conscripts on front line*, reported on young conscripts being forced to fight against the rebels during the current uprising in Libya:

"Col Muammar Gaddafi is using schoolboy conscripts as young as 15 in his battle to regain the besieged town of Misurata according to young government troops captured by rebels.

"The teenagers are told they are going on training exercises until they reach the front lines, when they are given rifles and told by officers they will be shot if they retreat or desert.

"Two badly-wounded teenage fighters shown to The Daily Telegraph said they were told Misurata had been overrun by drug addicts, Islamic militants and Egyptian invaders.

"One said his own side had opened fire on his own teenage detachment when they later fled from the rebels.

"In the past week, the conscripts have been thrust into fighting along the strategic 'heavy road' connecting the Benghazi to Tripoli highway with the commercial port ten miles away at Ghasr Ahmad.

"Umran, a 17-year-old from near Tripoli, said he had spent two years at a military school only to leave and work in a shop in November.

"He was recalled to barracks 'for more training' as soon as the February 17 uprising began and kept for 40 days without access to the radio or television.

"He said: 'I was given a rifle and we were told we were going to shoot targets on an exercise. Then we found ourselves in Misurata. There were 90 of us, aged 15 to 19.

"We were told we had to cleanse Misurata. There were invaders from Egypt and we had to fight against them. We said we didn't want any part in it and requested to leave. They refused and some tried to run off and officers fired on them."¹³³

- 12.05 A Reuters article of 5 May 2011, called *Fear of crackdown, conscription haunts Libyan capital* noted, "One Tripoli resident said families had been warned that the army may call men between 18 and 40 years old to fight. The army has yet to enforce

¹³² The Coalition to Stop the use of child Soldiers, Global Report 2008-Libya <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=486cb113c&skip=0&coi=LB&querysi=conscriptio&searchin=fulltext&display=10&sort=date> Accessed 14 June 2011

¹³³ The Daily Telegraph, Libya crisis: Gaddafi using schoolboy conscripts on front line, 15 April 2011 <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8453737/Libya-crisis-Gaddafi-using-schoolboy-conscripts-on-front-line.html> Accessed 7 June 2011

conscription, the resident said, but some families were already thinking of sending their sons abroad.”¹³⁴

- 12.06 The International Federation for Human Rights, in a report released on 10 March 2011, *Colonel Qaddhafi forces enrolment of African migrants in his army*, noted:

“Thousands of migrants would have been forced to join the army and are being used as front line fighters or simple human shield for Libyan soldiers in street fights as happened in the city of Zawiya on March 6, 2011. Eyewitness reported a score of Africans seen marching on the front line to protect the advancing Libyan troops loyal to Colonel Qaddhafi and most of the casualties were regrettably in their ranks. ‘The life of African migrants in Libya is under real threat. The Security Council, which has the responsibility of maintaining international peace and security and the protection of civilian population, must urgently interfere with the Government of Libya to immediately stop such practice that is, not only immoral, but also violates the basic migrant's rights as guaranteed by international law’ declared Sliman Bouchuiguir, secretary General of LLHR (Libyan League for Human Rights).”¹³⁵

- 12.07 Al-Jazeera in a report of 9 April 2011, called *Migrants forced to fight for Gaddafi*, noted:

“Among the reports of atrocities occurring in Libya are claims from African migrants that they were abducted and forced to fight with Gaddafi's forces.

“Nearly all migrants from sub-Saharan Africa, who arrive at the desert refugee camp in Tunisia, have fled in fear of violent reprisals by Libyans who accuse them of being mercenaries. The extent to which Gaddafi's military has used foreign mercenaries, or press-ganged migrants into fighting, remains unclear.

“A former Nigerian police officer, who had worked in Libya for eight years as a technician, alleges he was abducted in mid-March at a military checkpoint in Tripoli, along with other men from Ghana, Mali and Niger, before being taken to a military centre.”¹³⁶

See [Section 22](#) for more information about foreign refugees and migrants

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CONSCIENTIOUS OBJECTION

- 12.08 War Resisters' International, in its report into conscription in Libya, updated 7 August 1998 “The right to conscientious objection is not legally recognised and there is no provision for a substitute service...Refusing to perform military service is punishable by three years' imprisonment and deprivation of civil rights for 10 years.” The report went

¹³⁴ Fear of crackdown, conscription haunts Libyan capital, 7 May 2011 <http://www.trust.org/alertnet/news/feature-fear-of-crackdown-conscription-haunts-libyan-capital/> Date accessed 7 June 2011

¹³⁵ International Federation for Human Rights, *Colonel Qaddhafi forces enrolment of African migrants in his army*, 10 March 2011 <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=4d7a060b2&skip=0&coi=LB&querysi=migrants&searchin=title&display=10&sort=date> Accessed 7 June 2011

¹³⁶ Al-Jazeera, *Migrants forced to fight for Gaddafi*, 9 April 2011 <http://english.aljazeera.net/indepth/features/2011/04/20114818291705627.html> Accessed 7 June 2011

on to say that there was no information available as to how this was managed in practice.¹³⁷

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13. JUDICIARY

- 13.01 The UN Development Programme on Governance in the Arab Region (POGAR) website, undated, accessed 31 May 2011, stated, “The legal system of Libya is based on a combination of Civil Law and Islamic legal principles. The formal sources of the law, as set down in the first article of the Civil Code; include legislative provisions, Islamic principles, custom, and principles of natural law and rules of equity.”¹³⁸

ORGANISATION

- 13.02 The same source described the system:

“The judicial system is composed of a four-tiered hierarchy. At the base are the summary Courts, located in small towns, which hear cases involving misdemeanours of lesser value. The decisions of this court may be appealed to the Courts of First Instance, located in each of Libya's former governorates. These courts are composed of chambers of three judges and have the authority to adjudicate in all civil, criminal, and commercial cases. In addition, the jurors apply the Sharia'a principles in cases involving personal status. Cases from the Courts of First Instance may be appealed to the Courts of Appeal. There are three such courts, located in Tripoli, Benghazi, and Sabha. The Court sits in panels of three judges to hear cases. A separate body called the Sharia'a Court of Appeals hears cases appealed from the lower court involving Sharia'a.”

INDEPENDENCE AND FAIR TRIAL

- 13.03 The United States Department of State, *Country Report on Human Rights Practices 2010, Libya (USSD Report 2010)*, published 8 April 2011, noted:

“The law provides for an independent judiciary, but the judicial system was not independent in practice. Although the law stipulates that every person has the right to resort to the courts, security forces had the authority to sentence without trial, particularly in cases involving the political opposition. The government used summary judicial proceedings to suppress domestic dissent. At his discretion al-Qadhafi and his close associates may interfere in the administration of justice by altering court judgments, replacing judges, or manipulating the appeal system. The judiciary failed to incorporate international standards for fair trials, detention, and imprisonment.”¹³⁹

- 13.04 Freedom House, in its annual report, *Freedom in the World 2011 – Libya*, published 12 May 2011 noted, “The People's Court, infamous for punishing political dissidents, was abolished in 2005, but the judicial authority has since created the State Security Court,

¹³⁷ War Resisters' International, Libya – conscription, 7 August 1998 http://www.wri-irg.org/programmes/world_survey/reports/Libya Accessed 16 May 2011

¹³⁸ POGAR, Libyan Judiciary, undated. <http://www.undp-pogar.org/countries/theme.aspx?t=9&cid=10>

¹³⁹ The United States Department of State, *Country Report on Human Rights Practices 2010, Libya*, published 8 April 2011, Section 1e – Denial of Fair Public Trial <http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154467.htm> Accessed 31 May 2011

which carries out a similar function. The judiciary as a whole remains subservient to the political leadership and regularly penalizes political dissent.”¹⁴⁰

For information about the Interim judicial system under the Transitional National Council – see [Interim Administration Section 8.10](#)

PENAL CODE

13.05 The Libyan Penal Code (2007 edition) can be accessed via the following link:

<https://www.unodc.org/tldb/showDocument.do?documentUid=8542&node=docs&cmd=add&country=LIB>¹⁴¹

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14. ARREST AND DETENTION – LEGAL RIGHTS

14.01 The United States Department of State, *Country Report on Human Rights Practices 2010, Libya (USSD Report 2010)*, published 8 April 2011, noted,

“The law stipulates that authorities can obtain permission to detain persons for investigation without charge for as long as eight days after arrest. In practice security services at times held detainees indefinitely, arbitrarily, and secretly. Although the law requires that detainees be informed of the charges against them, the requirement was not enforced in practice. The law states that for a detention order to be renewed, detainees must be brought before a judicial authority at regular intervals of 30 days, but in practice security services detained persons for indefinite periods without a court order.

“The law provides for bail, access to counsel for pre-trial detainees, and a public defender for anyone unable to afford a private attorney. However, detainees reportedly did not receive information on their right to legal representation during interrogation.”¹⁴²

For information about arrest and detention under Transitional National Council – see [Interim Administration Section 8.08](#)

15. PRISON CONDITIONS

15.01 King’s College, *London’s World Prison Brief*, last updated 17 June 2010, provided detailed information about the number of prisoners held in Libya:

¹⁴⁰ Freedom House, *Freedom in the World 2011 – Libya*, 12 May 2011

<http://www.freedomhouse.org/template.cfm?page=22&year=2011&country=8077>

¹⁴¹ UNDOC, Penal Code (2007), Libyan Arab Jamahiriya,

<https://www.unodc.org/tldb/showDocument.do?documentUid=8542&node=docs&cmd=add&country=LIB>, Accessed 31 May 2011

¹⁴² The United States Department of State, *Country Report on Human Rights Practices 2010, Libya*, published 8 April 2011, Section 1d – Arrest Procedures and Treatment While in Detention.

<http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154467.htm> Accessed 31 May 2011

http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/wpb_country.php?country=28
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- 15.02 The United States Department of State, *Country Report on Human Rights Practices 2010, Libya (USSD Report 2010)*, published 8 April 2011, noted,

“According to diplomatic missions and international organizations, prison and detention centre conditions ranged from poor to adequate... International organizations had some access to migrant detention centres throughout the country, but that access was restricted after an increase of at-sea interdiction of migrants, begun in May, led to severe overcrowding in the centres.

“Pre-trial detainees, who reportedly accounted for more than half of the prison population, remained in the same facilities as convicts.”¹⁴⁴

- 15.03 The International Centre for Prison Studies (a UK Based NGO) in a report of 28 February 2011 stated, “The International Centre for Prison Studies (ICPS) has been working in Libya since 2004 on a project to bring prisons in Libya up to international standards. This work has been funded by the UK Foreign and Commonwealth Office through its Programme for Human Rights and Democracy.”¹⁴⁵

- 15.04 The ICPS went on to describe the project:

“At the outset of the project prisons in Libya were under the control of the Ministry of Public Security and Justice. Shortly after the project began responsibility for prisons was transferred to the Ministry of Justice; this was one the first positive outcomes of the project...

“In the course of the last six years experts from ICPS have visited all of the 36 prisons which are under the control of the Ministry of Justice, many of them on several occasions. Senior prison staff from Libya have visited prisons in England on a number of occasions to observe good practice.

“The Ministry of Public Security retains control of two prisons, Abu Salim and Ain Zara. ICPS has not been involved in these prisons. Last year it was announced that the government intended to transfer these two prisons to the Ministry of Justice. This has not yet happened.

“The final activities of the six year project were due to take place in Libya between 14 and 24 February 2011. The work of the first week went ahead as planned and included an evaluation of the project carried out by Dr Silvia Casale, former President of the European Committee for the Prevention of Torture and first Chairperson of the United Nations Sub-Committee for the Prevention of Torture.

“On Friday 18 February Libyan officials in the Ministry of Justice strongly advised the ICPS experts that they should leave the country, which they did the following day. The

¹⁴³ King’s College, London’s World Prison Brief, Libya, last updated 17 June 2010

http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/wpb_country.php?country=28 Accessed 31 May 2011

¹⁴⁴ The United States Department of State, *Country Report on Human Rights Practices 2010, Libya*, published 8 April 2011, Section 1d – Arrest Procedures and Treatment While in Detention.

<http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154467.htm> Accessed 31 May 2011

¹⁴⁵ The International Centre for Prison Studies, report of 28 February 2011

<http://www.prisonstudies.org/news/all/51-icps-and-prison-reform-in-libya1.html> Accessed 31 May 2011

former Minister of Justice, who was a key supporter of the project, subsequently resigned and went to Benghazi.”

