



'VANISHED OFF THE FACE OF THE EARTH'

ABDUCTED CIVILIANS IN LIBYA

AMNESTY
INTERNATIONAL



“On the phone, my son told me that they were going to cut off his fingers if we don't cooperate”

Al-Munsaf Mohamed Ali, Father of Mohamed al-Munsaf al-Shalali, an abducted aid worker

Abductions of civilians by armed groups have become a daily feature of post-al-Gaddafi Libya.

They have increased dramatically with the escalation of armed conflicts since mid-2014. Most Libyans today know of a friend, colleague or family member who has fallen victim to such abductions. Many others live in fear of being kidnapped and tortured.

According to the Libyan Red Crescent Society (LRCS), as of April 2015, the fate or whereabouts of at least 378 individuals who have gone missing since 2014 remains unknown. Some 626 reports of missing persons have been filed with LRCS since 2014, the vast majority of which (508) were reported in Benghazi, following the start of the current armed conflicts. In many cases, abducted civilians were released through prisoner exchanges, according to the LRCS, pointing to hostage-taking. Amnesty International believes however, that the true scale of abductions is under-reported.

Various armed groups and forces across Libya, including those affiliated with rival governments such as Libya Dawn and Operation Dignity forces as well as those pursuing their own agendas, are responsible for abductions of civilians on account of their origin, opinion, perceived political affiliation or tribal belonging. In some cases, abductions appear to be carried out in order to secure a ransom or prisoner exchange, which amounts to hostage-taking, a war

crime. Civilians, including children, are usually abducted from their homes, workplaces, gas stations, checkpoints and on the street. Among those abducted are journalists, activists, members of the judiciary targeted for their activities, public officials, civil servants, aid workers and foreign nationals abducted on account of their religion, race or nationality.

Completely cut-off from their families and the outside world during their abduction, many released survivors speak of repeated beatings with cables and sticks, death threats, blindfolds placed for several days and verbal abuse by their captors while confined in poor conditions. Many have suffered from long-term or permanent injuries and psychological effects of torture techniques such as electric shocks and being placed in stress positions. A number of abducted civilians died under torture or were summarily killed in custody, while their dead bodies were dumped on the streets or brought to hospitals. Families kept in the dark about the whereabouts of their loved ones would usually find out about such killings from social media sites.

Consular staff and foreign workers have also been amongst those abducted. In one example, at least 49 foreign nationals, including Egyptian and Ethiopian Coptic Christians, and Eritreans were abducted and summarily killed between March and June 2015 by the so-called Islamic State (IS), an armed group aiming to enforce its own interpretation of Islamic Law in Libya. At

least seven Egyptian nationals, most of them Christian Copts, remain missing following their abduction near Sirte and Misratah.

The fate of three brothers - Jamal Matta Hakim, Ra'if Matta Hakim and Rumana Matta Hakim – and their cousin, Adel Siddiq Hakim, has been unknown since they were abducted at a checkpoint in Sirte on 25 August 2014. One of their relatives told Amnesty International that the men were on their way back to Egypt when their car was stopped by a group of armed, masked men at a checkpoint. Upon inspection of their passports, the four Copts were forced to get out of the vehicle and were taken to an unknown location.

In May 2015, scores of Tunisian nationals were rounded up in Tripoli, before later being released, in what appeared to be a retaliatory response to the arrest of a Libya Dawn commander by the Tunisian authorities. Weeks later, on 12 June, 10 Tunisian consular staff were kidnapped and released a week later amidst speculation that their abduction was aimed at securing the release of the same Libya Dawn commander – who was later released. The fate and whereabouts of two Tunisian media workers Sofiane Chourabi and Nadhir Ktari have been unknown since September 2014. Concerns for their lives have increased after Libya's internationally recognized government declared on 29 April 2015 that it had obtained confessions from captured fighters pointing to the killing of Sofiane Chourabi, Nadhir Ktari and five members of



"It's been 11 months and ten days that we have not had any news. We don't know anything about them".

The family of four Egyptian Copts abducted in Libya

Left: Families of Egyptian Coptic Christians abducted in Libya, hold pictures of their kidnapped relatives as they ask for their release in front of the U.N. office in Cairo, January 2015.

the Libyan Barqa TV crew, including four Libyans and an Egyptian national.

Members of the Tawargha community, which was displaced in 2011, have also been targeted for abductions based on their political affiliation and origin. The fate and whereabouts of some 21 Tawargha men, who were abducted in early December 2014 while fleeing the violence in Benghazi, is still unknown.

Despite some releases negotiated through local ceasefires and reconciliation initiatives, thousands of individuals remain illegally detained.

