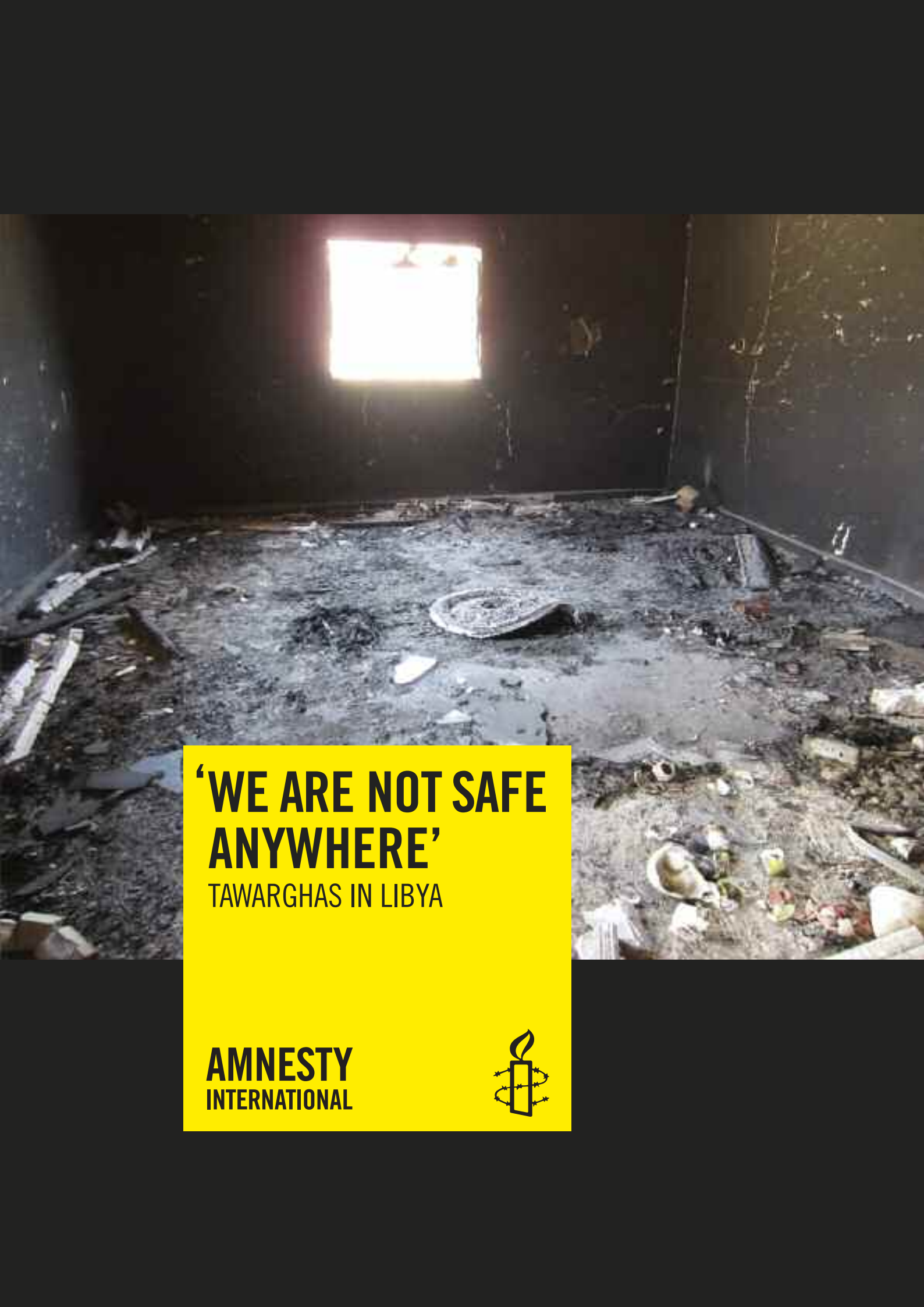


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**‘WE ARE NOT SAFE
ANYWHERE’**

TAWARGHAS IN LIBYA

AMNESTY
INTERNATIONAL



“We are so afraid for the safety of all Tawarghas once they are taken to Misratah... We are not safe anywhere, we can’t leave home, we are trapped. If we go out, we risk arrest too.”

Relative of detained Tawargha speaking to Amnesty International, April 2012

In mid-August 2011, opposition fighters from Misratah attacked the neighbouring town of Tawargha, home to some 30,000 black Libyans. The fighters, known as *thuwwar*, used indiscriminate weapons such as Grad rockets to attack the town, forcing most residents to flee. The *thuwwar* shot at some of those trying to escape, and then detained the Tawarghas who remained or ordered them to leave. After they had emptied the area, the *thuwwar* looted, vandalized and burned down homes. Today, Tawargha is a ghost town.

The *thuwwar* wanted revenge because they believed the Tawarghas had supported the former Libyan leader, Colonel Mu’ammar al-Gaddafi, during the conflict between late February and October 2011 that ended with his death and the overthrow of his government.

