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World Report 2021 - Libya

Since April 2019, the United Nations-recognized and Tripoli-based Government of National Accord (GNA), supported by armed groups in western Libya nominally under its control, has been embroiled in an armed conflict with the rival Interim Government based in eastern Libya, which is affiliated with the armed group Libyan Arab Armed Forces (LAAF) under the command of General Khalifa Hiftar. On October 23, conflict parties signed a [country-wide ceasefire agreement](#) in Geneva.

The conflict hampered the provision of basic services including health and electricity. Armed groups on all sides continued to kill unlawfully and shell indiscriminately, killing civilians and destroying vital infrastructure.

In August, GNA affiliated armed groups in Tripoli used heavy weapons to disperse street protests against corruption and poor living conditions. In September, people in the eastern cities of Benghazi, Tobruk, and Al-Marj took to the streets to protest deteriorating living conditions. LAAF-affiliated armed groups and forces linked with the Interim Government quelled some of the protests using live fire.

Migrants, asylum seekers, and refugees in Libya—including thousands intercepted at sea while trying to reach Europe and returned by the European Union-supported Libyan Coast Guard—faced arbitrary detention, during which many experienced ill-treatment, sexual assault, forced labor, and extortion by groups under the GNA Interior Ministry, members of armed groups, smugglers, and traffickers.

Armed Conflict and War Crimes

On October 23, representatives of the GNA and LAAF—the two main Libyan conflict parties—signed in Geneva a permanent and country-wide ceasefire brokered by the United Nations. The agreement stipulated the departure of all foreign fighters and trainers from the country for a minimum of three months, the re-opening of land and air routes that had been practically shut for many months, and the exchange of prisoners between the parties.

The armed conflict in Tripoli and the surrounding area that had started on April 4, 2019, ended on June 4 when GNA-linked armed groups and their foreign backers, mainly Turkey, pushed the LAAF and its affiliates toward the central city of Sirte and to Jufrah in the south. The conflict resulted in at least 1,043 [civilian casualties](#) as of July and over 220,000 internally displaced people, according to the UN.

General Hiftar’s main backers—the [United Arab Emirates \(UAE\), Jordan, Egypt, and Russia](#)—provided drones, fighter jets, and foreign fighters from Sudan and Syria. Private military companies, including the Kremlin-linked Wagner Group, also provided support. The GNA had substantial foreign fighter support from Sudan and Syria. In August, the [GNA, Turkey, and Qatar](#) signed a three-way agreement in which Turkey and Qatar committed to sending military advisers and training Libyan cadets.

Internal and external conflict parties largely ignored an arms embargo ordered by the UN Security Council in 2011 and renewed multiple times. A [report](#) by the Security Council’s Libya Panel of Experts that was leaked to the press in September stated that Turkey and the United Arab Emirates “were in repeated non-compliance” with the embargo, and named 11 companies as violating the embargo. No entity had been held to account over violations of the Libya arms embargo since 2011.

Between April 2019 and June 2020, the LAAF and its affiliates conducted indiscriminate artillery, air, and drone strikes that killed and wounded hundreds of civilians and destroyed civilian infrastructure. The LAAF and affiliated foreign forces used internationally banned [cluster munitions](#) and laid [landmines and boobytraps](#) in Tripoli’s southern suburbs, which [killed and wounded at least 116 civilians](#) between May and September. [Videos](#) posted on social media in May showed LAAF-affiliated fighters torturing opposing fighters and desecrating corpses after apparent summary executions.

[GNA authorities](#) said they found between June and mid-November at least 115 unidentified bodies in 26 mass grave sites in [Tarhouna](#), a town southeast of Tripoli that had been under the control of Al-Kani militia, the LAAF's main western ally. [GNA authorities](#) said they also found 29 bodies in 18 other locations in the southern suburbs of Tripoli. The GNA also said it discovered at least 106 bodies in the general hospital of Tarhouna after the withdrawal of Al Kani militias, who had controlled Tarhouna since 2013.

GNA-affiliated armed groups were responsible for indiscriminate shelling and air and drone strikes, and often failed to ensure that no civilians were near targeted military facilities, which resulted in civilian casualties. Reports of [looting and destruction of private property](#) by GNA-affiliated armed groups followed the GNA takeover of Tarhouna in early June.

A January 5 attack on [a military cadets training facility](#), apparently carried out by a UAE-supplied drone in support of the LAAF, killed 26 cadets and wounded dozens. The same type of drone had been used by the UAE in support of the LAAF in a November 2019 attack on a [biscuit factory](#) in Tripoli outskirts, an apparent violation of the laws of war that resulted in the killing of eight civilians and wounding of 27 more.