BACKGROUND

Following the Libyan uprising in 2011 that culminated in the downfall of Mu'ammara-Gaddafi's rule, the security situation in the country deteriorated considerably. Street battles, assassinations, abductions, torture and other ill-treatment have become the norm. As of mid-2014, Libya has been engulfed in several armed conflicts along political, ideological, tribal and regional lines. Today, two governments and two parliaments are fighting for legitimacy and power through various coalitions of militias and armed forces, but neither exercises full and effective control on the ground. The

power vacuum and breakdown of the justice system has allowed for armed groups such as IS to spread and take control of some areas of the country.

The internationally recognised interim government is based in Tobruk and al-Bayda in the east, while the self-declared National Salvation Government (NSG) is based in Tripoli, in the west of Libya. Armed groups back each government respectively with Libya Dawn acting as the military arm of the NSG and Operation Dignity forces as the interim government's military arm (See box below for details). Over time, the military blocks have started fragmenting increasing the existing chaos.

Both armed groups affiliated with Libya Dawn forces and Operation Dignity forces have tortured and otherwise ill-treated captured fighters and civilians they abducted, using electric shocks, stress positions, and denial of food, water and adequate washing facilities.

Amid rampant lawlessness, chaos and the proliferation of arms, ordinary people have increasingly taken the law into their own hands. Supporters of each side of the conflict have also carried out numerous reprisals involving abductions, unlawful killings and attacks against civilian property,

often following incitement by individuals affiliated with the warring parties.

Prominent voices, including those of human rights defenders, journalists and civil society activists, have been silenced through threats, attacks and abductions by militias and other armed groups. Many of those that once took to the streets in the hope of a better future, have now been forced into exile.

The signing of a preliminary agreement on 11 July 2015 by most participants to a political dialogue led by the United Nations Support Mission in Libya provided some hope for ordinary Libyans that the current chaos could be coming to an end. The Skhirat Political Agreement aims to end violence and form a 'Government of National Accord' thus ending the split of Libyan institutions. The opting out of a major political actor, the General National Congress (GNC), Libya's former parliament, from signing the agreement places its effectiveness in doubt. Still, the agreement contains important confidence building measures, which require all parties to collect and disclose information on abductees and missing persons and to release all individuals detained without legal basis.



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IMPUNITY

The collapse of central authority and the absence of an effective criminal justice system, as well as a functioning army and police force since 2011, means that perpetrators of abductions as well as those responsible for taking hostages and carrying out acts of torture are not held to account.

Since mid-2014, other serious human rights abuses and violations of international humanitarian law which amount in some cases to war crimes have gone unpunished. This includes assassination, summary killings of civilians and captured fighters, indiscriminate shelling and direct attacks against civilians and their property.

Unless this cycle of impunity is broken, perpetrators of these abductions and other human rights abuses will have no incentive to stop their actions.

Amnesty International is renewing its call on the international community to increase its support to the International Criminal Court (ICC) to investigate war crimes and crimes against humanity committed in Libya.

Despite the seriousness of documented abuses and continued jurisdiction over Libya, the ICC Prosecutor has failed to undertake investigations to include crimes under international law committed by armed groups and militias with complete impunity since 2011, citing a lack of resources and instability.

Above: A gaping hole displays the destruction to buildings in Benghazi as a result of the ongoing fighting, April 2015

ABDUCTED CIVILIANS

ABDEL MOEZ BANOUN

Date of birth: 1976

Days since abduction: At least 376

Abdel Moez Banoun, a political rights activist and blogger aged 39, was abducted just before Fajr prayer on 24 July 2014. He was taken from his car parked outside of his house located in the Salahaddine area of Tripoli. Abdel Moez was not once allowed to communicate with his family since the day of his abduction, and his fate and whereabouts have been unknown.

Abdel Moez Banoun is one of the founding members of the “No to the extension” movement, a civil society initiative, which was opposed to the extension of the mandate of the General National Congress, Libya’s first elected parliament whose mandate expired in June 2014.

Prior to his abduction, Abdel Moez Banoun was vocal against the presence of militias in Tripoli and organized a number of demonstrations in this regard. Amnesty International believes that he was abducted in relation to his activities, which amount merely to the exercise of his right to freedom of expression, and that he may be held as a hostage in order to secure a prisoner exchange.

NASSER AL-JAROUSHI

Date of birth: 25 August 1982

Days since abduction: At least 288

Nasser al-Jaroushi, a Prosecutor aged 32, was abducted at around 2pm on 21 October 2014 by the Zawiya Martyrs Brigade while on his way home from an outing. He was abducted in the Fuwaihat area of Benghazi, in front of the al-Arab Medical University. Nasser al-Jaroushi’s relatives believe that he continues to be detained at the Zawiya Martyrs Brigade base in Tabalino.

