



COI QUERY

Country of Origin	LIBYA
Main subject	<u>Treatment of people from Tarhuna by the Government of National Accord (GNA) -affiliated forces between January 2020 and February 2021</u>
Question(s)	1.1 <u>What is the treatment of people from Tarhuna by GNA-affiliated militias, including at checkpoints (Jan 2020-Feb 2021)?</u> 1.2 <u>What is the treatment of people resident in Tripoli and whose families originate from Tarhuna by Tripoli-based, GNA-affiliated militias (Jan 2020-Feb 2021)?</u>
Date of completion	1 March 2021
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Contributing EU+ COI units (if applicable)	N/A

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The information provided in this response has been researched, evaluated and processed with utmost care within a limited time frame. All sources used are referenced. A quality review has been performed in line with the above mentioned methodology. This document does not claim to be exhaustive neither conclusive as to the merit of any particular claim to international protection. If a certain event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist. Terminology used should not be regarded as indicative of a particular legal position.

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The target audience is caseworkers, COI researchers, policy makers, and decision making authorities. The answer was finalised on 1 March 2021. Any event taking place after this date is not included in this answer.

COI QUERY RESPONSE - LIBYA

1. Treatment of people from Tarhuna by the Government of National Accord (GNA) -affiliated forces between January 2020 and February 2021

Background of the conflict in Tarhuna

Tarhuna is one of the main towns of Al-Margeb province, which is situated to the south-east of Tripoli and Al-Jfara.¹ Prior to its recapture by the forces of the Government National Accord (GNA) on 5 June 2020, Tarhuna was aligned with the Libyan National Army (LNA) and was ruled by al-Kaniyat militia (named after the Kani brothers; also known as the 9th Brigade since its integration in the LNA).² The 7 Kani brothers, namely Abdul-Khaliq, Mohammed, Muammar, Abdul-Rahim, Mohsen, Ali and Abdul-Adhima (currently only four are alive)³, took advantage of the turmoil after the 2011 Revolution and the toppling of Gaddafi, and, being one of the few families in Tarhuna supporting the revolutionaries, gradually created their own militia and started gaining power in Tarhuna.⁴ By 2015, the Al-Kaniyat militia 'controlled every aspect of life in Tarhuna'.⁵ During the time of their dominance over the town, there were reportedly regular abductions, torture and disappearances of dissenters.⁶ According to a statement of the Public Authority for Search and Identification of Missing Persons, cited in a Human Rights Watch (HRW) report, 'at least 338 residents of Tarhuna were reported missing after Al-Kani took over the town in 2015'.⁷ While the Al-Kani family had previously been loyal to the GNA, in April 2019, they decided to ally with the LNA forces and to allow Haftar to use Tarhuna as a launch pad for his offensives against Tripoli.⁸

Between April and August 2019, Tarhuna was targeted by GNA air strikes that hit civilian homes and resulted in civilian casualties.⁹ After the GNA captured Al-Watiya airbase on 18 May 2020, the GNA-aligned forces sent reinforcements to the areas adjacent to Tarhuna and besieged the town. On 4 June, all LNA forces pulled back from the Tripoli's suburbs and on 5 June 2020, the GNA-aligned forces gained control of the town, without resistance, 'effectively ending the Libyan National Army offensive on Tripoli, launched in April 2019'.¹⁰ Although a ceasefire agreement was signed between GNA and LNA in Geneva on 23 October 2020, armed groups on all sides continued to engage in unlawful activities.¹¹

Since the withdrawal of the LNA forces from Tarhuna, 28 mass graves have been discovered in the area¹², as well as at least 106 bodies near the hospital of Tarhuna.¹³ The General Authority for the

¹ UNOCHA, Libya: Reference map – Mantiqat: Al-Margeb, 27 April 2017, [url](#)

² Lacher, W., Who is fighting whom in Tripoli? How the 2019 civil war is transforming Libya's military landscape, SANA, SAS, August 2019, [url](#), pp. 12-13; HRW, Libya: UN Establishes Fact Finding Body, 22 June 2020, [url](#)

³ TRT World, The Libyan brothers who kept lions as pets and unleashed terror, 8 January 2021, [url](#)

⁴ BBC News, How six brothers - and their lions - terrorised a Libyan town, 7 January 2021, [url](#)

⁵ HRW, Libya: Militia Terrorized Town, Leaving Mass Graves, 7 January 2021, [url](#); TRT World, The Libyan brothers who kept lions as pets and unleashed terror, 8 January 2021, [url](#)