Judicial System and Detainees

The criminal justice system remained dysfunctional due to impunity, insecurity, and armed conflicts. Judges and prosecutors were subject to harassment, threats, assaults, abductions, and even killings. Where civilian and military courts conducted trials, mostly in Tripoli and Benghazi, there were serious due process concerns. Prison authorities continued to hold thousands of detainees in long-term arbitrary detention without charge. Detainees included those held on security-related charges because of their participation in a conflict, terrorism suspects, and others held for common crimes such as murder or theft. Justice, interior, defense, and intelligence ministries linked with the respective governments in Libya all run detention facilities. Prisons nominally run by authorities but often controlled by armed groups are marked by overcrowding, poor living conditions, and ill treatment.

In January, Tunisia [repatriated](#) six orphaned children of ISIS suspects. GNA-linked Special Deterrence Force and the Justice Ministry have continued to hold dozens of other foreign women and children who are related to ISIS suspects in prisons in Tripoli and in Misrata since their capture in 2016. Prospects for their release remained dim because of the reluctance of their governments to repatriate them. They are held in facilities not adapted for children's needs, such as pediatric medical care and education.

International Justice and the ICC

Saif al-Islam Gaddafi, a son of Muammar Gaddafi who was sentenced to death in absentia by a Libyan court in 2015, is wanted by the International Criminal Court (ICC) for his alleged role in attacks on civilians, including peaceful demonstrators, during the country's 2011 uprising. Gaddafi's whereabouts remained unknown.

Two other Libyans continued to be subject to ICC arrest warrants: Al-Tuhamy Khaled, former head of the Internal Security Agency under Muammar Gaddafi, for war crimes and crimes against humanity committed between February and August 2011, and LAAF commander, Mahmoud El-Werfalli, for the war crime of murder related to several incidents in and around Benghazi between June 2016 and January 2018. Both men remained fugitives.

In September, two families brought [lawsuits](#) in the United States against Khalifa Hiftar, accusing his forces of atrocities during the months-long siege of Ganfouda in Benghazi in 2017 in which their relatives were killed. [Previously](#), two families brought [similar lawsuits](#) against Hiftar for extrajudicial killings and torture of their relatives in eastern Libya by his forces.

Death Penalty

The death penalty is stipulated in over 30 articles in Libya's penal code, including for acts of speech and association. No death sentences have been carried out since 2010, although both military and civilian courts continued to impose them.

Internally Displaced Persons

As of October, the International Organization for Migration (IOM) estimated there were 392,241 internally displaced people in Libya, including 229,295 people displaced since the beginning of the April 2019 conflict in Tripoli and surrounding areas.

The displaced include many of the 48,000 former residents of the town of Tawergha, who in 2011 were driven out by armed groups predominantly from Misrata because of their support for the former Gaddafi government. Despite reconciliation agreements with Misrata authorities, they have been deterred by returning by the massive and deliberate destruction of the town and its infrastructure between 2011 and 2017, predominantly by militias from Misrata, and the scarcity of public services by the GNA.

Freedom of Speech and Expression

Armed groups in Tripoli linked with the GNA used lethal force to disperse [largely peaceful anti-corruption protests](#) between August 23 and 29 and arbitrarily detained, tortured, and disappeared people in the capital before releasing them. They used machine guns and vehicle-mounted anti-aircraft weapons to disperse protesters, wounding some and killing one. One of those arrested and released was Sami al-Sharif, director of the Tripoli-based Al-Jawhara Radio Station. Libya al-Ahrar TV, a Libyan satellite TV station, announced that protesters harassed and attacked a TV crew covering the protests. The armed groups included the GNA-linked groups Special Deterrence Force, the Al-Nawasi Brigade and the General Security Force.

Armed groups affiliated with the LAAF and Interim Government in September violently suppressed anti-corruption protests in the eastern towns of Al-Marj and Benghazi, reportedly [killing one protester](#) and arresting an unknown number of people.

In Benghazi, unidentified masked gunmen shot dead on November 10 [Hanan Al-Barassi](#), an outspoken critic of violations by armed groups in eastern Libya. Al-Barassi, who spoke up against alleged widespread corruption and abuse of power by officials and members of armed groups in eastern Libya that included direct family members of Hiftar, also alleged sexual assault and harassment against women. In the days leading up to her killing, she said that she had received numerous death threats.

After a secret trial, a Benghazi military court in May sentenced freelance photojournalist [Ismail Abuzreiba Al-Zway](#), who had been arrested in December 2018, to 15 years in prison on terrorism charges for “communicating with a TV station that supports terrorism,” in reference to his previous work with a private Libyan satellite television channel, Alnabaa.

On December 14, 2019, Al-Nawasi Brigade, a GNA-linked armed group, abducted journalist Reda Fhelboom upon his arrival at Mitiga Airport in Tripoli and held him for 12 days in two different facilities where he says he was interrogated and ill-treated, including by suspending him by his wrists for long periods and keeping him blindfolded in a forced position for hours on end.

Al-Nawasi initially accused Fhelboom of illegally establishing a nongovernmental organization (NGO) and targeted him for an article he wrote in 2015 on lesbian, gay, bisexual, and transgender (LGBT) issues, for which he won an award in 2016. The general prosecutor finally charged him in January for “practicing journalism without a license and communicating with an international organization without state permission.” At time of writing, the case against him remained ongoing.