15.05 Professor Andrew Coyle, Director of ICPS said:

“Throughout this project we have been convinced that the senior prison staff who worked in the Ministry of Justice were determined to improve the conditions in their prisons and we had evidence that they were succeeding in that process, although they still had a distance to go. At the same time, we never lost sight of the fact that prisons cannot be reformed in isolation and that they are affected by other events in the country and the government. The brutal events of recent days are confirmation of that stark reality.”¹⁴⁶

15.06 The Foreign and Commonwealth Office, in its report on *Human Rights and Democracy: Libya*, published 31 March 2011, commented on the achievements of the ICPS’s project:

“The project is due to conclude in February 2011. It has made considerable progress in bringing those Libyan prisons falling under the control of the General People’s Committee for Justice into line with international human rights standards. It has implemented improvements in many areas, including the quality of accommodation; the provision of basic services, such as food, sanitation and medical facilities; and the introduction of education and rehabilitation programmes for prisoners. A dedicated prison improvement team has also been established within the Ministry of Justice. But challenges remain, including serious overcrowding.”¹⁴⁷

For information about detention conditions under Transitional National Council – see [Interim Administration Section 8.11](#)

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16. DEATH PENALTY

16.01 The Foreign and Commonwealth Office, in its report on *Human Rights and Democracy: Libya*, published 31 March 2011, stated:

“The Libyan penal code still provides for the death penalty. In a statement at its Universal Periodic Review, Libya said that it had applied the death penalty in 201 cases since 1990. In May [2010] Libya executed by firing squad 18 prisoners convicted of murder. The Libyan penal code also allows the death penalty for crimes such as the formation or support of illegal organisations or the promotion of principles that undermine the constitution or the social structure.”¹⁴⁸

16.02 Amnesty International in its *Annual Report 2010 – Libya*, published 13 May 2011, noted:

¹⁴⁶ The International Centre for Prison Studies, report of 28 February 2011
<http://www.prisonstudies.org/news/all/51-icps-and-prison-reform-in-libya1.html>

¹⁴⁷ The Foreign and Commonwealth Office, Human Rights and Democracy, Libya, 31 March 2011
<http://s3-eu-west-1.amazonaws.com/htcdn/Human-Rights-and-Democracy-The-2010-Foreign-Commonwealth-Report.pdf>
Accessed 31 May 2011

¹⁴⁸ The Foreign and Commonwealth Office, Human Rights and Democracy, Libya, 31 March 2011
<http://s3-eu-west-1.amazonaws.com/htcdn/Human-Rights-and-Democracy-The-2010-Foreign-Commonwealth-Report.pdf>
Accessed 31 May 2011

"In May, a newspaper close to Saif al-Islam al-Gaddafi reported that over 200 people were on death row.

"In December [2010], Libya was one of the minority of states that voted against the UN General Assembly resolution calling for a moratorium on the death penalty."¹⁴⁹

16.03 Amnesty International in its report, *Death sentences and executions in 2010*, published 28 March 2011, added, "In many countries, drug offences continue to carry the death penalty, with this sentence being mandatory in some cases. A significant proportion of the executions or death sentences recorded in 2010 in ... Libya ... were for drug-related offences."¹⁵⁰

16.04 The same source continued:

"Amnesty International continues to record death sentences imposed after unfair trials and sentences based on confessions allegedly extracted through torture, clearly prohibited in both the ICCPR and the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In 2010, the death penalty was used after trials that did not meet international standards of fairness in several countries including: ...Libya..."

16.05 In the same report Amnesty International rated Libya as being the country in the world with the seventh highest number of executions in 2010.

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17. POLITICAL AFFILIATION

17.01 The United States Department of State, *Country Report on Human Rights Practices 2010, Libya (USSD Report 2010)*, published 8 April 2011, stated,

"The country does not have a constitution, and citizens do not have the right to change their government by peaceful means. The country's governing principles stem from al-Qadhafi's Green Book, which combines Islamic ideals with elements of socialism and pan-Arabism. The Green Book states that direct popular rule is the basis of the political system and that citizens play a role in popular congresses; in practice al-Qadhafi and his close associates monopolized every aspect of decision making in the government."¹⁵¹

17.02 Freedom House in its report, *Freedom in the World 2011 – Libya*, published 12 May 2011 stated, "It is illegal for any political group to oppose the principles of the 1969 revolution, which are laid out in the Green Book...Political parties are illegal, and the government strictly monitors political activity. Organizing or joining anything akin to a political party is punishable by long prison terms and even the death penalty."¹⁵²

¹⁴⁹ Amnesty International Annual Report 2011 – Libya, 13 May 2011

<http://www.unhcr.org/refworld/country,,,LIBY,4dce155ac,0.html> Accessed 31 May 2011

¹⁵⁰ Amnesty International, *Death sentences and executions in 2010*, 28 March 2011,

[http://www.unhcr.org/cgi-](http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=4d9026932&skip=0&coi=LIBY&querysi=prison%20conditions&searchin=fulltext&display=10&sort=date)

[bin/texis/vtx/refworld/rwmain?page=country&docid=4d9026932&skip=0&coi=LIBY&querysi=prison%20conditions&searchin=fulltext&display=10&sort=date](http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=4d9026932&skip=0&coi=LIBY&querysi=prison%20conditions&searchin=fulltext&display=10&sort=date) Accessed 31 May 2011

¹⁵¹ The United States Department of State, *Country Report on Human Rights Practices 2010, Libya*, published 8 April 2011, Section 3 Respect for Political Rights.

<http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154467.htm> Accessed 31 May 2011

¹⁵² Freedom House, *Freedom in the World 2011 – Libya*, 12 May 2011

FREEDOM OF POLITICAL EXPRESSION

- 17.03 The *USSD Report 2010* noted, “Revolutionary committees guard against political dissent and assure that citizens adhere to sanctioned ideology. These committees approve candidates for the General People’s Congress. In practice revolutionary committees played an unclear role in enforcing official ideology, sometimes appearing increasingly marginalized and sometimes appearing active in political life.”¹⁵³

FREEDOM OF ASSOCIATION AND ASSEMBLY

- 17.04 The same report added, “The law stipulates that ‘individuals may meet peacefully, and no police personnel are entitled to attend their meetings; moreover, they are not obliged to notify the police of such gatherings.’ The law also provides for the right to hold public meetings in accordance with the regulations set by law. In practice, however, the government severely restricted these rights and permitted public assembly only with express advance approval.”
- 17.05 Human Rights Watch, in its *2011 World Report: Libya*, published 24 January 2011 stated, “Libya maintains harsh restrictions on freedom of assembly and expression, including penal code provisions that criminalize ‘insulting public officials’ or ‘opposing the ideology of the Revolution.’”¹⁵⁴
- 17.06 Freedom House in its report, *Freedom in the World 2011 – Libya*, published 12 May 2011 stated, “The government does not uphold freedom of assembly. Those demonstrations that are allowed to take place are typically meant to support the aims of the regime.”¹⁵⁵

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OPPOSITION GROUPS AND POLITICAL ACTIVISTS

- 17.07 The *USSD Report 2010* noted “The government prohibits the creation and membership in political parties.”¹⁵⁶
- 17.08 Freedom House in its report, *Freedom in the World 2011 – Libya*, published 12 May 2011, stated “Many Libyan opposition movements and figures operate outside the country.”¹⁵⁷
- 17.09 The Amnesty International report, *Libya of Tomorrow – What Hope for Human Rights?* published 23 June 2010, noted:

<http://www.freedomhouse.org/template.cfm?page=22&year=2011&country=8077> Accessed 31 May 2011

¹⁵³ The United States Department of State, Country Report on Human Rights Practices 2010, Libya, published 8 April 2011, Section 3 Respect for Political Rights.

<http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154467.htm> Accessed 31 May 2011

¹⁵⁴ Human Rights Watch, World Report 2011: Libya, 24 January 2011

<http://www.hrw.org/en/world-report-2011/libya> Accessed 31 May 2011

¹⁵⁵ Freedom House, Freedom in the World 2011 – Libya, 12 May 2011

<http://www.freedomhouse.org/template.cfm?page=22&year=2011&country=8077> Accessed 31 May 2011

¹⁵⁶ The United States Department of State, Country Report on Human Rights Practices 2010, Libya, published 8 April 2011, Section 3 Respect for Political Rights.

<http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154467.htm> Accessed 31 May 2011

¹⁵⁷ Freedom House, Freedom in the World 2011 – Libya, 12 May 2011

<http://www.freedomhouse.org/template.cfm?page=22&year=2011&country=8077> Accessed 31 May 2011

“Human rights violations continue to be widespread in Libya, particularly targeted at certain groups. These include individuals seen as critical of the authorities or the principles of the alFateh Revolution which brought Colonel Mu’ammar al-Gaddafi to power over 40 years ago ... Such individuals frequently find themselves outside the protection of the law and have little opportunity to seek justice or redress.

“Repressive legislation outlawing any form of independent thought or group activity remains in force. Activities that amount to the peaceful exercise of freedom of expression and association continue to be criminalized and individuals who criticize the authorities or seek to organize anti-government protests have faced reprisals.”

17.10 The same source also stated:

“The legal provisions that criminalize the exercise of the rights to freedom of expression and freedom of association include: *Law No. 71 of 1972 on the Criminalization of Parties* which bans any form of group activity based on a political ideology opposed to the principles of al-Fateh Revolution of 1 September 1969. Article 3 of Law No. 71 provides for the death penalty for forming, joining or supporting groups prohibited by law.”¹⁵⁸

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Opposition groups based abroad

17.11 The International Crisis Group, in a report of 6 June 2011, called *Popular Protest in North Africa and the Middle East (V): Making sense of Libya* stated:

“A large number of opposition groups are based abroad, most of them small and of limited significance. The principal such groups include the following:

“National Conference for the Libyan Opposition

Based in the UK and headed by Ibrahim Sahad of the National Front for the Salvation of Libya (NFSL), this umbrella group rose out of a national opposition conference held in June 2005 in London. The conference brought together a number of opposition groups including the NFSL, the Libyan Constitutional Union and the Libyan League for Human Rights, as well as several individuals... the group remained of marginal significance.”

“National Front for the Salvation of Libya (NFSL)

The NFSL was established in October 1981 in a bid to unify various opposition groups. Led initially by Mohamed al-Megarief, it includes members of the Muslim Brotherhood and others who sought to challenge Qaddafi’s regime... it has continued to operate from abroad, mainly in the U.S. and UK; its activities essentially have consisted of holding conferences and issuing anti-regime statements. It currently is led by Ibrahim Abdulaziz Sahad, a former Libyan military officer and diplomat. Although limited in size, the NFSL has been one of the most vocal exiled opposition groups. It is not part of the new political structures that have developed inside Libya since the uprising.

“Libyan Constitutional Union (LCU)

¹⁵⁸ Amnesty International

Libya of Tomorrow – What Hope for Human Rights?, 23 June 2010

<http://www.amnesty.org/en/library/asset/MDE19/007/2010/en/65e2d9ca-3b76-4ea8-968f-5d76e1591b9c/mde190072010en.pdf>

Accessed 31 May 2011

Founded in 1981, the Libyan Constitutional Union is a small pro-monarchist group based in Manchester, in the UK, and led by Mohamed Ben Ghalbon. It has close ties to Crown Prince Hassan Al-Sanussi, who also resides in the UK... The group has very limited significance.

“The Libyan League for Human Rights (LLHR)

Founded in 1989, the LLHR has focused on raising awareness, notably in Europe, concerning human rights abuses perpetrated by the regime. Among its founders was Mansour Kikhia, a former ambassador to the UN who defected to the U.S. in 1980; he was kidnapped in 1993 while in Egypt and reportedly taken to Libya where he was killed. The league is based in Geneva with offices in Germany and the UK. It currently is headed by another founder, Souleiman Bouchuiguir.

“Islamist Opposition: The Libyan Islamic Group, Libyan Islamic Fighting Group and other currents

Arguably the best coordinated and most influential opposition groups have been those belonging to the Islamist current. Among these, the two most important are the Libyan Islamic Group (the local branch of the Muslim Brotherhood) and the Libyan Islamic Fighting Group.

“The roots of Libya’s Muslim Brotherhood extend to the 1950s, when King Idris offered refuge to several Egyptian Brothers fleeing President Gamal Abdul Nasser’s regime. These Egyptian Islamists sought to spread their ideas, and the movement soon gained a small following in the east. The Brotherhood’s outlook likewise was disseminated by Egyptian students and teachers working in Libya, as well as by Libyans who had studied in Egypt

“...movement members abroad have continued to operate as an organisation. In the early days of the current uprising, they came out strongly against the regime.

“At the origins of the Libyan Islamic Fighting Group (Al-Jama’a al-Islamiyyah al-Muqatilah fi Libya) are small groups of jihadists who first emerged in the 1970s and 1980s. Each of these groups comprised a handful of individuals; they gathered around specific sheikhs who, influenced by radical Islamist ideas, advocated taking up arms against the authorities in the name of jihad...

“Since [1998], the LIFG has existed primarily in exile. Its leaders and members who left for Sudan in 1992 either settled in the UK or returned to Afghanistan after the Taliban took power in 1996. Reports have surfaced in the international media that the LIFG became part of al-Qaeda, and there is reason to believe it worked closely with the organisation. That said, the movement retained its nationalistic aims and refused to either join al-Qaeda or sign up to Osama bin Laden’s 1998 World Islamic Front statement against Jews and Crusaders...

