



ANNUAL REPORT 2022

Another year of injustice in Libya



LIBYA CRIMES WATCH
رصد الجرائم في ليبيا

Libya Crimes Watch (LCW) is a non-governmental non-profit human rights organization founded in 2019 and is currently registered in the UK. LCW operates through a network that covers all four Libyan regions and specialises mainly in monitoring and documenting human rights violations and war crimes in Libya.

The organization works with local and international partners to provide legal assistance and supports advocacy efforts for victims and survivors, in order to promote accountability and address impunity.

Libya Crimes Watch is an active member of the Libyan Platform and a founding member of the Libyan Anti-torture Network. LCW is also a member of the Coalition for the International Criminal Court.

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1. Libyan situation since 2011



Following the outbreak of protests in 2011 and the subsequent armed conflict in Libya, which ended with the overthrow of the Libyan ex-regime, the Libyan public hoped to establish a state founded on the rule of law, justice, and freedom. However, the human rights situation in Libya today indicates that successive governments have failed to meet the demands of the Libyan public. Libyan civil society organizations believe that the path to democracy and positive change requires time, effort, capacity, planning, and effective governance to address the consequences of the Libyan war and to deal with the political and military ordeal resulting from the proliferation of weapons, militia rule, and the split of currently decentralized institutions.

Addressing the arbitrary measures enforced by the representatives of the two Libyan political fronts and the integrated security agencies, along with the intervention of other states, contributed to igniting variables that support armed groups with money and military hardware. Additionally, the harassment and international denigration of the Libyan authorities against civil society components, including activists, human right defenders, lawyers, journalists, unions, and syndicates documenting and talking of violations and crimes committed against Libyan civilians and migrants, impede any movement towards a Libyan state founded on the rule of law. Furthermore, international organizations and mechanisms are denied access to Libya, and they have failed to understand the vicious Libyan reality because of the political division, the collapse of the security situation, impunity, and the recruitment of unqualified human resources, which are generally perceived as lacking competence.

These variables have limited opportunities to address the current Libyan crisis and to approach effective solutions. Although large funds were spent on programs to address the conflict in Libya, only a few victims benefited from such programs because all provided solutions tackled surface problems rather than addressing root issues resulting from war.

Since its establishment in 2019, Libya Crimes Watch (LCW) observed a worsening human rights situation in Libya. LCW believes

that successive governments and interested parties in Libyan affairs have failed to develop any effective mechanisms to address the situation in the divided east and west, and the blame for such failure rests solely on parties to the armed conflict and their state supporters.

Civil society organizations documenting international humanitarian law and human rights violations committed by state-integrated armed groups affiliated with the two competing governments will not stop, even with the deliberate restrictions enforced by the Libyan state agencies. To hold the perpetrators accountable and seek remedies for the victims, it is essential to activate and ensure the independence of the Libyan judiciary, protect legal circles, and demand a successful national reconciliation process that can only be achieved through proper transitional justice programs. This includes documenting incidents as soon as they occur and providing information and support to impartial international bodies. International entities focused on Libya have a responsibility to attentively heed the accounts of victims, witnesses, activists, survivors, and human rights defenders to enable the formulation of a comprehensive framework for national reconciliation. Additionally, these bodies must be addressed to safeguard the impartiality of the judicial systems, apply sufficient pressure, guarantee that the responsible parties are successfully prosecuted and held accountable, and ensure that programs for transitional justice are implemented.

Today, in Libya, prisons and detention facilities have become overly crowded with arbitrarily detained civilians being held in prolonged custody without knowing the charges against them. Others are held in solitary confinement for months, and the majority are denied access to legal representation and family visits, while all are denied access to acceptable internationally standardized medical care. The victims of these conditions, whether detained in official or unofficial detention, are subjected to physical and psychological torture and different forms of degrading and inhumane ill-treatment.

The resulting injustice in Libya foretells negative implications for future generations, who will require intensive psychological support. Unfortunately, due to the existing lack of psychological experts, community stability and development aimed at offering minimum standards of safe and decent life in Libya require disarmament and a rapid, effective, and rational approach to dealing with the consequences of war in Libya.