⁶ HRW, Libya: Militia Terrorized Town, Leaving Mass Graves, 7 January 2021, [url](#); UNSMIL, UNSMIL expresses deep concern at increased abductions, arbitrary detention and enforced disappearance cases since the outbreak of fighting in Tripoli, 8 May 2019, [url](#); UNSMIL, UNSMIL expresses concern about increased enforced disappearances in Libya, 18 March 2020, [url](#)

⁷ HRW, Libya: Militia Terrorized Town, Leaving Mass Graves, 7 January 2021, [url](#)

⁸ Libya Observer (The), US sanctions pro-Haftar Al-Kaniyat militia and its leader, 25 November 2020, [url](#); BBC News, How six brothers - and their lions - terrorised a Libyan town, 7 January 2021, [url](#); Netherlands Ministry of Foreign Affairs: Country of origin information report on Libya, June 2020, [url](#), p. 23

⁹ Al, Libya's Relentless Militia War Civilians Harmed in the Battle for Tripoli, April-August 2019, 22 October 2019, [url](#), p. 16

¹⁰ UNSC, United Nations Support Mission in Libya: Report of the Secretary-General, 25 August 2020 [url](#), para. 4; Al Jazeera, Libyan government forces seize Haftar stronghold Tarhuna, 5 June 2020, [url](#)

¹¹ HRW, World Report Event of 2020 – Libya, 13 January 2021, [url](#)

¹² HRW, World Report Event of 2020 – Libya, 13 January 2021, [url](#); AA, 4 bodies exhumed from new mass grave in Libya's Tarhuna, 9 January 2021, [url](#); Africanews, Libya finds more mass graves in city Haftar forces held, 23 January 2021, [url](#)

Search and Identification of Missing Persons reported in July that 226 bodies ‘were recovered in Tarhuna and areas south of Tripoli during the period from June 5 to 16 July’.¹⁴ On 10 November 2020, the ICC prosecutor reported that her office conducted two missions to Libya and that it had ‘received credible information indicating, that forces from Tarhouna affiliated with the LNA are alleged to have committed serious crimes including killings, abductions, [and] enforced disappearances.’¹⁵ On 27 February 2021, the Military Prosecutor issued an arrest warrant against 3 028 individuals affiliated with the Al-Kaniyat, for their involvement in mass murders.¹⁶

More information on the treatment of Tarhuna’s residents by Al-Kaniyat militias can be found in the [EASO Query Response on the security situation in Libya](#), published on 7 December 2020.¹⁷

1.1 What is the treatment of people from Tarhuna by GNA-affiliated militias, including at checkpoints (Jan 2020-Feb 2021)?

According to Amnesty International (AI), since April 2020, when the GNA forces started advancing against LNA positions in western Libya, there had been individual cases of GNA-affiliated fighters, threatening the life and the integrity of Tarhuna’s residents. AI reported these cases within the context of their investigation on retaliatory attacks by warring parties against civilians perceived of being affiliated with rival groups. The same source also reported that during April and May 2020, GNA-aligned forces have committed indiscriminate attacks in some of Tripoli’s suburbs, including in Tarhuna, leading to civilian casualties.¹⁸

On 7 June 2020, two days after the seizing of Tarhuna by GNA forces, UNSMIL stated that they had received ‘numerous reports of the looting and destruction of public and private property in Tarhuna and Alasabaa which in some cases appear to be acts of retribution and revenge that risk further fraying Libya’s social fabric’.¹⁹ Sky News Arabia reported on incidents of looting of houses and shops, as well as ‘grave human rights violations’ committed by militias and mercenaries aligned with the GNA.²⁰ According to Middle East Eye, the retaliation activities by GNA forces in Tahrana also included arsons, arbitrary arrests and the removal of two telecommunications towers, in order to eliminate internet coverage.²¹ The same source reported that the GNA interior ministry issued a statement on 7 June 2020 ‘calling on military and security forces in liberated areas to protect civilian lives and their property, vowing to hold transgressors to account, whatever their rank’.²²

In a report published on 25 August 2020, the UN Security Council stated that UNSMIL recorded an ‘alarming increase in retaliatory acts in areas previously controlled by or perceived to be supportive of the Libyan National Army’ including Tarhuna during the reporting period (5 May – 25 August

¹³ Daily Sabah, 106 bodies found in hospital in Libya’s liberated Tarhuna city, 5 June 2020, [url](#); HRW, World Report Event of 2020 – Libya, 13 January 2021, [url](#); UNSC, United Nations Support Mission in Libya: Report of the Secretary-General, 25 August 2020, [url](#), para. 33