“In the wake of the 2011 uprising, a group that grew out of the LIFG took the name of the Libyan Islamic Movement for Change (Al-Haraka Al-Islamiya Al-Libîya Li Taghyir) and has expressed its desire to be part of any new political process.”¹⁵⁹

¹⁵⁹ International Crisis Group, Popular Protest in North Africa and the Middle East (V): Making sense of Libya, 6 June 2011

18. FREEDOM OF SPEECH AND MEDIA

- 18.01 The United States Department of State, *Country Report on Human Rights Practices 2010, Libya (USSD Report 2010)*, published 8 April 2011, stated:

“The law provides for freedom of speech ‘within the limits of public interest and principles of the Revolution,’ but in practice freedom of speech and the press is severely limited, particularly criticism of government officials or policy. There are provisions in the penal code that criminalize ‘insulting public officials.’ The government tolerated some difference of opinion within governmental structures in people’s committee meetings and at the General People’s Congress. The Publication Act allows the government to silence critics through slander and libel provisions...

“The government owned and controlled virtually all print and broadcast media. The official news agency, the Jamahiriya News Agency, is the designated conduit for official views. Government-controlled media neither published nor broadcast opinions inconsistent with official policy.”¹⁶⁰

- 18.02 Reporters without Borders ranked Libya 160th (out of 178 countries) in its *2010 Press Freedom Index*, published 20 October 2010. (1 being the most and 178 being the less free).¹⁶¹

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PRINT MEDIA

- 18.03 Freedom House in its report, *Freedom in the World 2011 – Libya*, published 12 May 2011, stated:

“There is no independent press. State-owned media largely operate as mouthpieces for the authorities, and journalists work in a climate of fear and self-censorship. Those who displease the regime face harassment or imprisonment on trumped-up charges. In 2010, the government created the new position of press deputy, tasked with monitoring journalists who report on corruption. Four investigative journalists were arrested in January after they uncovered graft in the eastern city of Benghazi. The government also continued to target the Al-Ghad media group, which had run the country’s only quasi-independent newspapers, radio stations, and satellite television station until it was nationalized in 2009. Two newspapers in the Al-Ghad group, Quryna and Oea, said that they were forced to suspend publication from January to July 2010 after publishing articles critical of the government. In an apparent power struggle between the media group and conservative elements in the ruling elite, a group of 20 Al-Ghad journalists were arrested in November, and the head of Al-Ghad resigned shortly thereafter, publicly citing his inability to protect journalists in Libya’s hostile media environment.”¹⁶²

<http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/North%20Africa/107%20Popular%20Protest%20in%20North%20Africa%20and%20the%20Middle%20East%20V%20-%20Making%20Sense%20of%20Libya.ashx>

Accessed 7 June 2011

¹⁶⁰ The United States Department of State, *Country Report on Human Rights Practices 2010, Libya*, published 8 April 2011, Section 3 Respect for Political Rights.

<http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154467.htm> Accessed 31 May 2011

¹⁶¹ Reporters without Borders, *Press Freedom Index 2010*, 20 October 2010

http://en.rsfs.org/spip.php?page=classement&id_rubrique=1034 Accessed 1 June 2011

¹⁶² Freedom House, *Freedom in the World 2011 – Libya*, 12 May 2011

<http://www.freedomhouse.org/template.cfm?page=22&year=2011&country=8077> Accessed 31 May 2011

18.04 Amnesty International in its *Annual Report 2010 – Libya*, published 13 May 2011, noted:

“The media was heavily restricted and largely state-controlled, although privately owned newspapers associated with Saif al-Islam al-Gaddafi continued to express some criticism of state corruption and inefficiency.

“On 21 January [2010], the privately owned daily newspapers Oea and Cyrene announced that they would only publish online. Oea later reported that the suspension of its print version was a result of ‘a story which later proved to be true’. While Oea’s weekly supplement went back to print in July, the Secretary of the General People’s Committee (the Prime Minister) ordered its suspension in November following the publication of an opinion piece alleging government incompetence and corruption...

“In December, the Libya Press Agency announced its decision to close its offices in Libya due to ‘security harassment’.”¹⁶³

INTERNET

18.05 The *USSD Report 2010* stated:

“A single government-owned service provider offered Internet access. The number of Internet users was small but growing with improved broadband capability. According to 2009 data of the International Telecommunication Union, there were approximately 82,500 Internet subscribers and 354,000 users. An estimated 5.5 percent of the population had access to the Internet. The government reportedly monitored Internet communications. According to a 2009 report by the OpenNet Initiative, a partnership among several universities to analyze Internet filtering and surveillance, authorities selectively blocked some opposition Web sites and occasionally blocked others.”¹⁶⁴

18.06 Freedom House in its report, *Freedom in the World 2011 – Libya*, published 12 May 2011, stated, “The government controls the country’s only internet service provider. Independent news websites were sporadically blocked during 2010, as was the international video-sharing site YouTube after users posted what they claimed were clips of demonstrations within Libya. Opposition websites based outside of Libya were also routinely hacked.”¹⁶⁵

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SINCE THE FEBRUARY 2011 UPRISING

Treatment of journalists

18.07 Reporters without Borders, in a report of 3 May 2011, called *Predators of Press Freedom: Libya - Muammar Gaddafi*, gave details of the situation since the uprising:

¹⁶³ Amnesty International Annual Report 2011 – Libya, 13 May 2011

http://www.unhcr.org/refworld/country...LIBY_4dce155ac.0.html Accessed 31 May 2011

¹⁶⁴ The United States Department of State, Country Report on Human Rights Practices 2010, Libya, published 8 April 2011, Section 2a Internet Freedom

<http://www.state.gov/g/drl/rls/hrrpt/2010/nea/154467.htm> Accessed 1 June 2011

¹⁶⁵ Freedom House, *Freedom in the World 2011 – Libya*, 12 May 2011

<http://www.freedomhouse.org/template.cfm?page=22&year=2011&country=8077> Accessed 31 May 2011

"Since the uprising in February 2011, attacks on journalists by the government and Gaddafi loyalists have increased. The 'Guide of the Revolution' [Gaddafi] has expressed his hatred of foreign media ('stray dogs') and accused them of causing chaos. His regime said it would treat journalists who entered the country illegally as Al-Qaeda agents and warned they could be arrested at any time. Gaddafi loyalists arrested more than 20 foreign journalists entering the country from Tunisia and Egypt, legally or not, and at least six Libyan journalists are thought to have been arrested since the uprising started. Besides, four journalists have been killed.

"Foreign journalists invited to Libya by Gaddafi have not been allowed to work freely, have been forced to go where the regime says, and been routinely threatened and insulted. Gaddafi decides which of them can stay in Tripoli and in early April ordered 26 media [personnel] to leave the country."¹⁶⁶

- 18.08 The same source, in a report of 2 May 2011, called *From Tripoli to Manama, no let-up in abuses against news media*, gave the names and details of seven foreign journalists and photographers who were either missing or detained in Libya. The report also stated, "The Transitional National Council in Benghazi has said that six Libyan journalists are currently held by the forces loyal to Muammar Gaddafi."¹⁶⁷

Radio and television

- 18.09 The Jamestown Foundation, in a report of 14 April 2011, called *Libyan Television Chief Describes Arab-Western Conspiracy Against Tripoli*, described the government control of television since the uprising:

"Libyan poet Ali al-Kilani is a member of Mu'ammar Qaddafi's inner circle and has been described as the 'poet of the Green Revolution.' As director of Libyan television, al-Kilani has played an important role in defining and presenting the regime's version of events in Libya...

"From the beginning of the rebellion, the Qaddafi regime has condemned the coverage provided by most of the Arab media, going so far as to jam satellite channels such as al-Jazeera and al-Arabiya. Al-Kilani insists that their coverage is inaccurate and influenced by foreign powers."¹⁶⁸

- 18.10 The BBC News, in an article of 17 February 2011, called *Libyan private and state media slant protest coverage* noted, "The protests in Libya have received mixed coverage in the media, with state-owned outlets preferring to concentrate on demonstrations in favour of the country's leader."¹⁶⁹

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¹⁶⁶ Reporters without Borders, Predators of Press Freedom: Libya - Muammar Gaddafi, 3 May 2011

<http://www.unhcr.org/refworld/country,,,LIBY,,4dc2b52cc,0.html> Accessed 31 May 2011

¹⁶⁷ Reporters without Borders, From Tripoli to Manama, no let-up in abuses against news media, 2 May 2011

<http://www.unhcr.org/refworld/country,,,LIBY,,4dc795bd2,0.html> Accessed 31 May 2011

¹⁶⁸ Jamestown Foundation, Libyan Television Chief Describes Arab-Western Conspiracy Against Tripoli, 14 April 2011

<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=4dad84ef2&skip=0&coi=LIBY&querysi=television&searchin=fulltext&display=10&sort=date> Accessed 31 May 2011

¹⁶⁹ BBC News, Libyan private and state media slant protest coverage, 17 February 2011

<http://www.bbc.co.uk/news/world-middle-east-12496420> Accessed 31 May 2011

Internet

- 18.11 Reporters Without Borders, in a report of 11 March 2011, called *Internet Enemies 2011: Countries under surveillance – Libya* described the government's attempts to limit the population's use of the internet:

"From the start of the uprisings in Tunisia and then Egypt, Col Gaddafi understood the dangers of them spreading to Libya. Calls for demonstrations in Libya were made on Facebook as the overthrow of the Tunisian and Egyptian dictators became known there and access to social network sites has been very erratic since mid-February.

"Writer and political commentator Jamal al-Hajji, who called online for peaceful protests for freedom in Libya, was arrested on 1 February by plainclothes state security police, according to Amnesty International.

"When the Libyan uprising began on 16 February, state security police picked up the director of local news site Irasa, Taqi Al-Din Al-Chalawi, and its editor, Abdel Fattah Bourwaq, according to the daily paper Libya Al-Youm. The same day, blogger Mohammed Al-Ashim Masmari was arrested and his computer seized after he reported on the demonstrations for several Arabic-language satellite TV stations, including the BBC and Al-Jazeera.

"Al-Jazeera has been officially excluded from the cable TV network but can still be received by satellite. To combat the unrest, regime media launched a campaign against those who it said were 'cheapening the blood of martyrs,' according to the Arabic-language news site Shaffaf. The authorities also prevented journalists moving freely around the country.

"The international media were virtually absent from the country and at the start the new media played a key part in the protests as the only ones able to report what happened and the regime's brutal reaction. For several days, amateur videos posted online were the only pictures available before foreign journalists managed to get into the country.

"The regime seriously disrupted the Internet, slowing it down or cutting it off completely, to restrict the posting of compromising photos and videos and prevent protesters organising online. It has been cut off completely several times since 18 February, according to the Internet security firms Arbor Networks and Renesys. Traffic has resumed afterwards but Internet has been disconnected again since the evening of 3 March. The leading Internet Service Provider, whose owner is none other than Mohamed Gaddafi, one of Muammar Gaddafi's sons, cooperated to the regime's demands. All fixed and mobile phone lines were cut off on 21 February and remain very unreliable.

"The regime is meanwhile trying to use new technology to get its voice heard and to rally support. It sent out text-messages urging people not to demonstrate, though sometimes with contradictions. British teacher William Bauer, who was repatriated from Benghazi, told the French news site Rue89 that the telecoms operator Al-Madar sent a text-message on 21 February saying that nothing was happening in Libya, but that protesters were drugged."

- 18.12 The report continued, showing how people had attempted to circumvent the restrictions:

"Libyan Internet-users have tweeted their revolution and tried their best to get out news of the regime's abuses and its use of mercenaries.

“At the beginning, when the flow of refugees was not very big, some ‘netizens’ crossed into Egypt to post online videos and photos taken with mobile phones. Others tweeted news about the supply convoys arriving in the country.

“The activist hacker group Anonymous provided Libyan netizens with tools to get round the censorship and some of its members reportedly managed to set up illegal parallel networks. The group also helped people to pass on photos and videos. ‘We want to tell the world about the horror in Libya,’ one member told the French weekly *Nouvel Observateur*. ‘We’re passing on pictures of burned and mutilated bodies. It’s a bloodbath. Tripoli is a slaughterhouse.’”¹⁷⁰

Media in Benghazi

- 18.13 Bloomberg, in a report of 26 May 2011, called *Free of Qaddafi’s Grip, Young Libyans in Benghazi Find a Voice*, stated:

“Berenice Post, an Arabic and English weekly, is one of more than 50 publications that have sprung up in the rebel stronghold of Benghazi since the uprising against Muammar Qaddafi. Young Libyans in this eastern city are taking advantage of newfound freedoms to churn out publications, sketch anti-Qaddafi caricatures and record revolutionary rap...

“Rebel leaders, who are lobbying the international community for recognition and funds, tout the changes as a sign of commitment to an open Libya. European Union Foreign Policy Chief Catherine Ashton, visiting Benghazi on May 22, told reporters she was ‘astonished’ at how many new titles have hit newsstands.”¹⁷¹

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19. MEDICAL ISSUES

BEFORE FEBRUARY 2011 UPRISING

Overview

- 19.01 Jane’s Sentinel Country Risk Assessment, Libya, section on *Demography*, posted on 10 August 2010, stated:

“All Libyans are entitled to free universal and comprehensive health care through a network of hospitals and clinics. The country’s two major hospitals are in Tripoli and Benghazi - both of which are attached to medical schools and other training establishments - while smaller towns and villages have clinics or small hospitals. Primary care to isolated villages and towns is provided by mobile medical facilities. The General People’s Committee is the ultimate overseer of health care in the country, but since the re-establishment of links to the outside world, there is increasing privatisation of the system, although this is unlikely to undermine the government’s commitment to universality.