Al-Gaddafi’s forces had used the Tawargha area as a base during a long siege of Misratah in 2011, and many people in Misratah accuse Tawarghas of having raped and killed civilians in the town.

The Misratah *thuwwar* have vowed that the people of Tawargha will never be allowed to return. Organized into scores of militias, they have raided the town again and again to destroy homes and infrastructure, and have blocked access to the town. They have even erased the town’s name on road signs. Tawargha is being wiped off the map.

Amnesty International has spoken to scores of Tawarghas in detention centres, camps for displaced people, and elsewhere. Many said that they had fought alongside al-Gaddafi forces but denied that they had committed rape or murder. Several detainees said they had been repeatedly tortured to force them

to confess to such crimes. In March 2012, the UN’s International Commission of Inquiry on Libya reported that it had not found evidence of a widespread or a systematic attack, or any overall policy of sexual violence by al-Gaddafi forces against a civilian population.

Tawarghas are being collectively punished for crimes allegedly committed by a few. They have no hope of returning home. Their children cannot go to school. Their situation may mean they are unable to vote alongside other Libyans in June 2012 for the Constituent Assembly. Urgent action is needed to protect them and secure their future.

***Opposite page, left: Hammala Mohammed
Bela’id Liqmati***

Right: Hoda Mohammed Bela’id Liqmati



“My 20-year-old brother Nassereddine was shot and fell. I ran to help him and as I reached him I was shot in the left thigh and fell down. My sister Hammala rushed over to help us and she was herself shot in the back and is now in a serious condition.”

Hoda Mohammed Bela'id Liqmati speaking to Amnesty International, 2012



“At one point the militias shot indiscriminately towards the demonstrators. People ran in different directions, each trying to find shelter from the fire... Hanin was shot in the neck.”

Sister of 12-year-old Hanin Salah 'Aquila Zayed, killed in an attack in Tripoli on 6 February 2012, speaking to Amnesty International

HUNTED EVERYWHERE

The Tawarghas are scattered across Libya, most in poorly resourced camps including in Benghazi and Libya's capital, Tripoli. They are living in constant fear as Misratah *thuwwar* periodically raid camps, terrorizing residents, and leave with people they have “arrested” without warrants.

In one attack in Tripoli on 6 February 2012, militia attacked a disused naval base sheltering some 2,500 Tawarghas. The gunmen killed two Tawarghas in the camp, and then five others some 4km away while they were protesting against the attack. The dead included three children and an elderly woman.

One of the children, 12-year-old Hanin Salah 'Aquila Zayed, was killed when gunmen fired at Tawarghas protesting against the attack. After the protest Tawarghas found the bodies

of 13-year-old Mohammed Atiya Salah Mahjub and 15-year-old Frej AbdelMoula Frej on a beach a few hundred metres away. The gunmen had chased them as they fled and shot them.

Hoda Mohammed Bela'id Liqmati, 25, was shot and injured during the protest. The *thuwwar* killed her brother, Nassereddine Mohammed Bela'id Liqmati, and uncle, Noureddine Bela'id Liqmati, and shot and injured her sister, Hammala Mohammed Bela'id Liqmati. She told Amnesty International that as they were heading towards the town centre, militia in a pick-up truck hurled threats and abuses at them and then began firing indiscriminately.

When Amnesty International visited Hammala in hospital in February, her condition was indeed serious.



“I was insulted for being from Tawargha. I told them that I was based as a soldier in Sirte and did not participate in the fighting in Misratah. However, they did not believe me. They took turns beating and whipping me.”

B8, a 26-year-old soldier of Tawargha origin, speaking to Amnesty International about his treatment during interrogation by Misratah *thuwwar* in early January 2012

CAPTURED AND TORTURED

B8 (name withheld for safety) was detained by militia on 26 September 2011 about 20km south of Sirte while travelling with his family to Jufra. That evening he was transferred to a detention centre in Misratah, where he remained for two to three weeks. There, he said, he was abused, including by being beaten with a plastic cable. In early January, he was taken to the detention centre of the National Military Security in Misratah and tortured.

The Misratah militias have hunted down and detained hundreds of Tawarghas from camps, homes, checkpoints and even hospitals. The militia take their captives back to Misratah, where hundreds are believed to be arbitrarily held in makeshift

detention facilities. Torture is widespread and routine. Amnesty International knows of several Tawarghas who have been tortured to death.

None of the Tawarghas interviewed by Amnesty International has had access to a lawyer and none could challenge the legality of their detention. No Tawarghas have been charged or convicted for their alleged crimes. Several were tortured into signing “confessions” that they had raped and killed Misratans.

In January 2012, an Amnesty International delegate saw a member of a militia kicking and threatening an elderly Tawargha man in a Misratah detention centre. The man was crying and cowering against the wall. The



assailant told Amnesty International that “those from Tawargha will not be released or we’ll kill them”.

