

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	431
Land:	Libyen
Kilde:	Amnesty International
Titel:	Misratah: State-financed militia must be held to account for extrajudicial execution in Misratah
Udgivet:	31. marts 2022
Optaget på baggrundsmaterialet:	10. maj 2022

Libya: State-financed militia must be held to account for extrajudicial execution in Misratah

A shocking video depicting an extrajudicial execution by the Joint Operations Force (JOF), a state-financed militia also known as al-Moshtaraka, offers a grim reminder of the deadly consequences of impunity for militias and armed groups in Libya, Amnesty International said today.

Amnesty International's Crisis Evidence Lab has reviewed footage taken by a security camera on a street in Misratah on 6 March, which shows 27-year-old Altayeb Elsharari running away from armed men before being gunned down. At least one shot was fired from a distance of about seven metres. He can then be seen collapsing on the ground as eight men in military attire surround him before taking him away in the back of a military car with a visible JOF logo. The military vehicles seen in video are similar to those observed by an Amnesty International delegation during a visit to the city in February 2022.

"This close-range killing in broad daylight is yet another chilling example of the entrenched impunity enjoyed by militias, whose crimes have gone unpunished for far too long. The Libyan authorities must promptly and effectively investigate this extrajudicial execution and ensure that those responsible are held to account," said Diana Eltahawy, Deputy Director for the Middle East and North Africa at Amnesty International.

"It is shameful that the Libyan authorities are actively rewarding these abusive groups for their criminal behaviour. The authorities must urgently stop financing militias and integrating militiamen into state institutions without vetting to remove those reasonably suspected of responsibility for crimes under international law."

The militia responsible for the killing, the JOF, also known as al-Moshtaraka, is based in Misratah, Libya's third largest city. Amnesty International has repeatedly documented its involvement in enforced disappearances, torture and arbitrary detention, yet the group continues to operate with complete impunity.

According to the initial autopsy report dated 6 March 2022 and examined by Amnesty International, Altayeb Elsharari was shot in his back, and also sustained injuries to his leg. To date, the Libyan authorities have failed to bring the perpetrators to justice.

Weeks before his death, the JOF had arrested Altayeb Elsharari. After being released, he shared a live video in which he accused JOF militiamen of beating him. Sources with knowledge of his arrest said the JOF were seeking to punish him for this video.

This is not an isolated incident. Amnesty International has spoken to seven former detainees, five activists and four relatives of victims about violations perpetrated by the JOF during a mission to Misratah in February 2022 and remotely following the visit.

Despite these violations, Prime Minister of the Government of National Unity (GNU) Abdelhamid Debibah authorized the payment of 100 million LYD (\$21.6 million) to the JOF on 10 February 2022, according to a financial document seen by Amnesty International.

Arbitrary arrests, torture and enforced disappearances

Over the past six years, Amnesty International has documented a pattern of arbitrary detention by the JOF, wherein they target individuals based on their regional origin, political opinions or peaceful expression of ideas deemed as being "immoral."

On 25 August 2020, amid rare [protests](#) across Libya against the status quo and militia rule, JOF militiamen arrested journalist and activist Abdellatif Abu Hamra on the southern outskirts of the city of Beni Walid while he was collecting suspected Covid-19 samples for the National Centre for Disease

Control. He remained arbitrarily detained until mid-September 2020.

On 7 December 2021, members of the JOF arrested journalist and activist Hamza al-Treki after he uploaded a video in which he sharply criticized a businessman close to GNU Prime Minister Abdelhamid Debibah. Al-Treki had also posted allegations of corruption by Abdelhamid Debibah, his relatives and close associates on his social media accounts.

On 3 March 2022, the JOF detained Hafez Qadoor, a politician opposed to the GNU, before releasing him the next day. He told Libyan media that armed men had attacked him and his staff, firing gunshots haphazardly before arresting them and taking them into custody.

In January 2021, another man was arrested in Misratah and detained in an undisclosed location. Following his disappearance, several armed men raided his home and seized his phone, according to an eyewitness account. The family identified the men as JOF members from their badges. After JOF members denied holding him in custody, his family learned that he had been transferred to Mitiga prison in Tripoli, where he remains detained.

Amnesty International has documented five other cases of arbitrary arrest by JOF, and the use of torture and other ill-treatment, including beatings with water pipes, suspension in stress positions and denial of adequate food.

Among them was a 31-year-old man arrested in January 2022. He said the JOF punched and kicked him and beat him with water pipes. A medical report showed bruising on his legs, chest, and head after the beating, which corroborated his account.

The JOF also routinely violates detainees' right to presumption of innocence by publishing "confessions" on its social media channels. In a video released in February 2022, four men were heard "confessing" to membership in the Islamic State and participating in violent attacks.

The UN Fact-Finding Mission on Libya, mandated by the Human Rights Council to investigate violations and abuses of international human rights law and international humanitarian law committed by all parties to the conflict in Libya since 2016, released its second report on 28 March 2022, which outlined a litany of human rights violations committed across the country with impunity.

"Faced with the continued unwillingness of the Libyan authorities to rein in militias and armed groups and ensure that those reasonably suspected of crimes under international law are removed from positions that would allow them to commit further violations, interfere in investigations or grant them immunity, it is vital that members of the international community extend the mandate of the Fact-Finding Mission beyond June 2022 to enable it to complete its critical work," said Diana Eltahawy.

Background

The JOF was first established in 2013 under the name "The Temporary Joint Operations Room-Misratah". It nominally reports directly to the Prime Minister and has an allocated annual budget of 40 million LYD (\$8.5 million) by the government. While the militia's exact mandate remains unclear, the force appears to conduct military operations across Tripoli, Misratah and neighbouring cities.

The militia operates several detention centres in Misratah and cooperates with state security agencies.

The JOF was heavily involved in fighting against the Libyan Arab Armed Forces (LAAF), an armed group in effective control of eastern Libya, during its 2019 offensive on Tripoli.

© Amnesty International

ecoi.net summary:



Misratah: Video footage shows extrajudicial execution carried out by the state-financed militia Joint Operation Force (JOF, al-Moshtaraka)

Country:

Libya

Source:

[AI – Amnesty International](#)

Original link:

<https://www.amnesty.org/en/latest/news/2022/03/libya-state-financed-militia-must-be-held-to-account-for-extrajudicial-execution-in-misratah/>

Document type:

Appeal or News Release

Language:

English

Published:

31 March 2022

Document ID:

2070559

Austrian Red Cross
Austrian Centre for Country of Origin and
Asylum Research and Documentation (ACCORD)

Wiedner Hauptstraße 32, 1041 Wien
T (Telefon) +43 1 589 00 583
F (Fax) +43 1 589 00 589
info@ecoi.net

Contact
Imprint & Disclaimer
F.A.Q.
Data Protection Notice

ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