¹⁷⁰ Reporters Without Borders, *Internet Enemies 2011: Countries under surveillance - Libya*, 11 March 2011 <http://www.unhcr.org/refworld/country,...ANNUALREPORT,LIBY,4d82268728,0.html> Accessed 14 June 2011

¹⁷¹ Bloomberg, *Young Libyans in Benghazi Find a Voice*, 26 May 2011 <http://www.bloomberg.com/news/2011-05-25/free-of-qaddafi-s-grip-young-libyans-in-benghazi-find-a-voice.html> Accessed 13 May 2011

“However, the health system continues to be beset with problems and those Libyans who can afford it tend to travel abroad for treatment, either to Tunisia or to Europe. The system suffers from under-funding, poor training of personnel, administrative inefficiency, a lack of information due to low levels of computerisation and insufficient numbers of qualified medical staff. In addition, given the low levels of public sector wages many doctors work in state-run facilities in the mornings and have their own private clinics in the afternoons and evenings.

“One of the major challenges for Libya is reducing the levels of communicable diseases, especially HIV/AIDS and tuberculosis. National plans are in place to tackle and arrest the surging rise in HIV infection rates, due mainly to an explosion of drug use in the country since 2000.”¹⁷²

19.02 The World Health Organisation (WHO) *Country Cooperation Strategy for WHO and the Libyan Arab Jamahiriya 2005–2009*, published 2006, described how the health system was structured:

- “Primary health care facilities: first level through which basic health care is offered at health care units and centres, polyclinics and workplaces.
- District and general hospitals: care is provided to those referred from the first level.
- Specialized and teaching hospitals: care is provided to those referred from the second level.
- The referral system is disorganized and many centres operate on an open access basis.
- Almost all levels of health services are decentralized. All hospitals are managed by secretariats of health at shabiat (district) level except Tripoli Medical Centre and Tajoura Cardiac Hospital, which are centrally run.
- Until recently, the National Pharmaceutical and Medical Equipment Company provided pharmaceutical supplies centrally to both the public and private sector.
- The Secretariat of Health in all shabiat provides comprehensive health care including promotive, preventive, curative and rehabilitative services to all citizens free of charge through primary health care units, health centres and district hospitals.
- The public health sector is the main health services provider.
- All services are financed through public funds.
- A private health sector is available and currently has a limited role but is growing. All charges for the private sector are out-of-pocket due to the absence of health insurance.”¹⁷³

19.03 The same report gave details of the number of facilities and health professionals:

¹⁷² Jane’s Sentinel Demography- Health and Medical. August 2010 Accessed 18 July 2011 Subscription only – hard copies available on request.

¹⁷³ The World Health Organisation (WHO), *Country Cooperation Strategy for WHO and the Libyan Arab Jamahiriya 2005–2009*, 2006 http://www.who.int/countryfocus/cooperation_strategy/ccs_lby_en.pdf Accessed 18 July 2011

“Specialized hospitals: 22
Central hospitals: 19
General hospitals: 18
Rural hospitals: 23
Total no. of public hospitals: 82
Total no. of beds in public hospitals: 18 859
Total no. of beds in welfare clinics: 1 060
Total no. of beds in private clinics: 620
Total no. of beds all hospitals: 20 539
Beds per 10 000 population: 39
Primary health care facilities: 1 177
PHC facilities per 10 000: 2.3
Physicians per 10 000: 14
Dentists per 10 000: 1.4
Pharmacists per 10 000: 2.2
Nurses and midwives per 10 000: 36”

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SINCE THE FEBRUARY 2011 UPRISING

Overview

19.04 The World Health Organisation in a report called *Libya Arab Jamahiriya situation report 9 June 2011* gave an overview of the situation since the start of the conflict, “WHO participated in two interagency assessment missions in Libya to Ajdabiya and Misrata to evaluate health facilities and health systems. There is an ongoing need to support health facilities with medical supplies, especially for trauma care and noncommunicable diseases, and revitalize the disease surveillance system.”¹⁷⁴

19.05 The report went on to give details of the assessment:

“Health situation

- Trauma and casualties are public health priorities in Libya, especially Misrata. According to all scenarios, this will remain the case for some time to come, also because of landmines and unexploded ordnances. Managing, treating and rehabilitating victims remain a priority.
- The system of disease surveillance and early warning and outbreak response is not functioning in Misrata or in eastern parts of the country.
- No vaccine-preventable diseases have been reported in Misrata. Immunization was said to be interrupted over a short period during the peak of the fighting in March–April.
- In Misrata, approximately 270 people need regular dialysis. Two centres are providing this in Ras Toubia and Zarroq. There are 35 working machines and 11 are out of order. Maintenance is a major problem and spare parts are not available.

¹⁷⁴ The World Health Organisation, Libya Arab Jamahiriya situation report 9 June 2011
<http://www.who.int/hac/crises/lby/sitreps/9june2011/en/index.html> Accessed 18 July 2011

Health response

- WHO sent the following medical drugs to cover the needs of Libya: DTP vaccine, BCG vaccine, anti-snake and anti-scorpion venom, influenza vaccines and MMR vaccines.

Health gaps

- The lack of disease surveillance and early warning and response is the most vital element lacking. The health information system is also almost non-existent.
- No salaries or health budget have been available since February for running costs, essential medicines and consumables. Repair and maintenance of medical equipment is also an issue.
- Other public health programmes such as environmental health, school health, nutrition, promotion and rehabilitation are weak or non-existent.”¹⁷⁵

Hospitals in Misrata

19.06 Médecins Sans Frontières (MSF), in a report of 21 June 2011, described the situation in the hospitals in Misrata in a report called Libya: *Trauma surgery and training in Misrata*:

“On 10th June, violent fighting west of the city wounded 150 people, 51 of whom sustained serious injuries.

“The day of that offensive, the MSF surgical team working at the Kasr Ahmed hospital treated 33 wounded patients from Dafnya, on the western front line. The other wounded were treated at the Al Hikma hospital, the city's trauma hospital, and the Abbad hospital.

“The months of siege left behind massive destruction, including a central pharmacy that is now a pile of rubble. However, the city still has medical facilities and infrastructure.

“In addition to trauma surgery, MSF performs revision surgery and skin grafts on patients who received emergency treatment during the siege, particularly at Abbad hospital...

“MSF also handles surgical emergencies at Kasr Ahmed hospital. Increasing the capacity of this facility is one of the key challenges because many of the city's residents have taken refuge in this neighbourhood, which is less exposed to the fighting.

“MSF faces several challenges in carrying out these activities, however. First, the only reliable supply route is by sea. The roads crisscross the front lines and are thus inaccessible.

“Relief teams and medical and logistical material are therefore delivered by boats leaving from Malta. The trip takes nearly 36 hours.

“There is also a shortage of nursing staff. ‘Most of the nurses, hygienists and other staff were foreign nationals, originally from the Philippines, Pakistan, Egypt and elsewhere,’

¹⁷⁵ The World Health Organisation, Libya Arab Jamahiriya situation report 9 June 2011
<http://www.who.int/hac/crises/lby/sitreps/9june2011/en/index.html> Accessed 18 July 2011

says Fouad Ismael, MSF's head of mission in Misrata. 'They fled the country when the war started.'

"Volunteer medical students have filled in as nurses after receiving basic training in nursing care – specifically, taking and monitoring vital signs – from MSF."¹⁷⁶

- 19.07 Integrated Regional Information Networks (IRIN) in a report of 13 April 2011, called *Libya: Benghazi hospitals struggle to treat war-wounded*, also recorded information about Misrata:

"According to Human Rights Watch, Misrata's main hospital had been under construction for the last two years, meaning that the seriously injured have been treated at the polyclinic instead.

"All over Libya, hospitals close for construction, often for several years,' Fouad El Mabrouk, a doctor at Benghazi's El Jawaa hospital, said. 'Under the Gaddafi regime, construction would begin and then the funds would dry up. Libya has many hospitals that could have been excellent centres for medical treatment, if only construction had been completed.'

"Some of those injured at Misrata are being brought by ship to Benghazi."¹⁷⁷

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Hospitals in Benghazi

- 19.08 Integrated Regional Information Networks (IRIN) in a report of 13 April 2011, called *Libya: Benghazi hospitals struggle to treat war-wounded*, noted:

"Al Hawari hospital may be the most modern medical centre in the eastern Libyan city of Benghazi, but the large number of war wounded it has received in the last two months has stretched its limited resources.

"When the fighting began, most of the injured – both civilians and soldiers – were transferred here,' said the hospital's senior medical officer Fabri El Jroshi. 'We were missing a lot of important equipment to treat them, and we still are. We need material for fractures and fixtures and we badly need more nursing staff. Sometimes patients will find a doctor here, but no equipment for fixing a broken bone.'

"The 500-bed hospital has received 800-1,000 patients with war-related problems, El Jroshi told IRIN. 'Providing physical therapy is also difficult. Again, we just don't have the equipment. Even before the conflict we had problems treating certain groups of patients, especially in the orthopaedic field.'...

"At one point, MSF [Médecins Sans Frontières] left Benghazi after the security situation deteriorated. It is now back and has so far provided more than 30 tons of medical supplies to different hospitals, including surgical kits and equipment required for the treatment of gunshot wounds...

¹⁷⁶ Médecins Sans Frontières (MSF), Libya: Trauma surgery and training in Misrata, 21 June 2011

<http://www.msf.ie/news/libya-trauma-surgery-misrata> Accessed 27 June 2011

¹⁷⁷ Reuters Benghazi blast shows risk of post-Gaddafi unrest 2 June 2011 <http://www.reuters.com/article/2011/06/02/us-libya-unrest-idUSTRE75149Q20110602> Accessed 14 June 2011

"The most severely war-wounded patients have been transferred from Benghazi's hospitals to medical facilities in Qatar. Benghazi doctors are also having to deal with cases which were rare previously, like rape and paralysis..."

"Nursing resources are stretched. According to the International Organization for Migration, several hundred Filipino nurses have left eastern Libya since the unrest began..."

"At the El Jalaa hospital on the other side of Benghazi, the situation is worse. Dr Nishal El Fayah said that although stocks of medicine are sufficient, there was a severe shortage of some medical supplies."¹⁷⁸

19.09 The BBC News, in an article of 21 June 2011, called *Libya: Hospitals in rebel-held Benghazi 'face crisis'*, stated:

"A medical crisis is looming in eastern Libya with hospitals in Benghazi running short of supplies, the rebels' health minister says. Stocks of drugs and other items such as surgical gloves are said to be running out. Dr Nagi Barakat told the BBC that most emergency aid donated from abroad went straight to the front line. He said that if a new offensive broke out, hospitals would face a major crisis.

"On the cancer ward of Benghazi's children's hospital, most patients are not getting the right dosage. There aren't enough drugs to go round. Dr Amina Bayou says she and her colleagues juggle supplies to give everyone a little. 'We try to divide the drugs between this patient and that patient. It's not good,' she said. 'We are treating more than 200 children. We ask parents to go to Egypt to buy medicines and when they bring them back, we divide them up like parcelling out food.'..."

"Dr Barakat, a Libyan doctor who returned from London to take up the post of health minister in the rebels' interim government, says the situation is critical. The list of 150 items needed urgently include surgical gloves and gauze as well as a whole array of drugs needed for cardiac patients and, critically, in the intensive care units.

"The surgeons only operate on emergency cases - four a day - and many of those are patients with serious gunshot wounds, transferred to Benghazi from the front line in Misrata.

"Dr Barakat says there is little left over for women who need caesarean sections, or casualties from car accidents or other domestic accidents. In any case, he adds, the amounts donated by foreign governments and NGOs cannot meet the demands of all the hospitals in a large city like Benghazi, which services the entire population of eastern Libya. Medical stocks were already low in February. Now they have been run down in some cases almost to zero, he says.