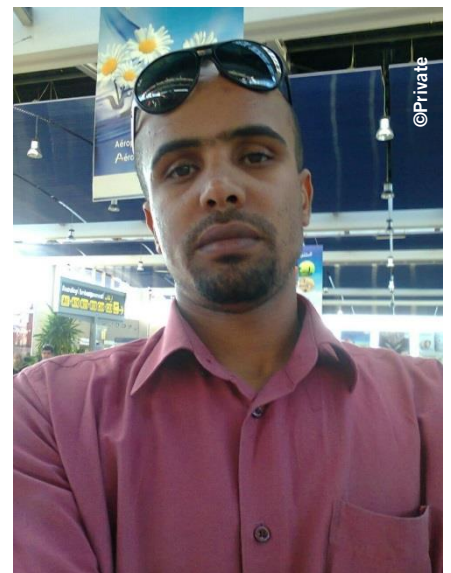


“From the day he was taken, it was like he vanished off the face of the earth. We haven’t heard a word from him”

Siraj Banoun, Abdel Moez Banoun’s brother

Zawiya Martyrs Brigade operates within the structure of the 21st Special Forces Battalion (Saiqa) – part of Operation Dignity forces. Nasser al-Jaroushi was involved in investigating the murder of human rights defender Salwa Bugaighis, as well as investigations into criminal drug gang activity in Benghazi, with some pointing to his abduction as a consequence of this work.

Amnesty International is concerned at reports indicating Nasser al-Jaroushi has been ill-treated in detention and has suffered an injury to his hand. Amnesty International’s concerns are also compounded by the fact that he has been held incommunicado since his abduction and has been denied any form of contact with his family.



“We go to the hospital sometimes to identify bodies, in case Nasser ends up there”

Dr Nisrine al-Jaroushi, sister



“All we want is the release of our father and for justice to be done against those that have illegally held him captive.”

Dr Zakaria Suleiman Zubi, son

DR SULEIMAN ZUBI

Date of birth: 1944

Days since abduction: At least 381

Dr Suleiman Zubi, a former member of the General National Congress (GNC), aged 71, was abducted in Tripoli on 20 July 2014 alongside another GNC colleague by the Zintan-affiliated Barq al-Nasser Brigade.

Both men were on their way back home from a meeting when they were stopped near the Gharyan Bridge in the Janzour area. Upon inspecting both men's personal documents, members of the Barq an-Nasser Brigade immediately recognized Dr Suleiman Zubi as a GNC member and began insulting him and shooting up in the air. The GNC members were then transferred to a military compound known as 7th April in Serraj in Tripoli, where they were placed into two separate cells. They were subsequently transferred to the city of

Zintan. Dr Suleiman Zubi remains detained while his GNC colleague was released on 6 August 2014.

Dr Suleiman Zubi is held in Zintan, in a detention facility under the authority of al-'Ajmi al-'Itri, Commander of the Abu Baker al-Siddiq Brigade. The detention facility is located approximately 12 km outside of

Zintan and consists of a number of trailers and a building. Amnesty International is concerned at reports that Dr Suleiman Zubi was subjected to torture and other ill-treatment, including by being shot in the leg and having hot water poured on his body. Amnesty International's concerns are also compounded by the fact that Dr Suleiman Zubi has been held incommunicado since

21 July 2014 when he was allowed to make a phone call to members of his family. He has been denied any form of contact with his family since then.

Amnesty International documented the abduction of Dr Suleiman in a briefing published on 31 October 2014, (Libya: Rule of the gun, abductions, torture and other militia abuses in western Libya, Index: MDE 19/009/2014).

“We are still looking for him and are worried for his safety”

Basma Ghwela, Daughter



HASSAN GHWELA

Date of birth: 20 January 1956

Days since abduction: At least 251

Hassan Ghwela, aged 59, was abducted by unknown assailants at approximately 7am on 27 November 2014 as he was coming back home from Fajr prayer. He was forcibly taken from his own car as he was parking it outside of his house in al-Hani area of Tripoli. He was subsequently placed into a white vehicle, which drove off to an unknown location. His fate and exact whereabouts have remained unknown since then.

Amnesty International has received several reports suggesting that Hassan Ghwela is being held in a detention facility in Abu Salim area under the authority of Salah Burki, a field commander with the Libya Dawn coalition. The detention centre is located near the Pepsi factory, in a building formerly used by the Internal Security.