¹⁴ Libya Herald, Five more Tarhuna mass graves discovered, 7 November 2020, [url](#)

¹⁵ ICC, Statement of ICC Prosecutor to the United Nations Security Council on the Situation in Libya, pursuant to UNSCR 1970 (2011), 10 November 2020, [url](#)

¹⁶ Libya Observer (The), Arrest warrants issued against 3028 members of Kaniyat militia group, 28 February 2021, [url](#)

¹⁷ EASO COI Query Response, Libya - Security Situation between 1 January 2019 and 30 September 2020, 7 December 2020, [url](#), pp. 37-38

¹⁸ AI, Libya: Retaliatory attacks against civilians must be halted and investigated, 5 June 2020, [url](#)

¹⁹ UNSMIL, UNSMIL statement of recent developments in Libya, 7 June 2020, [url](#)

²⁰ Sky News Arabia, بالصور.. المرتزقة الميليشيات يعيثون فسادا ونهباً في ترهونة [Milicias and Mercenaries Wreaking Havoc and Looting in Tarhuna], 8 June 2020, [url](#)

²¹ Middle East Eye, GNA militias run riot in Libya’s Tarhuna after LNA retreat, 9 June 2020, [url](#)

²² Middle East Eye, GNA militias run riot in Libya’s Tarhuna after LNA retreat, 9 June 2020, [url](#)

2020).²³

In its report of 22 June 2020, UNOCHA stated that the local stores in Tarhuna were open until 6 p.m. due to security concerns and that there were several reported checkpoints in the city.²⁴ As of 30 June 2020, approximately 28 000 people had fled their homes, following the intensification of conflict in southern Tripoli, Tarhuna and Sirt in June 2020. The majority of those displaced moved to the eastern part of the country.²⁵ As of September 2020, a small number of those who fled to the western part of Libya, returned to Tarhuna, while most of those who fled to the east were unwilling to return due to 'perceived political/tribal affiliations and fear of reprisals'.²⁶

On 10 November 2020, AI called the UN Rights Council members to address widespread torture during Libya's periodic review. In its call, AI reported that 'A sense of impunity has fuelled rampant torture by militias and armed groups affiliated to the Libyan Government of National Accord (GNA) and rivals with de facto control of territory because of real or perceived family, tribal, political or regional affiliations'.²⁷ As an example for the retaliatory acts committed by the GNA, AI reported that Bassem el-Melety, a resident of Tarhuna, was abducted on 23 October 2020 and was allegedly killed by the Tarhouna Security Directorate, a GNA-aligned armed group, due to his brother's affiliation to the Al-Kaniyat armed group.²⁸

In its report of 19 January 2021, the UN Security Council stated that armed groups continue to operate in the area of Tarhuna, threatening thus the security situation of the town and leading to 'a state of impunity and an absence of rule of law in Tarhunah'.²⁹

On 25 January 2021, the Supreme Council of Libyan Tribes issued a statement in which they hold GNA forces responsible for their 'deliberate failure' to protect the civilians in Tarhuna from the widespread violence in the town.³⁰

1.2 What is the treatment of people resident in Tripoli and whose families originate from Tarhuna by Tripoli-based, GNA-affiliated militias (Jan 2020-Feb 2021)?

Within the time constraints of this query response, no information could be found specifically on the treatment of people residing in Tripoli and whose families originate from Tarhuna by Tripoli-based GNA-affiliated militias, between January 2020 and February 2021.

²³ UNSC, United Nations Support Mission in Libya: Report of the Secretary-General, 25 August 2020, [url](#), paras. 5, 30; UNOCHA, Libya June Situation Report, last updated 8 July 2020, [url](#), p. 1

²⁴ UNOCHA, Libya: Tarhuna and Sirt - Flash Update No. 2 (as of 22 June 2020), 22 June 2020, [url](#), p. 1

²⁵ UNOCHA, Libya June Situation Report, last updated 8 July 2020, [url](#), p. 1

²⁶ UNOCHA, Libya I Humanitarian Bulletin (September 2020), 14 October 2020, [url](#), p. 1

²⁷ AI, Libya: UN Rights Council members must address widespread torture during periodic review, 10 November 2020, [url](#)

²⁸ AI, Libya: UN Rights Council members must address widespread torture during periodic review, 10 November 2020, [url](#)

²⁹ UNSC, United Nations Support Mission in Libya; Report of the Secretary-General [S/2020/41], 15 January 2020, [url](#), para.

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³⁰ Libyan Express, Libyan Tribes hold GNA responsible for violence in Tarhuna, 25 January 2021, [url](#)

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