The killings continue. On 16 April 2012, the body of 44-year-old Barnous Bous’a was delivered to his family. It was covered with bruises and cuts, including an open wound to the back of the head. After his arrest by Misratah militias in October 2011 while fleeing fighting in Sirte, he was reported to have been held at a detention facility under the control of Misratah’s Security Committee. Barnous Bous’a was a father of two. He had not been involved in the fighting and had earlier fled his home in Kararim in western Libya to escape the conflict.

RACIST ATTACKS

The targeting of Tawarghas also appears to have racial undertones. During the conflict, widespread rumours of the use of “African mercenaries” by the former government to crush the uprising and the use of the words “black” and “mercenary” interchangeably exacerbated pre-existing racism and xenophobia, exposing black Libyans and Sub-Saharan Africans to violent attacks and abuse on account of their skin colour.

Some comments made in Misratan newspapers, television channels and social networking sites have amounted to hate speech and incitement to hostility, discrimination and violence against the Tawargha population. One Tawargha man

Above: Damaged and empty buildings in Tawargha.

Left: The deserted town of Tawargha.

held by the *thuwwar* told Amnesty International: “Those who arrested us called us ‘slaves’ and said that we should go back to Africa because there is no place for us in the new Libya.”

“My only sin is my skin colour...”

Tawargha man speaking to Amnesty International delegates, September 2011



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AUTHORITIES' FAILURE TO TAKE ACTION

Misratah witnessed some of the most protracted fighting during the conflict, and its people faced siege and indiscriminate fire from al-Gaddafi forces for months. Misratah's local leaders and people are proud of the town and have hailed its fighters as heroes. However, abuses by these fighters against Tawarghas and other alleged loyalists have been at best ignored by Misratah's leaders and at worst supported and encouraged by them.

Torture takes place in detention facilities overseen by the Misratah Military Council and Security Committee. Local leaders deny that abuses are systematic, saying they are

Left: Frej AbdelMoula Frej, aged 15, and **centre,** Jumaa al-Gaddafi, aged 58, who were both killed during the militia attack on the camp for displaced Tawarghas in Tripoli on 6 February 2012.

Right: Amna Imhammed Mbarek, who was wounded during the same attack.

"individual mistakes" as a reaction to the violations suffered by Misratah's residents during the conflict. In April 2012, Misratah's newly elected Council said that reconciliation between the two towns was "probably impossible". It called for an "alternative solution" for the people of Tawargha.

"Regarding Tawargha, my own viewpoint is that nobody has the right to interfere in this matter except the people of Misratah."

Mahmoud Jibril, then Libya's interim Prime Minister, quoted in *The Wall Street Journal*, September 2011



The Libyan government under the National Transitional Council (NTC) has also shown little political will to investigate abuses and provide Tawarghas with redress. Instead, the NTC is preparing a general amnesty law to grant immunity to members of militias responsible for war crimes and other abuses.

The NTC has said it will uphold Libya's international human rights obligations under treaties such as the International Covenant on Civil and Political Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. However, it has taken little effective action to protect people from arbitrary detention or torture and other ill-treatment. Instead, human rights abuses

continue with impunity – a reminder of the rule of Colonel al-Gaddafi.

CRIMES AGAINST HUMANITY

Amnesty International documented attacks against Tawargha civilians by the Misratah *thuwwar* during the conflict that constituted war crimes, as well as other crimes under international law. Given that these attacks, including killings and torture, were committed as part of a widespread and systematic attack directed against the civilian population of Tawargha, and with knowledge of the attack, it appears that they constituted crimes against humanity, as provided in Article 7 of the Rome Statute of the International Criminal Court.

Left: Marwa Saad Ali Mansur, right: Belgasem Shibani Ahmed Lawris, both of whom were injured in the militia attack on the Tawargha camp in Tripoli on 6 February 2012.

“[Tawarghas deserve] to be wiped off the face of the planet.”

Misratah fighter, speaking to the UN International Commission of Inquiry



TAKE ACTION

Please write to Ali Hmeida Ashur, Minister of Justice and Human Rights, calling on the National Transitional Council to:

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

- Bring to justice those responsible for human rights abuses against Tawarghas, including killings and torture.

- End arbitrary detentions of Tawarghas by militias and security forces, and ensure that no one is deprived of their liberty except in accordance with procedures and on grounds prescribed by law.

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

Fax: +218214805427
cc The National Council on Human Rights:
+218214447377

Above: Displaced Tawargha women and children in Tripoli, February 2012.

Front: Burned out home in the town of Tawargha, September 2011. © Amnesty International

**AMNESTY
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Amnesty International is a global movement of more than 3 million supporters, members and activists in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and public donations.

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Amnesty International
International Secretariat
Peter Benenson House
1 Easton Street
London WC1X 0DW
United Kingdom

amnesty.org