According to other reports, Hassan Ghwela may have been transferred to the al-Hadba Corrections and Rehabilitation Institution, under the nominal authority of the Judicial Police.

Amnesty International was not able to confirm either of these reports independently.

Amnesty International believes that Hassan Ghwela was abducted solely on account of his perceived affiliation with the interim government and the House of Representatives, both based in Tobruk.

Hassan Ghwela worked as a co-pilot for United, a government-owned aviation company. The company has long provided air transport services to public officials.

Between 2012 and June 2014, it was used by members of the General National Congress and interim government.

Following parliamentary elections on 25 June 2014, and the outbreak of hostilities,

United started carrying members of the House of Representatives and continued to provide services to the government based in Tobruk. Hassan Ghwela regularly operated the aircraft between Mitiga airport in Tripoli and al-Abraq airport in al-Bayda. Amnesty

International is gravely concerned for the safety of Hassan Ghwela. The organization's concerns are compounded by the fact that he has been held incommunicado from the day of his abduction on 21 November 2014.

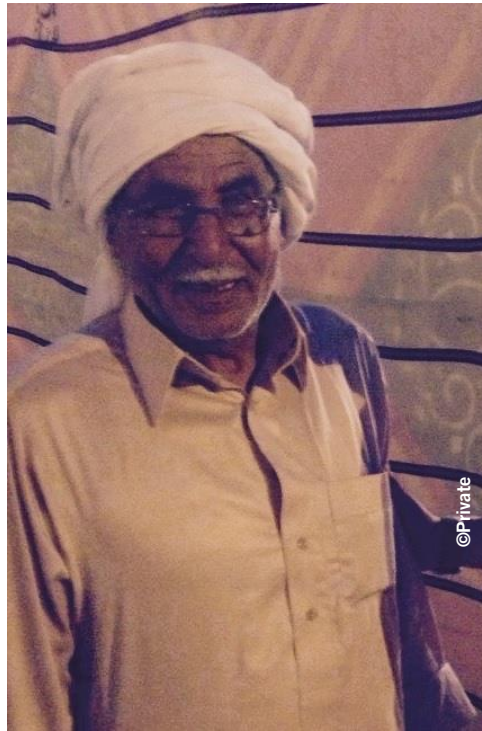
DAW ZAID

Date of birth: 1942

Days since abduction: At least 155

Daw Zaid, a retired military man aged 73, was abducted just after evening prayers on 3 March 2015. Daw's home in the al-Akwass area of Sirte was raided, and the 166 Brigade – a militia affiliated with the Libya Dawn coalition - took him.

Daw's son, who had fought back, was shot in the leg by the group during an altercation. Daw Zaid is in poor health and suffers from diabetes and high blood pressure. Since the abduction, his family have been unable to contact Daw and his precise whereabouts are currently unknown. His family also state that Sirte is now largely controlled by the IS and that the situation in the city is further deteriorating.



“He’s an old man, not a threat to anyone”

Mahmoud Zaid, Son

Below: A photo of the three abducted aid workers taken from their place of detention

THREE AID WORKERS AT SHAIKE TAHIR AZZAWY CHARITY ORGANISATION

Days since abduction: At least 61

Mohamed al-Tahir Aziz, Mohamed al-Munsaf al-Shalali and Waleed Ramadan Shalhoub, staff members of the Shaikh Tahir Azzawy Charity Organization, which is affiliated with UN agencies, were abducted on 5 June 2015 in the town of al-Shwayrif, located over 400km south of the capital Tripoli.

The three men, originally from the city of al-Zawiya, were en-route to distribute humanitarian supplies to towns affected by the fighting in the south-west of Libya when their convoy was stopped and they were taken by an armed group. The drivers of the lorries carrying the supplies were also briefly held, beaten and tortured, before finally being released shortly after.

The three aid workers appear to have been abducted solely on the basis of their identity because they are from the town of al-Zawiya. The armed group appears to be holding the aid workers hostage in demand for the release of a man being held in al-Zawiya.



The abductors have been in telephone communication with the families threatening to inflict harm on the workers if the detained man is not released. Despite pleas for the aid workers' release and safe return by their families and members of the Shaikh Tahir Azzawy Charity Organisation, they remain detained in the town of al-Shwayrif.

“The perpetrators told me to check Facebook in 30 minutes to see a picture of my abducted son”

Al-Munsaf Mohamed Ali, Father of Mohamed al-Munsaf al-Shalali, an abducted aid worker

LEGAL OBLIGATIONS TO CEASE ABDUCTIONS AND HOSTAGE-TAKING

All forces engaged in the fighting in Libya are bound by rules of customary international humanitarian law and Article 3 common to the 1949 Geneva Conventions. These rules and principles seek to protect anyone who is not actively participating in hostilities: notably civilians and anyone, including those who were previously participating in hostilities, who is wounded or surrenders or is otherwise captured.