Women’s Rights and Sexual Orientation

Libyan law does not specifically criminalize domestic violence. Personal status laws discriminate against women with respect to marriage, divorce, and inheritance. The penal code allows for a reduced sentence for a man who kills or injures his wife or another female relative because he suspects her of extramarital sexual relations. Under the penal code, rapists can escape prosecution if they marry their victim.

The penal code prohibits all sexual acts outside marriage, including consensual same-sex relations, and punishes them with flogging and up to five years in prison.

Migrants, Refugees, and Asylum Seekers

Over 25,738 migrants and asylum seekers [arrived in Italy and Malta](#) from January to mid-September, 11,295 of whom had departed from Libya, according to the IOM. The organization recorded 471 deaths in the central Mediterranean in the same reporting period.

The IOM identified 584,509 migrants in Libya as of October. According to the UN refugee agency UNHCR, 46,247 were [registered asylum seekers and refugees](#). Due to conflict and Covid-19 disruptions, the IOM conducted fewer [voluntary humanitarian returns](#) of stranded migrants from Libya to their home countries—1,466 during the first quarter of 2020—compared with 9,800 in the same period in 2019.

The European Union continued to collaborate with abusive Libyan Coast Guard forces by providing them with speedboats, training, and other support to intercept and return thousands of people to Libya. As of October, 9,448 people were [disembarked](#) in Libya after the LCG intercepted them, according to IOM, who said [thousands then went missing](#) after they were taken to undisclosed locations.

Migrants, asylum seekers and refugees were [arbitrarily detained](#) in inhumane conditions in facilities run by the GNA’s Interior Ministry and in “warehouses” run by smugglers and traffickers, where they were subjected to forced labor, torture and other ill-treatment, extortion, and sexual assault. At least [2,467](#) were held in official detention centers in Libya as of September, according to UNHCR.

In May, unidentified gunmen [killed](#) 24 migrants from Bangladesh and six African migrants held in a trafficker’s safehouse in the southern town of Mizdah after a group of migrants had killed their Libyan captor. At the time, Mizdah was under the control of LAAF forces. At time of writing, no one had been arrested in relation to the killings. In July, Libyan authorities [shot and killed](#) three Sudanese migrants who tried to flee upon disembarkation in Libya after their interception at sea.

In October, GNA-linked forces said they arrested [Abd Al Rahman Al-Milad](#), also known as Bija, a member of the [Coast Guard](#) in the western town of Al-Zawiya for his alleged role in human trafficking. In June 2018, the [UN Security Council](#) designated Al-Milad sanctions for his role in human trafficking and smuggling and violations against migrants.

Country:
Covid-19
Libya

In March, the LAAF’s Chief of Staff banned medical doctors from voicing any criticism of the authorities’ handling of Covid-19 and [called anyone](#) who did so “traitors.” LAAF-linked military police arrested in March a medical doctor in Benghazi who had criticized conditions in hospitals in Benghazi in relation to the Covid-19 response, and subsequently released him.

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<https://www.hrw.org/world-report/2021/country-chapters/libya> Ministry said it released 466 pretrial detainees—who represent only a fraction of people in the prison system—as detainees who met the rules for conditional release from prisons in Tripoli in order to reduce overcrowding and mitigate a Covid-19 outbreak.

Document type:

The [Libyan Transitional Council](#) imposed a [four-day curfew](#) and two weeks of partial curfews in August, during anti-corruption protests in Tripoli, citing a spread of Covid-19. Some protesters said this was an attempt to prevent them from demonstrating. The GNA had imposed partial curfews since March to reduce Covid-19 transmissions.

English

Key International Actors

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The United States in September accused [Russia](#) of operating over 12 fighter jets in support of the LAAF with the help of the Wagner Group, a private military company believed to be linked with the Kremlin.

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The EU signed a [memorandum of understanding](#) in December 2019 with the GNA to demarcate maritime zones in the region, and a security agreement for cooperation on military matters including trainings and military materials.

The UN Human Rights Council on June 22 established a [fact-finding mission](#) to investigate violations of international human rights law and international humanitarian law by all parties to the Libya conflict since the beginning of 2016.

The European Union in March launched Operation [EUNAVFOR MED IRINI](#) to enforce the UN Libya arms embargo through aerial, satellite and maritime assets in accordance with UNSC Resolution 2292 (2016). EU governments agreed that IRINI patrol boats would avoid monitoring areas of the Mediterranean where they might have to respond to boats carrying [migrants in distress](#). The EU continued its [policy of cooperation and support](#) to Libyan authorities to stop departures and ensuring that those intercepted at sea were returned to abusive and inhumane conditions in Libya. In September, the EU added to its [sanctions list](#) two persons responsible for human rights abuses in Libya and three entities involved in violating the UN arms embargo.

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