It is essential to end violence, abuse, and intimidation before the Libyan crisis reaches the point of total collapse.

2. Introduction

The 2022 LCW annual report is solely dedicated to the cases documented by its team operating in Libya during the period between January and December 2022. However, it is important to note that the report does not encompass all the information and statistics gathered by LCW throughout the year. This is mainly due to the fear of retaliation and prosecution against victims and witnesses by the Libyan government, as well as the general belief among the public that documentation efforts are futile given the current state of the national judicial system and the perceived ineffectiveness of international litigation. As a result, this report only includes cases where consent for publication was obtained, but it is important to recognize that there may be many more violations that have gone unreported or undocumented.

Based on witness and victim testimonies, the report alleges that **561 crimes were committed against Libyan civilians and migrants, documented across the country's eastern, western, central, and southern regions**. Among these allegations 231 violations were committed against migrants at sea or on Libyan soil, and 62 cases of unlawful abductions and arbitrary detention of Libyan activists, journalists, and civil actors. Many of the Libyan victims were subjected to enforced disappearance and torture prior to their release, and a significant number remain detained in arbitrary detention without access to legal representatives. The report also details the unlawful killing of 42 victims under torture or in execution style, and describes the ill-treatment and assault against 40 peaceful protestors through insult or when in arbitrary detention.

Additionally, the report lists 34 civilians killed due to landmines or indiscriminate attacks and random shootings between armed groups associated with the two governments, along with 56 human casualties (injuries). The report reveals the discovery of 91 dead bodies in mass graves in northern coast, and **provides legal classification of these alleged crimes that constitute violations of human rights and International humanitarian law**.

Throughout the year, LCW collected evidence and testimonial details of over 84 cases, a majority of which were referred to several international bodies and mechanisms such as the Independent Fact



Finding Mission in Libya, the United Nations Support Mission in Libya, the UN Security Council Panel of Experts on Libya, and the International Criminal Court. More than 60 files and communications related to these cases were forwarded to these entities for their review and action in accordance with their respective mandates and legal frameworks.

This report serves as a complement to LCW's overarching objectives, which are geared towards benefiting victims, survivors, witnesses, and their families. **The report is based on data and information collected in LCW's bi-monthly reports, which are available on its website.** In order to ensure the quality of this research, **LCW collaborated with consultants, academic researchers, local, and international legal experts who specialize in international law.** The primary aim of this report is to shed light on violations of international humanitarian law and human rights violations, some of which are considered crimes under Libyan law. The report examines the root causes of such violations and the impact of political and military instability on the prevalence of such crimes. It also highlights the consequences of these variables on injustice and impunity in Libya.

LCW recognizes that effective advocacy requires a multifaceted approach. As such, in addition to its reporting and research efforts, LCW engages with various stakeholders, including national and international actors, to promote accountability and justice for victims and their families. This report underscores the negative implications of the current human rights situation on the Libyan community, which, if left unaddressed, poses a significant threat to public safety due to the proliferation of ransom gangs, armed groups in de facto control, and human traffickers. By highlighting these issues, LCW seeks to raise awareness among stakeholders and promote urgent action to restore the rule of law and protect the human rights of all individuals in Libya.

This report concludes by reiterating LCW's commitment to publicly denouncing violations of human rights and international humanitarian law, and to advocating for the rights of all civilian victims in Libya, particularly the most vulnerable groups such as migrants and asylum seekers. The report underscores the importance of engaging with international bodies to exert influence and pressure on concerned stakeholders, states, and governments.

The report recommends the immediate initiation of fair and transparent investigations for legal accountability, and encourages the promotion of the rule of law in building a Libyan state founded on freedom, justice, and the protection of rights. The report urges the elimination of all forms of violence and abuses, but does not seek to prove the legal responsibility of the listed perpetrators. Rather, the report aims to support victims' allegations, which indicate repeated and systematic practices of such violations.

The primary objective of this report is to urge local and international justice systems to transparently investigate and prosecute these crimes and to bring the accused to fair trials.