The deliberate and summary killing of people in captivity – be they civilians or suspected members of armed groups or militias – is prohibited and constitutes a war crime. Torture and cruel treatment and hostage taking are prohibited and also constitute war crimes.

Those who commit, order or have command responsibility for war crimes are liable for prosecution, including by the International Criminal Court, which has jurisdiction over the situation in Libya.

Amnesty International is calling on all commanders of armed groups to publicly condemn torture and hostage-taking, and immediately release anyone held solely on the basis of their opinion, political affiliation or origin.

All parties must inform families of the fate and whereabouts of their abducted relatives and ensure that all those deprived of their liberty are treated humanely and are allowed to communicate with their family.



PARTIES TO THE CONFLICT

The Libya Dawn coalition, which was formed in mid-2014, is made up of militias and armed groups from several cities and towns across western Libya.

Operation Dignity was initially launched in eastern Libya by a coalition of rebel army officers under the leadership of General Khalifa Haftar - himself a retired officer at the time who has since been appointed General Commander of the Libyan Army.

In October 2014, the House of Representatives, Libya's elected parliament, endorsed Operation Dignity as an operation under the General Chief of Staff of the Libyan army. Operation Dignity forces are made up of several former army units, including the 21st Sa'iqa Battalion (Special Forces), the 36th Battalion,

the Air Force, Naval Force and the 204th Tank Battalion, most of whom had defected from the al-Gaddafi army in 2011 and entered the ranks of the nascent Libyan army, which was in the process of being rebuilt.

Libya Dawn opponents in western Libya including from the town of Zintan and Warshafana area have allied themselves with Operation Dignity, while some residents of Benghazi, known as Sahawat, have been armed by and urged to fight with Operation Dignity forces against forces of the Shura Council of Benghazi Revolutionaries.

Elsewhere, armed groups which aim to enforce their own interpretation of Islamic Law in Libya such as those that have pledged their allegiance to the IS have consolidated their power, and are engaged in fighting forces affiliated with both governments.

Above right: A soldier fires an automatic weapon during a street battle in Benghazi, April 2015

Amnesty International calls on all armed groups to:

- Immediately stop the abduction of civilians and unconditionally release anyone held on account of their political and tribal affiliation, opinion, place of origin or ethnicity.
- Publicly condemn torture and hostage-taking; inform families of the fate and whereabouts of their abducted relatives; and, ensure that all those deprived of their liberty are treated humanely and are allowed to communicate with their family;
- Treat all detainees, including captured fighters, humanely, protect them from torture and other ill-treatment and allow them to communicate with their families; and, hold all detainees in premises that are removed from areas of fighting.

TAKE ACTION NOW

- Please tweet to express your concern at abductions and hostage-taking of civilians in Libya using the hashtag **#EndAbduction** and the following suggested tweets:
 - Civilians held as bargaining chips in #Libya. Tortured, mistreated and cut off from the world **#EndAbduction** #LibyaWarCrimes
 - No one should be deprived of their liberty based on their affiliation or identity in #Libya **#EndAbduction**
 - Hundreds abducted in #Libya with many tortured and never heard from again **#EndAbduction**
 - Demand accountability for abductions in #Libya. **#EndAbduction** NOW
 - Hostage-taking is a war crime. Abduction of civilians in Libya must end NOW #LibyaWarCrimes **#EndAbduction**

To direct your tweets to both government authorities in Libya, use the following handles:

Interim Government: **@LibyaInterimGov**

Salvation Government: **@NSGGovernment_Ly**

- Please send emails demanding the release of abducted civilians to:

Minister of Justice - Interim Government:

Name: al-Mabrouk Egrira

Email: secretary@aladel.gov.ly

Minister of Justice – National Salvation Government:

Name: Mustafa Klib

Email: info@aladelly.com

- Please hold demonstrations outside of the Libyan embassy in your country calling for the immediate and unconditional release of civilians held on account of their identity, political/tribal affiliation, opinion, place of origin or ethnicity.

Amnesty International's relevant reports:

- Libya: Benghazi's decent into chaos: abductions, summary killings and other abuses, January 2015, (Index: MDE 19/001/2015), available at: <https://www.amnesty.org/en/documents/mde19/0001/2015/en/>;
- Libya: Rule of the gun: Abductions, torture and other abuses in western Libya, October 2014, (Index: MDE 19/009/2014), available at: <https://www.amnesty.org/en/documents/mde19/009/2014/en/>

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

amnesty.org