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Libya: After Prison Escape, Derna Residents Rounded Up; Targeted Unlawfully by Eastern Armed Groups

(Beirut) – An armed group associated with the [Libyan](#) Arab Armed Forces (LAAF) arbitrarily arrested at least 50 residents of the city of Derna following a January 16, 2022, prison escape, Human Rights Watch said today.

The armed group, Tarek Bin Ziyad Battalion, captured the five escapees, all from Derna, on January 20 and returned them to Garnada Prison, a high-security facility near al-Bayda in eastern Libya. But it has continued to detain an unknown number of Derna residents who were rounded up in the escape's aftermath presumably in Garnada Prison. The people detained include relatives of the five escaped prisoners but also former detainees from Derna and their relatives.

"Once again, unaccountable LAAF forces resort to brutal tactics to instill fear and terror among Derna residents," said [Eric Goldstein](#), deputy Middle East and North Africa director at Human Rights Watch. "The eastern Libyan authorities should release without delay anyone arbitrarily detained and disclose the names and whereabouts of anyone they still hold, and the legal basis in each case."

Governance in Libya was divided after [conflict](#) in 2014 resulted in the fracturing of central authority and the emergence of competing interim authorities in the east and west of the country. Since March 2021, The Tripoli-based [Government of National Unity](#) (GNU) headed by Abdelhamid Dabeida replaced these former eastern and western based authorities. However, the relationship with the LAAF, an armed group under the command of Khalifa Hiftar that effectively controls eastern Libya and parts of the south, remains fraught. On March 1, Libya's House of Representatives endorsed a second rival administration, the [Government of National Stability](#) headed by Fathi Bashagha. It is unclear where the new authority will be based and if it will operate in parallel to the GNU.

The LAAF in February 2019 took control of Derna, a city it had [besieged](#) for three years purportedly to [drive out local fighters](#) who were controlling the city. LAAF-linked groups arbitrarily detained and ill-treated residents and deliberately damaged homes with [impunity](#). Hundreds of Derna residents remained displaced in western Libya, fearing reprisals if they return.

The current location and condition of the [five](#) recaptured escapees are unknown. However, based on what is known about conditions in Garnada and other LAAF detention centers, there are [grounds](#) to fear that they have been ill-treated or transferred elsewhere without their families or lawyers being notified. The [recaptured escapees](#) are Anas Abdelaati Belleil, Ayoub Attia Abdullah Al-Jazawi, Hamza Mohamed Al-Awami, Ramadan Muftah Mohamed, and Nouri Ahmed Mohamed.

Human Rights spoke with Derna residents and reviewed online material about the round-up following the prison escape. In some cases, Company 2020, a unit under the Tarek Bin Ziyad Battalion, seized and detained more than one family member. The [families](#) included Al-Awami, Al-Sirwahi, Al-Ghammari, Al-Hinshir, Al-Shaaeri, Billeil, Abu Khutwa, Al-Mahjoub, Al-Freikh, Al-Jazawi, and Al-Naas.

Arbitrarily detaining people as a form of collective punishment or in an effort to force people to disclose information violates their right to liberty, security, and the right to due process.

A Derna resident previously detained by the LAAF in Garnada Prison said that members of Company 2020 under the Tarek Bin Ziyad Battalion had arrested members of his family in Derna after the prison escape, and held them in Garnada, then freed them.

"My relatives had absolutely nothing to do with the recent escape attempt, yet they were detained for some days and beaten," said the former prisoner, who spoke on condition of anonymity for fear of retaliation against him and his family. "They had not been accused of any wrongdoing and no charges were brought against them."

He said that he was detained for several years before he was cleared of all charges and released. He said that in the aftermath of previous escape attempts, guards would use collective punishment such as beating detainees who had nothing to do with the escape, or cutting bread from meals, which were already of bad quality.

"At Garnada, you can be tortured for the smallest thing," he said. "If they find half a cigarette, you can end up being suspended by your limbs and beaten viciously with a plastic pipe; can you imagine what they will do to someone who tried to escape? Guards there compulsively torture."

He said he was not allowed to see his family for over a year while he was in the prison: "I spent over a year in solitary confinement and was also beaten. I still have torture marks. I witnessed many who were tortured. One man who was 84 years at the time was tortured multiple times."

He and another activist said that released detainees from Derna often remain under strict security restrictions that effectively force them to remain in Derna, such as being required to check in regularly, even if they have been cleared of all charges.

Safwan Al-Masouri, a member of the High Council of the State, an advisory body to the government under the 2015 [Libyan Political agreement](#), and the only official to react to the allegations of mass arrests in Derna, said in a [statement](#) that torture at Garnada Prison had intensified after the prison break and urged government authorities to intervene.

Thousands are held in prisons run by the LAAF in eastern Libya including people accused of crimes in areas under their control and political opponents. Garnada Prison Complex is divided into a section administered by the Justice Ministry, nominally under GNU; another by LAAF military police, and a third newly established facility, by LAAF Company 2020, headed by Mohamed Bin Idris Al-Tajouri, at the time of the escape.

Torture and other ill treatment at the Military Police and Tarek Bin Ziyad prisons in Garnada is commonplace. Victims include children, as well as journalists and activists who have spoken to released detainees, a former prisoner told Human Rights Watch. [Human Rights Watch](#) found abuse to be systematic when it visited Garnada in 2015, although at time there was no wing run by the Tarek Bin Ziyad Battalion.

The LAAF tightly controls security and access to Derna and residents, fearing reprisal, were reluctant to speak with Human Rights Watch about the arrests, detention, and ill-treatment of their relatives. While most detainees from Derna are held in Garnada Prison, activists said that the LAAF has transferred some to other prisons in LAAF-controlled areas of eastern Libya, including a prison under the al-Marj Security Directorate known as Al-Rakh Prison, and a facility in al-Dashm military base in Sidi Freij in Benghazi.

International human rights law stipulates that a person can only be detained according to the law and by people authorized by law to detain prisoners, and that every detainee should be brought promptly before a judicial authority. The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, further obligates Libya to investigate and prosecute all those responsible for torture in its territory.

Certain crimes, when committed on a widespread or systematic basis as part of a state or organizational policy to commit the crime, can constitute crimes against humanity during conflict or peace. These crimes include torture and arbitrary detention.

The [International Criminal Court](#) has a mandate to investigate war crimes, crimes against humanity and genocide in Libya since February 2011, yet has not announced any new investigations since [2017](#). The Independent [Fact Finding Mission](#) established by the United Nations Human Rights Council in June 2020 with a mandate to investigate violations of international human rights law and international humanitarian law committed in the country since 2016 is expected to submit a final report after the end of its mandate in June 2022.

"There is a need to address rampant serious crimes in Libya such as arbitrary detention and ill treatment to send a clear message to armed groups that they cannot benefit from impunity forever," Goldstein said.

ecoi.net summary:



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residents arbitrarily arrested
by an armed group on 16
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