"Critically wounded fighters are among those requiring scant hospital resources 'We have only 2-3 weeks' supply of cancer drugs,' said Dr Barakat. 'They used to be allocated to us from a central point in Tripoli. We have no access to that now.'"¹⁷⁹

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¹⁷⁸ Integrated Regional Information Networks (IRIN) Libya: Benghazi hospitals struggle to treat war-wounded, 13 April 2011 <http://www.unhcr.org/refworld/publisher/IRIN,,LB,Y,4da7ebe45,0.html> Accessed 28 June 2011

¹⁷⁹ BBC News, Libya: Hospitals in rebel-held Benghazi 'face crisis' 21 June 2011 <http://www.bbc.co.uk/news/world-africa-13937817> Accessed 28 June 2011

20. HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

20.01 The International Federation for Human Rights (FIDH) Observatory for the Protection of Human Rights Defenders, *Annual Report 2010*, section on North Africa/Middle East, covering events in 2009, dated 13 September 2010, stated, "In some countries where repression is systematic, again, independent and organised human rights movements could not form openly (Libya, Saudi Arabia), and defenders paid a heavy cost, sometimes lifetime, their commitment towards freedoms, which has a strong dissuasive impact on civil society."¹⁸⁰

20.02 Human Rights Watch, in its *2011 World Report: Libya*, published 24 January 2011, stated:

"Libya has no independent NGOs and Libyan laws severely restrict freedom of association. Law 71 bans any group activity opposing the ideology of the 1969 revolution, and the penal code imposes the death penalty on those who join such groups. The government has refused to allow independent journalists' and lawyers' organizations. The only organization able to criticize human rights violations publicly is the Human Rights Society of the Gaddafi Foundation, which is chaired by Saif al-Islam al-Gaddafi."¹⁸¹

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21. ETHNIC GROUPS

21.01 Temehu, a Libyan tour operator, gave the following information on their webpage called *Libyan People* about the ethnic make up of Libya:

"The Arabs are the majority inhabitants of Libya... However, according to recent genetic studies more than 90% of the Arabs in Libya (and in North Africa as a whole) are Arabised Berbers - that is Berbers who adopted the Arab tongue. For example, most of the inhabitants of Benghazi and Musratha (Misrata) are Arabised Berbers. The Arabs of Libya are members of the Sunni sect of Islam... The major Arab cities include Tripoli, Benghazi, Sebha, Sabratha, Musratha, Zawiya, Khums, Albayda, Al-Merj, Darna, Tobruk, Hun and other smaller villages and settlements along the coast and in the interior."¹⁸²

THE MAIN ARAB TRIBES OF LIBYA

21.02 The same source continued:

"The tribal system in Libya is still a fundamental part of Libyan society, more than anywhere else in the whole region. Most Libyan surnames carry the tribal name and

¹⁸⁰ The International Federation for Human Rights (FIDH) Observatory for the Protection of Human Rights Defenders, *Annual Report 2010 North Africa/Middle East*, 13 September 2010

http://www.fidh.org/IMG/pdf/OBSUK2010north_africa_human_rights_defenders.pdf Accessed 1 June 2011

¹⁸¹ Human Rights Watch, *World Report 2011: Libya*, 24 January 2011

<http://www.hrw.org/en/world-report-2011/libya> Accessed 31 May 2011

¹⁸² Temehu, *Libyan People*.

<http://www.temehu.com/Libyan-People.htm> Accessed 1 June 2011

therefore one can easily identify a person's tribe simply by knowing his surname. For example, Col. Gaddafi comes from the Gaddadfa Tribe. There are at least 140 known clans or tribal networks in Libya.

Western Libya:

Warfallah (Warfalla, Werfella) (قبيلة ورفلة): the largest Arab tribal group in west Libya, consisting of 52 sub-tribes and estimated at around one million people, inhabiting the areas of Baniwalid, Zamazam, Bey, Sirte, Sabha, Dernah, Benghazi and most recently the Misurata District.

Az-Zintan: (قبيلة الزنتان): close to the Warfallah tribe: found mainly in the Western Mountain between the Berber towns of Jado and Yefren and Kabaw.

Awlad Busayf (West Libya).

Maslata: found in the area of Msallata, west Libya.

Masrata: found in west Libya, with a large presence in Tripoli.

Al-Rijban, Ar-Rujban (Western Mountain, Nafousa Mountain).

Al-Majabra, al-Mujabra: south-west of Tripoli, close to the Western Mountain, and in the Jalo area in Cyrenaica in Eastern Libya. The most prominent member of this tribe is the Libyan head of the army Major General Abu-Baker Younis Jaber - one of the original members of the 12 officers of the Revolutionary Command Council led by Gaddafi in 1969.

Central Libya:

The central region refers to the desert area between Cyrenaica (East) and Tripolitania (West), which from ancient times was the border area between the two regions.

Qaddafi, Qadadfah: Gaddadfa, Gadhadhfa, Qathathfa, Gathafi (قبيلة القذافه) - centred around Sert [Sirte). An influential ruling tribe in today's Libya, originally found around the present-day Sert in central Libya and Sabha in the south, the present capital of Fazzan. The leader of the September revolution, Col. Mua'mmar al-Qaddafi, belongs to the Al-Qaddafi tribe.

Al-Magarha, al-Magariha, al-Megrahi: one of the largest tribe in the central-western region of Libya, and traditionally strong allies of the Gaddadfa tribe. The former Libyan Prime Minister Abdessalam Jalloud belongs to this tribe. Also the release of the alleged Lockerbie bomber Abdelbaset al-Megrahi was secured by Al-Qaddafi family.

Al-Magharba (The Westerners).

Al-Riyyah

Al-Haraba

Al-Zuwaid

Eastern Libya:

Az-Zuwayya, Zuwayya, Zawiya (قبيلة الزوية): the largest and most influential tribe in Eastern Libya (Cyrenaica), largely found in Benghazi, Ejdabiyah, Kufra, Tazerbu (Tazirbu) and the surrounding areas.

Bani Salim (Banu Saleem): like their brothers the Bani Hilal of Tripolitania the Bani Saleem tribes were brought from Arabia in the 11th century to assist in the spread of Islam in North Africa by the Fatimid rulers.

Mesratha, Musratha, Misrata (قبيلة مصراته): an Eastern Libyan tribe inhabiting a number of towns and villages including Benghazi and Darna (Darneh). The name is the same as the name of the third largest town in Libya: Misuratha, in west Libya.

Al-Awagir, al-Waqir: found in the Barqa region of Cyrenaica, with history of resistance against the Italians.

Tawajeer: one of the prominent tribes of Cyrenaica.

Ramla: one of the prominent tribes of Cyrenaica.

Kargala: one of the prominent tribes of Cyrenaica.

Kawar: a group of tribes in the region of Kaouar.

Al-Abaydat, Abdiyat: a group of 15 tribes found in the area of Tobruk

Drasa

Masamir, Masameer:

Al-Barasa

Al-Fawakhir

Al-Obeidi

Farjan: found mainly west of Ajdabiya (Ejdabiyah), Sirte, and also in Zliten further west.”
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THE BERBER TRIBAL GROUPS OF LIBYA:

21.03 The same source continued:

“The Berbers are the indigenous inhabitants of Libya and the Sahara. There are numerous tribes found in East Libya, West Libya and across the entire Sahara desert... Their number is difficult to ascertain, since by their nomadic nature the Tuareg of the Sahara were not fully included in any census. However it was widely estimated that the Berbers constitute between 10% and 23% of the population of Libya.

The Berbers of Libya can be subdivided into three tribal groups:

The Berber tribes of Libya are made of hundreds of tribes, each of which is made of several clans and sub-tribes. The following summary is only a general description of the

¹⁸³ Temehu, Libyan People.
<http://www.temehu.com/Libyan-People.htm> Accessed 1 June 2011

main tribal groups, as the divisions and clans of each group require a dedicated study of its own, which is beyond the scope of this summary.

The Western Berbers:

Ait Willoul: those tribes inhabiting the coastal city of Zwara or Zuwarah, comprising a group of 12 sub-tribes. The name Zwara is found in various forms including Zuwarah, Zowara, Zuwara, Zwagha and Zouara... Currently, the Zuwara territories extends from al-Manqoub (about 20 km east of Zuwara) to the Tunisian border (about 60 km west of Zuwara), where the fishing village of Abu-kemmash is still inhabited today by various tribes from Zuwarah city. Among the main sub tribes and clans of Zuwarah are:

Ind Mensor (Elmansori or Almansouri tribe): among the most politically influential of this tribe is Mohammad Almansouri who was the Libyan Minister of Interior during the previous government (Kingdom of Libya). He was very transparent in his methods that he became almost the only member of the kingdom's cabinet who was not arrested nor charged by the revolutionary council of 1969...

At-Lellou (At-Lalla tribe)

Ind Idris (Al-Edrisi tribe)

Ind Esa (Esa tribe)

Ind Zeffour (Zfafa tribe)

Ind Gezzoul (Legs'sr tribe)

Ind A'ettoush (Al-A'tt'oush tribe)

The above sub-tribes include various clans, distinguished by surnames: Al-A'azzabi, Boushwash, Bousahmeen, Fdis', Dehhan, Etwinee, Yea'la, H'naya, A'ekkari, En-nayel, Shelghem, Bouzriba, Bousennouga, A'eshshini, Jerrafa, Ben A'ribi, Ghriba, Merkous, Baskal, H'elmi, Boukria'at, Debaba, Malt'i, Boudeeb, Gereb, T'bia'a, Nannees, Annejjar; Alma'rouq, etc.

Nafousah: a massive group of tribes inhabiting the Western Mountain, also known as Nafusa Mountain, including the towns of Yefren, Kabaw, Jado and Nalut, as well as other small villages and settlements found across the mountain tops. Al-Yaqubi (9th century) informs us that the territory of the Nafousa extended from southern Tripolitania to the neighbourhood of Kairouan (in Tunisia). Among the most prominent tribes of Yefren is Al-Barouni tribe, among whom Sulaiman Al-Barouni fought the Italian occupation and later established the Tripolitania Republic which never materialised.

The Eastern Berbers:

The Eastern Berbers: those tribes inhabiting the oases of Jalo and Aujila (Jalu, Awjla or Awjilah) in Cyrenaica, Eastern Libya...

The Southern Berbers:

Tuareg: Tuareq (الطوارق), Twareq, Twareg, Imushagh, Imuhaq: the Tuareg tribes comprise a large and complex group of nomadic Berber tribes and clans, native to the Sahara desert and its various oases like Ghadames and Ghat. The Tuareg people

speaking a Berber language, which they call Tamashegt or Tamaheqt, and hence their name Kel Tamaheqt means 'the Speakers of Tamazight', meaning: 'the Speakers of Berber Language'.

Tebo

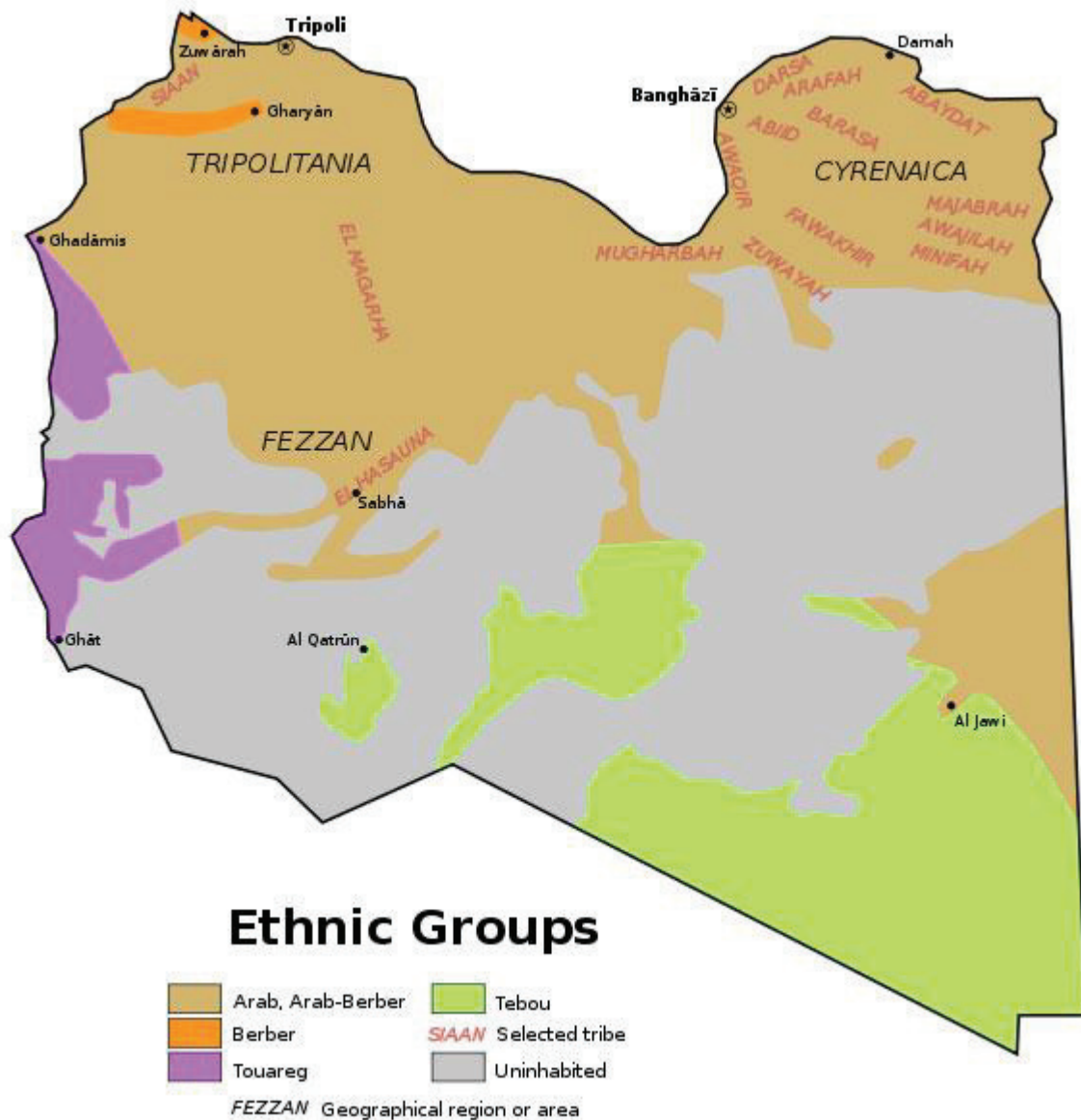
The Tebo (or Tebu, Tibu, Tibo, Tibbo, or Tibbos) are a group of tribes found along the southern side of the Harouj mountain and to the east of Fezzan, all the way to the Egyptian border, including the Kofra and Bezzima Oases, as well as south to the Tibesti Massif.¹⁸⁴

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¹⁸⁴ Temehu, Libyan People.
<http://www.temehu.com/Libyan-People.htm> Accessed 1 June 2011

TRIBAL MAP

21.04 A map, dated 24 February 2011, from Mapsorama.com showed the ethnic group distribution in Libya:



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TRIBAL INFLUENCE IN THE 2011 UPRISING

21.05 The Jamestown Foundation, in a *Special Report from Inside Libya: Assessing Libyan Rebel Forces*, dated 3 March 2011, stated:

“Tribes comprising the anti-Qaddafi forces include the Maghrebi, Zwaiye, Zawawi, Faqri, and Gebayli. They insist their fight in Libya is not a civil war but a revolution with the aim

¹⁸⁵Mapsorama, Ethnic groups in Libya, 24 February 2011, <http://www.mapsorama.com/demographic-map-of-libya/> Accessed 6 July 2011

of overthrowing Colonel Qaddafi's nearly 42-year reign and reunifying the country from its current state of bifurcation and fawda (anarchy)...