3. Methodology

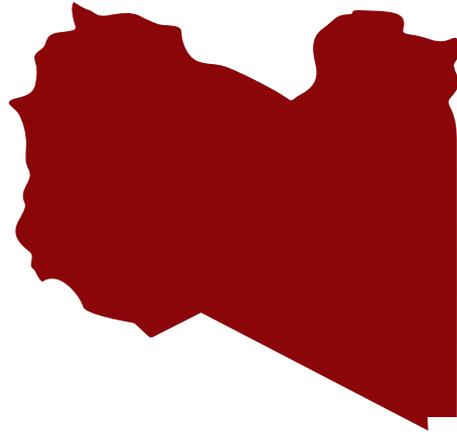
Libya Crimes Watch employs **field-based fact-finding investigations** to gather information regarding the documented cases. **LCW's documentation team is geographically distributed to cover the four regions in Libya** and accessed survivors, victims, and witnesses to collect information about incidents and allegations that occurred in Libya from January to December 2022.

LCW initiated data collection and analysis by mid-November 2022, and concluded after drafting, analysis, language editing, and additional research by its teams and experts until mid-February 2023.

The organization followed the usual monitoring and documentation standards, where daily updates were sent by its field teams to the documentation unit in London, and the information was verified to ensure the credibility of the data and evidence collected. LCW uses an extremely secure digital archiving platform to ensure the protection of survivors and families.

The purpose and use of documentation are determined based on each case following the cross-check of information through its networks of activists, journalists, doctors, emergency units staff, first aid providers and volunteers, lawyers, other victims, and residents of the areas where violations occur.

LCW obtains supporting evidence such as photographs, videos, medical reports, forensic reports, police reports, letters, and complaints. The organization benefits from the support and analysis provided by International Humanitarian Law (IHL) and Human Rights legal experts to examine, classify, and analyze the information according to international and domestic law, in order to submit consented testimonies to the concerned international mechanisms. The organization also benefits from its network of weapons experts to analyze and investigate the use of various banned weapons used in attacks on civilians.



4. Libyan context in 2022

The political and military situations in Libya are inextricably linked due to the division of the country into two opposing factions since 2014, this led to lawlessness and illegal practices committed by various integrated armed groups under the command of the two Libyan governments. Some of these groups commit crimes with the authorization or complete disregard of the two governments. The proliferation of weapons in Libya hindered any efforts towards unifying the Libyan government, which contributed to the persistence of militia rule that still dominates the parties representing the government. These underlying issues have been ignored in Libyan-Libyan internal dialogues. The two political factions have not publicly supported or announced any effective peace roadmaps or disarmament programs.

Instead, there is a trend of armed groups switching military alliances, particularly in the western region between two military factions one is led by Fathi Bashagha, supported by the Libyan Arab Armed Forces (LAAF), and the other is headed by Abdel Hamid al-Dabaiba, supported by integrated armed groups directly under the Libyan Presidential Council, the Ministry of Interiors, and the Ministry of Defence of the General National Unity (GNU).¹

This political rift has resulted in short-term hostilities between the two groups, leading to civilian losses and casualties, many due to indiscriminate shelling and random clashes in civilian areas.² Others were injured or killed by landmines.³ In addition, military attacks have targeted civilian infrastructure, including electricity stations, water tanks, civilian habitats, and health facilities, resulting in a deterioration of the economic and humanitarian situation. Consequently, Libyan civilians have peacefully protested in the east and west of the country demanding compensations for their property losses in Sebha, Tobruk and Misrata.[4] The mentioned factors have also had a negative impact on security, the rule of law, and the effective control of several armed groups, including ransom gangs and human trafficking groups. Incidents where these groups have appeared were documented in Tobruk, Bani Walid, Sabratha, Zuwara, Zawiya, Al-Khums, Musaed, Ajdabiya, Sabha, Al-Kufra, and Qatroun.

Violations committed for the purpose of dominance and intimidation have been practiced by the state-integrated armed groups affiliated with both

[1] "[Clashes force Libya's Bashagha from Tripoli after brief attempt to enter](#)". Reuters. 17 May 2022.

[2] "[Libya: Civilians killed in heavy clashes between militia in Tripoli](#)". Middle East Eye. 22 July 2022.