"Libya's anti-regime forces insist the conflict is not a civil war pitting tribe or clan against one another, but is rather a genuine, society-wide armed revolt that will not halt until it reaches the gates of the capital..."

"One of the unknown elements in the scenario remains whether Mu'ammarr Qaddafi's Qaddahfa tribe may eventually turn their guns on the regime if the rebels appear to be winning. The Qaddahfa are considered a small tribe and may have to make a pragmatic decision on their loyalty if they are to survive in a 'New Libya.' Several rebel spokesmen repeated the claim that this conflict in the heart of North Africa was not a civil war between tribes resulting from any sort of festering historical favouritism or clan chauvinism, but a mass movement inspired by the fall of neighbouring dictatorships in Tunisia and Egypt."¹⁸⁶

- 21.06 Msnbc.com, a world news site, in a report dated 18 May 2011 called *Gadhafi, rebels vie for loyalty of Libyan tribes* stated:

"Months into the conflict in Libya, another fierce battle is being waged for the loyalties of the country's 140 tribes.

"But in the shifting sands of Libyan allegiances, it's unclear whether many tribes will cast their lot with Col. Moammar Gadhafi's regime or the opposition forces until the winner becomes apparent. And even if they do side with one side or the other, many experts say that the tribal influence has been eroded by the democratic forces reshaping the country and the region, as well as other factors.

"'It's a battle for the ... imagination,' said Alia Brahimi, a research fellow at the London School of Economics, referring to claims by both sides in the conflict to have substantial support among the tribes. 'I don't think that it's actually representing concrete deals and alliances. ... It's trying to cultivate legitimacy on both sides.'

"Gadhafi, who empowered the tribes to run local affairs during his decades-long rule, has regularly claimed he has support from what he says are 420 tribes, apparently counting clans within the major groups. Two weeks ago, the regime presented foreign journalists in Tripoli with tribal leaders it said are loyal to Gadhafi, who called on the rebels to return to the fold and instead focus their wrath on NATO.

"The opposition, which is based in the eastern city of Benghazi and enjoys broad support among the eastern tribes, recently held its own gathering, with 60 tribal leaders pledging allegiance.

"Amid the conflicting claims, it's clear that the tribes are not always acting as one.

"'Lots of Warfalla, lots of Tarhouna, Warshifanans and others ... coming out and voicing their dissent on behalf of their tribes, even though their tribes — we've been told that they are allied (with Gadhafi or the opposition), or at least neutral,' said Faraj Najem, a Libya expert and author of the book, 'Tribe, Islam and State in Libya.'

¹⁸⁶ Jamestown Foundation, Special Report from Inside Libya: Assessing Libyan Rebel Forces, 3 March 2011

<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=4d7094b92&skip=0&coi=LB&querysi=tribes&p;searchin=fulltext&display=10&sort=date> Accessed 1 June 2011

"While experts are divided on how significant support of the major tribes would be for either side, Brahimi said the tribes set the Libyan conflict apart from other recent uprisings in the region.

"I think that there is a general sort of underlying dynamic in Libya that didn't exist in Egypt and Tunisia — which is this tribal element — and which actually explains the surprisingly robust nature of the regime, despite its brutality and despite this unprecedented challenge,' she said." ¹⁸⁷

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Tribal Loyalties

21.07 The report explained the historical aspect and loyalties of the Libyan tribes:

"Libya's Arab tribes first arrived in the region about 1,500 years ago, living alongside the original inhabitants of northern Africa, the Berbers (there are several Berber tribes, known collectively as the Amazigh). A second wave followed about 500 years later, mostly from Saudi Arabia, said Ronald Bruce St John, a Libya expert and independent scholar who has written several books on the country.

"Gadhafi's math notwithstanding, experts agree there are about 140 tribes in Libya today. The largest one, with an estimated 1 million members out of the country's population of 6 million, is the Warfalla, whose home base is in western Libya.

"The tribes' influence runs deep in Libyan society. A person's last name is often reflective of the tribe they hail from, even if they don't have a sense of affiliation or loyalty to that tribe, Ranj Alaaldin, a senior analyst at Next Century Foundation, a charity dedicated to conflict resolution, wrote to msnbc.com.

"Libya has around 30 significant tribes, which can indeed be broken down according to their geographic locations, political influence over the years and their economic strength,' he said.

"But little recent data exists on the groups, and reading their intentions concerning the current conflict is challenging to say the least, experts say.

"Libyans themselves are keen to stress that they have no role in the politics of the state, still sensitive on the subject of tribes after the famous Saif al-Islam speech that warned Libya will be divided along tribal lines,' Alaaldin wrote, referring to a speech made by one of Gadhafi's sons in late February.

"It's not clear where some of the tribes in the West stand, for example. And even though the Warfalla supposedly issued a statement shortly after the rebellion started allying with the rebels, St John said the situation is far more nuanced: One faction of the tribe backs Gadhafi, one supports the rebels, and most tribal members are sitting on the sidelines.

"...some experts and leaders of the Libyan opposition downplay the power of the tribes.

¹⁸⁷ Msnbc.com, Gadhafi, rebels vie for loyalty of Libyan tribes, 18 May 2011

http://www.msnbc.msn.com/id/43049164/ns/world_news-mideast_n_africa/t/gadhafi-rebels-vie-loyalty-libyan-tribes/

Accessed 1 June 2011

"I don't personally think that tribes have played any role in this revolution — either for or against," said Najem, the author and expert on Libya. "I know there are people who are trying to use them. The latest in my opinion ... is the opposition in Benghazi. They're gathering them and they're trying to send a clear message that here are the tribes that are against you."

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Tribal Influence

21.08 The report went on to assess tribal influence in the current Libyan society:

"Experts agree that urbanization and intermarriage have diluted tribal bonds and the role the groups play in Libyan society. If the opposition succeeds in ousting Gadhafi, they expect those changes to continue.

"We know that tribalism is much less significant than it was a generation ago," said Brahimi. "Tribalism has been a de facto mode of governance in Libya in the absence of anything else and obviously as soon as more accountable, efficient and legal and effective state institutions are erected, then there will be no need for people to identify themselves actively in anything other than a symbolic way. ... I think it's almost an expression of modernity to move away from that."

"Despite such talk, author St John noted that the opposition leadership features figures who are members of some of the bigger and most important tribes, including the Warfalla, the Barasa (Gadhafi's wife is also a member) and the Firjan, who live in the same area as Gadhafi's tribe.

"One must assume that part of what gave them leadership or brought them to prominence in the rebel movement was that they had strong ties with the right kinds of tribes," St John said. "Both sides have been quietly soliciting tribal support from the outset of the rebellion."

"In Gadhafi's case, however, author Najem sees that effort becoming increasingly urgent as his financial, political and military advantages over the rebels dwindle amid sanctions and NATO airstrikes.

"The only thing he has left in his hand to play with is the tribal card," he said. "It's a losing card. I don't think it's going to get him anywhere."¹⁸⁸

21.09 The Telegraph, in an article of 4 March 2011, called *How Libya's tribes will decide Gaddafi's fate*, reported:

"Colonel Gaddafi's fate could be decided by Libya's various tribal groups. Each is different to one another by virtue of their location, composition and their historic relationship with the regime. But each retains the same vital ability to either disrupt – or stabilise – the politics and security of the state. They should be taken seriously.

"Like Saddam Hussein during his dictatorial reign, Gaddafi has cunningly played the tribal game. By offering economic privileges and fermenting intra-tribal rivalries – and

¹⁸⁸ Msnbc.com, Gadhafi, rebels vie for loyalty of Libyan tribes, 18 May 2011

http://www.msnbc.msn.com/id/43049164/ns/world_news-mideast_n_africa/t/gadhafi-rebels-vie-loyalty-libyan-tribes/

Accessed 1 June 2011

combining these with a healthy dose of coercion – Gaddafi secured the loyalty of the tribes and fostered an effective network of patronage. He ensured that competing tribal groups were all represented in the army, so that he maintained his control over it and, by definition, the state. Oil revenues, meanwhile, enabled Gaddafi to spread the wealth among tribes and keep them tamed...

"Libya's biggest tribe, the Warfala, has switched sides to back the anti-government revolutionary groups. They are one million strong and dominant in the northern cities of Bani Walid, Tripoli and Benghazi. The Tarhuna, also nearly one million strong with around 350,000 followers in Tripoli, have followed suit.

"Other significant tribes to have defected include the Zawiya, who have threatened to cut the flow of oil to Western countries unless the regime crackdown stops; the Zentan tribe; the Bani Walid; and the Obeidat tribe...

"These various groups and their leaders have already played their part in the revolution by encouraging their 'sons' to defect from the security forces and refuse orders to attack demonstrators...

"But the tribes can still do more with the right support. They will be pivotal if rebel numbers are to increase; they will need arms and organisational support...

"Increased support for the tribes would also accelerate the downfall of the regime by persuading the other indecisive tribes to turn on Gaddafi and swell the ranks of the opposition. This includes the propped up and smaller Gaddafi tribe of the dictator himself; and the large Magarha tribe, located in the west of the country. The Magarha boasts Colonel Abdullah al-Sannussi as one of its own, the Gaddafi loyalist and powerful head of the Libyan internal and external security organisations.

"Libyans are facing the possibility of a protracted conflict that destroys the social, political and security structures of the state. As a result, the tribes will be best-placed to provide social cohesiveness and a resilient social structure that can organise, mobilise and galvanise the people."¹⁸⁹

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- 21.10 Asharq alawsat, an Arabic international daily, in an article of 22 February 2011 called *Libyan Tribal Map: Network of loyalties that will determine Gaddafi's fate* stated:

"Dr. Faraj Abdulaziz Najam, a Libyan specialist in Social Sciences and History, told Asharq Al-Awsat that the Libyan tribes and clans that have genuine and demonstrable influence on the country number no more than 30 [tribes and family clans]...the majority of Libyans depend on their tribal connection in order to obtain their rights, and for protection, and even in order to find a job, particularly in the state apparatus. In a study conducted by Dr. Amal al-Obeidi at the University of Garyounis in Benghazi, it was revealed that the two largest and most influential Arab tribes in Libya originated from the Arab Peninsula, and these are the Beni Salim tribe that settled in Cyrenaica, the eastern coastal region of Libya, and the Beni Hilal that settled in western Libya around Tripoli. However other Libyan researchers and expert also revealed that around 15 percent of

¹⁸⁹ The Telegraph, How Libya's tribes will decide Gaddafi's fate, 4 March 2011
<http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8361279/How-Libyas-tribes-will-decide-Gaddafis-fate.html> Accessed 1 June 2011

the Libyan population have no tribal affiliation whatsoever, being descendents of the Berber, Turkish, and other communities.

“The degree of political allegiance to the ruling regime in Tripoli varies from one tribe to the next, particularly over the forty years that Gaddafi has been in power. The tribe which has the strongest, and longest, ties to the Gaddafi region is the Magariha tribe, who which has yet to announce their position on the bloody demonstrations that have been taking place across the country for the past week. Former Libyan Prime Minister Abdessalam Jalloud, widely regarded as Gaddafi's right-hand man for much of his reign, is a member of the Magariha tribe. Gaddafi's own tribe, the Gaddafi tribe, had historically not been an important tribe in Libya prior to Colonel Gaddafi's ascent to power, and the Gaddafi tribe was not known for playing a major role in Libya's right against colonialism over the last 200 years.

“The leadership of the Magariha tribe acknowledges a debt of gratitude to Gaddafi and his regime for securing the return of one of the tribe's members, Abdel Baset al-Megrahi, from prison in Britain after he was convicted of being behind the Lockerbie bombing. However sources also told Asharq Al-Awsat that this has not prevented a number of youths of the Magariha tribe from participating – with members from other tribes – in the demonstrations and protests against Gaddafi's rule, especially in cities in eastern and southern Libya.

“Experts say that the Magariha tribe is in the best position to carry out a coup against the Libyan leader, as many members of this tribe are in sensitive and senior positions of the Libyan government and security services. Whilst the Zawiya tribe is also in a strong position, and has threatened to stop the flow of oil into western Libya unless the authorities stop their deadly crackdown against the Libyan protestors.

“Tribal influence in Libya is extremely important, particularly since the 1970s, with tribal affiliation being important with regards to obtaining employment in Libya's General People's Committees, as well as in the country's security apparatus.

“The largest and most influential tribe in eastern Libya is the Misurata tribe, which takes its name from the Misurata district in northwestern Libya. The tribe has particularly strong influence in the cities of Benghazi and Darneh.

“As for the Cyrenaica region, the most prominent tribe's in this area are the Kargala tribe, the Tawajeer tribe, and the Ramla tribe.

“However the Misurata region has, over the past 50 years, become divided between those who belong to the traditional tribes that follow traditional tribal pursuits, and those who have given up this lifestyle and live in the region's urban centres.

“Some of the more prominent tribes and families that have given up the Bedouin tribal culture in the Misurata region are: the el-Mahjoub clan, the Zamoura family, the Kawafi tribe, the Dababisa tribe, the Zawaiya tribe, the al-Sawalih tribe, and the al-Jarsha tribe.

“As for the Kwar tribe, this is comprised of many sub-tribes of Arab descent, with some analysts saying that this tribe – which takes its name from the Kaouar region – is made up of as many as 15 smaller tribes.

“The al-Awaqir tribe is centred in the Barqah region of Cyrenaica, and this tribe is well known for the prominent role that it played in the war against Ottoman and Italian colonialism. The al-Awaqir tribe has also historically played a prominent role in Libyan

politics, including during the previous era of the Libyan monarchy as well as during Gaddafi's reign. Al-Awaqir tribal members have held senior positions within Gaddafi's regime, including ministerial positions.

“As for Tobruk and the surrounding region, there are a number of prominent tribes in this area, including the Abdiyat tribe, that is made up of around 15 sub-tribes, and which is one of the most powerful tribes in the Cyrenaica region. The Masamir tribe is also an important tribe in this region, and although this tribe is known in Libya for its religious inclinations and piety, members of this tribe played a prominent role in fighting against Italian colonialism, particularly during the first half of the twentieth century.

“As for the al-Mujabra tribe, this tribe has a strong presence south-west of Tripoli near the Al Jabal Al Gharbi district. Brigadier General Abu Bark Younis Jaber, Libyan head of the army, is also a prominent member of this tribe.

“The Libyan Farjan tribe is centred west of the city Ajdabiya, and members of this tribe can be found in most of Libya's costal cities, including Sirte, Ziltan, and Tripoli. The Fizan district, and the area around Tripoli, is the home to the Zawiya tribe, the Warfala tribe, the Magariha tribe, and the Maslata tribe. The majority of people in the city of Tripoli are affiliated to the Masrata tribe, such as the Muntasir clan, the Suni family, the Qadi family, the al-Bashti family, and many other prominent families.”¹⁹⁰

See also [Section 1.10 Geographical and Tribal Issues](#)

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¹⁹⁰ Asharq alawsat, Libyan Tribal Map: Network of loyalties that will determine Gaddafi's fate, 22 February 2011 <http://www.asharq-e.com/news.asp?section=3&id=24257> Accessed 7 June 2011

LANGUAGES SPOKEN IN LIBYA

21.11 Ethnologue 2009 *Language map of Libya and Egypt*:21.12 Ethnologue, *Languages of the world* (updated 2009) listed the nine living languages of Libya as,

Libyan Spoken Arabic
 Standard Arabic
 Awjilah
 Domari
 Ghadamès
 Libya Sign Language
 Nafusi
 Sawknah
 Tamahaq (Tahaggart)

The source gives more information about the languages and can be accessed via the following link:

http://www.ethnologue.com/show_country.asp?name=libya¹⁹²

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¹⁹¹ Ethnologue Language map of Libya and Egypt 2009, http://www.ethnologue.com/show_map.asp?name=LY&seq=10 Accessed 13 June 2011

¹⁹² Ethnologue, *Languages of the world*, 2009 http://www.ethnologue.com/show_country.asp?name=libya Accessed 13 June 2011

22. FOREIGN REFUGEES AND MIGRANTS

- 22.01 The Foreign and Commonwealth Office, in its report on *Human Rights and Democracy: Libya*, published 31 March 2011, stated:

“The rights of migrants, particularly those who have entered and remain in Libya illegally, are a cause for concern. The total number of migrants in Libya is estimated to be between 1.5 and 3 million.

“Libya has no asylum system and is not a party to the 1951 Convention Relating to the Status of Refugees. Migrants are often detained in poorly equipped detention centres. International human rights organisations, such as Amnesty International, have highlighted reports of human rights abuses, including beatings and other forms of mistreatment. For example there were allegations of mistreatment of Eritrean refugees at the Misurata and Sabha detention centres in June. Our Embassy raised the reports with the Libyan government and in response to international criticism, the Libyan Foreign Ministry issued a statement rejecting the allegations, but agreeing to provide residence permits for the detained Eritrean migrants. It remains unclear, however, what long-term rights of residence these migrants will have.”¹⁹³

- 22.02 Amnesty International, in a report of 14 December 2010, called *-Seeking safety, finding fear. Refugees, asylum seekers and migrants in Libya and Malta* stated:

“More than three million ‘irregular migrants’ are in Libya, according to the Libyan authorities. They include people who have fled conflict and persecution and need international protection. Despite this, the Libyan authorities insist that there are no refugees in Libya and resist calls to ratify the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. They also refuse to sign a memorandum of understanding with the UN High Commissioner for Refugees (UNHCR).

“UNHCR’s ability to assist people in need of international protection in Libya is extremely limited, particularly after the authorities shut down its operations in June 2010. The authorities have since allowed a limited resumption of UNHCR’s operations, but its staff is denied access to detention centres and cannot consider new asylum claims.

“Libya ratified the African Union Convention Governing the Specific Aspects of Refugee Problems in Africa in 1981, but has yet to introduce asylum procedures despite repeated promises over the years. Since there is no asylum system, nobody can apply for asylum. This leaves thousands of asylum-seekers and refugees in Libya, including Somalis, in a legal limbo.”¹⁹⁴

- 22.03 The report described its findings:

“Torture and other ill-treatment of refugees, asylum-seekers and migrants is systematic in Libya. Most commonly, detainees are punched or hit with metal wires or batons. Sometimes, guards hit detainees to punish them for requesting medical treatment or

¹⁹³ The Foreign and Commonwealth Office, *Human Rights and Democracy, Libya*, 31 March 2011

<http://s3-eu-west-1.amazonaws.com/htcdn/Human-Rights-and-Democracy-The-2010-Foreign-Commonwealth-Report.pdf>
Accessed 31 May 2011

¹⁹⁴ Amnesty International *Seeking safety, finding fear. Refugees, asylum seekers and migrants in Libya and Malta*, 14 December 2010 <http://www.amnesty.org/en/library/asset/REG01/004/2010/en/d0e71b60-71ec-4c4b-8b2f-d03a881b90f6/reg010042010en.pdf> Accessed 8 June 2011

complaining about their conditions; at other times, the beatings appear to be done for no reason at all.

“The conditions in some detention centres could in themselves amount to torture or other ill-treatment. Detainees are never allowed outside. They are made to sleep on the floor with barely room to move. They are not provided with safe drinking water. They are routinely denied medical treatment.

“Women are particularly vulnerable. Some women previously detained in Libya told Amnesty International that women in labour were not always taken to hospital. In one case, a woman reportedly had to cut her umbilical cord with a piece of dirty metal. Her baby was stillborn and she received no medical treatment.”

22.04 The report continued:

“Foreign nationals, particularly Sub-Saharan Africans, rarely if ever feel secure in Libya. Racist insults such as ‘blacks’, ‘animals’ and ‘slaves’ are frequently shouted at them. They are attacked or robbed in the street with impunity, as their assailants know their victims dare not complain to the police. In those rare instances when foreign nationals have approached the police, investigations are not known to have taken place.

“Their sense of insecurity is deepened by frequent police raids on their houses to make arrests or simply to pillage belongings. Sub-Saharan Africans are also at risk of exploitation by Libyan employers; many have told Amnesty International that they are often not paid and have no means to claim their rights.”¹⁹⁵

22.05 Amnesty International, in its *Annual Report 2011 - Libya*, 13 May 2011, noted:

“In June [2010], Law No. 19 of 2010 on Combating Irregular Migration was passed. This provides for indefinite detention followed by deportation of those believed to be irregular migrants, and allows no right of appeal.

“On 8 June [2010], UNHCR, the UN refugee agency, disclosed that the Libyan government had ordered it to cease operation; it was subsequently permitted to partially resume its work but was no longer allowed to process new refugee cases or visit detention centres.

“Thousands of suspected irregular migrants, including refugees and asylum-seekers, were held in severely overcrowded conditions in detention centres until July, when the authorities released over 4,000 of them and granted them three months' temporary residence.

“Suspected irregular migrants faced habitual verbal abuse, beatings and other ill-treatment, in some cases amounting to torture, while detained. In early July [2010], the Libyan leader called for an investigation into reports that about 200 Eritrean nationals had been beaten by security officials at Misratah Detention Centre on 30 June and

¹⁹⁵ Amnesty International Seeking safety, finding fear. Refugees, asylum seekers and migrants in Libya and Malta, 14 December 2010 <http://www.amnesty.org/en/library/asset/REG01/004/2010/en/d0e71b60-71ec-4c4b-8b2f-d03a881b90f6/reg010042010en.pdf> Accessed 8 June 2011

during their forcible transfer to Al-Birak Detention Centre. By the end of the year, no information had been disclosed about the outcome of the investigation.”¹⁹⁶

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SINCE THE FEBRUARY 2011 UPRISING

22.06 Al-Jazeera in a report of 28 February 2011, called *African migrants targeted in Libya*, noted:

“Hundreds of black immigrants from poor African countries, who mainly work in Libya’s oil industry as cheap labourers, have also been injured in the violence. Some were unable to seek medical treatment for fear of being killed.

“Saad Jabbar, deputy director of the North Africa Centre at Cambridge University, confirms Africans have become targets.

“I tell you, these people, because of their scheme, they will be slaughtered in Libya. There is so much anger there against those mercenaries, which suddenly sprung up,’ Jabbar said.

“About 1.5m Sub-Saharan African migrants work in Libya as low-paid labourers in the oil industry, construction, agriculture and service sectors.

“Rights organisations say some anti-Gaddafi protesters wrongly associate African workers with state-sponsored violence.”¹⁹⁷

22.07 The International Federation for Human Rights, in a news release of 10 March 2011 commented, “Colonel Qaddhafi has embarked since the beginning of the hostilities, on February 17, 2011, on an active policy of rounding up African migrants (estimated nearly at 1.1 Million) to force them to fight in the ranks of Libyan troops loyal to him.”¹⁹⁸

22.08 Amnesty International in an report dated 2 March 2011, called *Fears grow for Libya Migrants as thousands flee*, stated:

“All Libya’s neighbouring states must keep their borders open and provide assistance to all those fleeing violence. They are obliged to do this under international law,’ said Michael Bochenek, Amnesty International’s Director of Law and Policy.

“The international community must also do all it can to offer urgent support and assistance to the Tunisian authorities and other states accepting those fleeing the violence, and help migrants return safely to their home countries as quickly as possible if they desire,’

“Amnesty International also said it was concerned by a report from UNHCR that migrants in Libya who originate from countries in sub-Saharan Africa were being turned back at the Tunisian border.

¹⁹⁶ Amnesty International Annual Report 2011 – Libya 13 May 2011 <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=4dce155ac&skip=0&coi=LB&querysi=migrants&mp:searchin=fulltext&display=10&sort=date> Accessed 7 June 2011

¹⁹⁷ Al-Jazeera African migrants targeted in Libya, 28 February 2011

<http://english.aljazeera.net/news/africa/2011/02/201122865814378541.html> Accessed 7 June 2011

¹⁹⁸ FIDH Colonel Qaddhafi forces enrolment of African migrants in his army, 10 March 2011, <http://www.fidh.org/Colonel-Qaddhafi-forces-enrollment-of-African> Accessed 13 June 2011

"All those fleeing the chaos in Libya must be given sanctuary by neighbouring states without discrimination – not refused entry and put at risk of falling victim to further violence."¹⁹⁹

- 22.09 The UN News Service, in a news release of 8 March 2011 called *Libya: UN alarmed at reports of violence against sub-Saharan migrants*, stated:

"The United Nations refugee agency today voiced alarm at increasing accounts of violence and discrimination in Libya against sub-Saharan Africans in both the rebel-held east and the Government-controlled west.

"The UN High Commissioner for Refugees (UNHCR) 'reiterates its call on all parties to recognize the vulnerability of both refugees and migrants from sub-Saharan Africa and to take measures to ensure their protection,' spokesman Adrian Edwards told a news briefing in Geneva.

"Yesterday Sudanese refugees arriving from eastern Libya at the Egyptian border told UNHCR that armed Libyans were going door to door, forcing sub-Saharan Africans to leave. In one instance a 12-year-old Sudanese girl was said to have been raped,' Mr. Edwards said.

"They reported that many people had their documents confiscated or destroyed. We heard similar accounts from a group of Chadians who fled Benghazi, Al Bayda and Brega in the past few days."²⁰⁰

- 22.10 Migration Dialogue, in its April 2011 news bulletin, *Volume 18 Number 2*, stated:

"When fighting began, several hundred thousand migrants, most from neighbouring Egypt and Tunisia fled over land borders to escape. Most migrants went to the Tunisian border, which is closer to Tripoli; conditions on the Libyan-Tunisian border were at times chaotic. Many countries evacuated their citizens from Libya and neighbouring Tunisia with planes and boats. For example, China arranged ferries to take Chinese citizens to Italy and Greece.

"Most Asian countries require departing migrants to pay a fee into a fund that, for instance, brings home migrants stranded abroad. However, Bangladesh and Sri Lanka appealed to donors and international organizations to arrange return transport for their citizens who fled Libya. The Bangladeshi government said there were 60,000 Bangladeshis in Libya, most employed in construction, and that many were unable leave Libya legally because their employers disappeared with their passports...

"However, as the fighting intensified and construction projects halted, more Bangladeshis crossed the border into Tunisia, where they complained that the Bangladesh Embassy in Tripoli did not quickly provide substitute identity documents. In some cases, employers and agents who were holding the Bangladeshis' passports left Libya without returning them, which made it hard for Bangladeshis to enter Tunisia...By the end of March, 2011, over 33,000 Bangladeshis who had been in Libya were return to Bangladesh, 85 percent with the help of IOM...

¹⁹⁹ Amnesty International, Fears grow for Libya migrants as thousands flee, <http://www.amnesty.org/en/news-and-updates/fears-grow-libya-migrants-thousands-flee-2011-03-02> Accessed 8 June 2011

²⁰⁰ UN News Service Libya: UN alarmed at reports of violence against sub-Saharan migrants, 8 March 2011 <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=4d79c59914&skip=0&coi=LB&querysi=migrants&searchin=title&display=10&sort=date> Accessed 8 June 2011

"The US and other governments provided funds to enable IOM to transport Asian migrants to their countries of origin. However, hundreds of thousands of migrants from Ghana and Nigeria, who were often illegally in Libya, had to fend for themselves. Sub-Saharan Africans without documents said that, if they tried to move toward Libya's borders, Libyan police robbed them and Libyan rebels attacked them, assuming they were with the African mercenaries recruited by Qaddafi to fight the rebels."²⁰¹

22.11 The UN News Service, in a news release of 9 June 2011, called *Ban calls for continued aid to Libyan civilians as crisis continues*, stated: "Up to 25,000 Chadians remain stranded in the town of Gatroum, in south-western Libya. Some 950,000 people have left Libya, of which 278,000 are third-country nationals and 250,000 are nationals from neighbouring countries."²⁰²

22.12 The US Department of State, *Trafficking in Persons Report 2011*, published 27 June 2011, stated:

"Libya is a destination and transit country for men and women from sub-Saharan Africa and Asia subjected to forced labour and forced prostitution. Migrants typically seek employment in Libya as labourers and domestic workers or transit Libya en route to Europe. Although precise figures are unavailable, there were an estimated 1.5 to 2 million foreigners in Libya at the end of 2010. Increasingly, an unknown number of migrant workers in the construction sector – particularly Filipinos, Nepalis, Indians, Bangladeshis, and sub-Saharan Africans – faced fraudulent recruitment practices, confiscation of identity and travel documents, withholding or non-payment of wages, or debt bondage.

"Since February 2011, Libya has experienced internal unrest, stranding many foreign workers in the country under harsh and unsafe conditions which, in some cases, resulted in death. Some of those workers may be trafficking victims. Trafficking victims are likely to be particularly vulnerable to being trapped in Libya as a result of the confiscation of their travel and identification documents. As of March 2011, international relief organizations were unable to operate in some parts of Libya, exacerbating relief efforts. Some migrant workers were robbed by pro-regime Libyan soldiers, and a Red Crescent official said that soldiers have blocked about 30,000 migrant workers from fleeing into Tunisia and forced many to return to work in Tripoli. A media report asserted that some sub-Saharan African migrants were forced to fight with pro-government groups."²⁰³

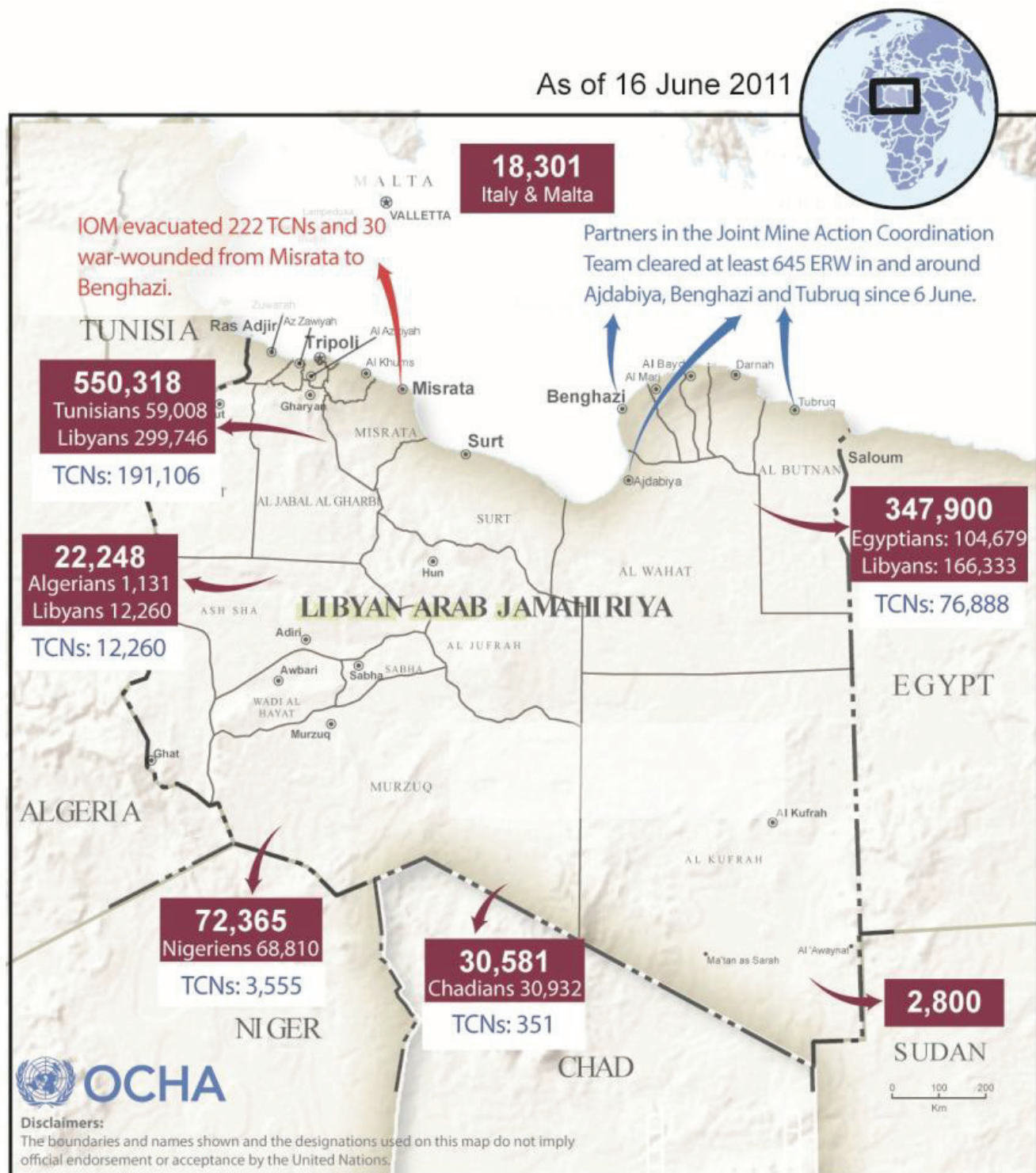
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²⁰¹ Migration Dialogue April 2011 News Volume 18 Number 2 http://migration.ucdavis.edu/mn/more.php?id=3685_0_5_0 Accessed 8 June 2011

²⁰² The UN News Service, *Ban calls for continued aid to Libyan civilians as crisis continues*, 9 June 2011 <http://www.unhcr.org/refworld/country,,,LIBY,,4df727b92,0.html> Accessed 14 June 2011

²⁰³ USSD *Trafficking in Persons Report 2011*, 27 June 2011 <http://www.state.gov/documents/organization/164455.pdf>, Accessed 28 June 2011

22.13 The UN OCHA (Office for the Coordination of Humanitarian Affairs) situation map as of 16 June 2011:



²⁰⁴ United Nations Office for the Co-ordination of Humanitarian Affairs, Libyan Arab Jamahiriya • Crisis Situation Report No. 45, 16 June 2011
<http://reliefweb.int/sites/reliefweb.int/files/resources/revsiterep45Libyan%20Arab%20Jamahiriya%20%E2%80%A2%20Crisis.pdf> Accessed 29 June 2011

- 22.14 Medecins San Frontières (MSF), in a report released on 1 July 2011, called *Trapped in Conflict - The Neglected Victims of the War in Libya*, stated:

“Over 600,000 migrants have crossed Libyan borders since the beginning of the war. If many have already been repatriated to their country of origin, thousands are still stranded and continue to arrive in transit facilities in Tunisia, Egypt, Italy or Niger.

“In a briefing paper released today, entitled *From a Rock to a Hard Place: The Neglected Victims of the Conflict in Libya*, MSF highlights the consequences of insufficient protection and poor reception conditions in the countries where they have sought safety.

“In Shousha camp in Tunisia, some 4,000 people – mainly Sub-Saharan Africans – cannot be repatriated, primarily due to dangerous situations in their countries of origin. Meanwhile 18,000 people have landed on Italian shores since the beginning of the conflict, risking their lives in overcrowded, unseaworthy boats in a bid to flee the war.”²⁰⁵

- 22.15 *From a Rock to a Hard Place: The Neglected Victims of the Conflict in Libya* can be accessed via the following link:

[http://www.msf.ie/sites/www.msf.ie/files/from_a_rock_to_a_hard_place - the neglected victims of the conflict in libya.pdf](http://www.msf.ie/sites/www.msf.ie/files/from_a_rock_to_a_hard_place_-_the_neglected_victims_of_the_conflict_in_libya.pdf) ²⁰⁶

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²⁰⁵ Medecins San Frontières (MSF), *Trapped in Conflict - The Neglected Victims of the War in Libya*, 1 July 2011
<http://www.msf.ie/news/trapped-conflict-neglected-victims-war-libya> Accessed 6 July 2011

²⁰⁶ Medecins San Frontières (MSF), *From a Rock to a Hard Place: The Neglected Victims of the Conflict in Libya*, 1 July 2011
[http://www.msf.ie/sites/www.msf.ie/files/from_a_rock_to_a_hard_place -the neglected victims of the conflict in libya.pdf](http://www.msf.ie/sites/www.msf.ie/files/from_a_rock_to_a_hard_place_-_the_neglected_victims_of_the_conflict_in_libya.pdf)
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Annex A

LIST OF ABBREVIATIONS

AI	Amnesty International
CEDAW	Committee on the Elimination of All Forms of Discrimination Against Women
CPJ	Committee to Protect Journalists
EU	European Union
EBRD	European Bank for Reconstruction and Development
FCO	Foreign and Commonwealth Office (UK)
FGM	Female Genital Mutilation
FH	Freedom House
GDP	Gross Domestic Product
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HRW	Human Rights Watch
IAG	Illegal Armed Group
ICG	International Crisis Group
ICRC	International Committee for Red Cross
IDP	Internally Displaced Person
IFRC	International Federation of Red Cross and Red Crescent Societies
IMF	International Monetary Fund
IOM	International Organisation for Migration
MSF	Médecins sans Frontières
NATO	North Atlantic Treaty Organisation
NGO	Non Governmental Organisation
OCHA	Office for the Coordination of Humanitarian Affairs
ODIHR	Office for Democratic Institutions and Human Rights
ODPR	Office for Displaced Persons and Refugees
OECD	Organisation of Economic Cooperation and Development
OHCHR	Office of the High Commissioner for Human Rights
OSCE	Organisation for Security and Cooperation in Europe
RSF	Reporters sans Frontières
STD	Sexually Transmitted Disease
STC	Save The Children
TB	Tuberculosis
TI	Transparency International
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCHR	United Nations High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
USAID	United States Agency for International Development
USSD	United States State Department
WFP	World Food Programme

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