[3] "[Libya: Russia's Wagner Group Set Landmines Near Tripoli](#)". Human Rights Watch. 31 May 2022.

[4] "[Protests continue in various cities of Libya](#)". The Libya Update. 2 July 2022.

See also "[Libyan protest movement says it will step up its campaign](#)". Reuters. 3 July 2022.

See also "[UN secretary general urges calm in Libya as protests spread](#)". The Guardian. 3 July 2022.

factions in the east and west, mainly documented in Benghazi, Tobruk, and Sirte. All militias, smuggling and trafficking groups and gangs similarly practice abductions, arbitrary arrests and detention, extortion of ransom, torture, and all forms of ill-treatment.

Throughout the year, Libyan parties have used the unstable security landscape to delay the elections and continued to enforce unlawful restrictions and measures against civil society organizations. Libyan intelligence, security agencies, and armed groups were majorly oriented to target civil activists and human rights defenders working mainly on documentation. The armed groups continued to also restrict the work of humanitarian INGOs. Libyan authorities accused and smear campaigned civil society, publicly challenging civil society's independence from the government and enforced through several arbitrary measures, the delivery of information about civil society's internationally funded activities. Instead of practicing its mandated duties to provide protection to the public, and to further effectively work on the prosecution of war criminals,⁵ the Libyan parties accused civil society of espionage and clearly mobilized armed groups to intimidate and threaten activists and humanitarian actors.⁶

In many instances, these arbitrary measures coincided with campaigns against protestors, activists, and journalists where dozens were exposed to different forms of ill-treatment and humiliation.

LCW documentation also indicates that the Public Prosecutor's office in Tripoli refused to deal with many arbitrary detention cases, especially where armed groups affiliated with the Ministry of Interior and Defence were involved. The Libyan prosecution has verbally confirmed in several occasions to the families of detainees that his office has "no ability to deal with the Special Deterrence Forces (SDF), the Stabilization and Support Apparatus (SSA), the Joint Forces in Misurata, and all brigades under the Libyan Arab Armed Forces and Internal Security in the east." Despite this failure, the office announced the opening of several investigations into crimes committed in mass graves in Tarhuna.

In August 2022 Al-Siddiq Al-Sour confirmed in a press conference that ten arrest warrants were issued against war criminals including Abd al-Rahim

[5] Report of the Independent Fact-Finding Mission on Libya, 50th Session of the Human Rights Council. "[A/HRC/50/63](#)". 27 June 2022.

[6] The recent promulgation of arbitrary measures and oppressive laws clearly demonstrate the government's unwavering commitment to enforcing an illegal surveillance policy through its intelligence and security agencies. Particularly, [Law No. 5 of 2022](#) endows a government entity with the power to arbitrarily censor online content and criminalize the use of digital encryption. This poses a grave threat to the privacy and freedom of expression of all citizens, including lawyers, activists, and other vulnerable groups who may now face the imminent risk of detention and surveillance.

Khalifa Abd al-Rahim al-Kani and Omar Khalifa Abd al-Rahim al-Kani. He also confirmed that a number of these people fled to Egypt, Tunisia and Saudi Arabia. In addition, the office according to statements issued 376 other arrest warrants against perpetrators responsible for war crimes.⁷ The Special Deterrence Forces in Tripoli was imposed restrictions on exhumations, prevented the delivery of information about identifying victims, concealed evidence collected in some cases, and delayed investigations into the mass graves in Tarhuna for political reasons and financial corruption.

The two governments neglected their obligations in addressing the issue of migration, particularly with respect to the Directorate for Combating Illegal Migration (DCIM), referring to detention facilities as "rehabilitation centres or shelters". However, based on the LCW documentation, several international and local reports, and public statements by the GNU prime minister, it is evident that these facilities are actually prisons where detained migrants are systematically subjected to inhumane living conditions, discriminatory treatment, racist behaviour, torture, and extrajudicial killings.

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The Libyan Coast Guards continued to intercept migrants at sea and repeatedly return migrants to unsanitary and inhumane DCIM detention facilities riddled with infectious diseases and infestations. This dire situation is compounded by the involvement of DCIM guards⁹ and directors in trafficking networks and that perpetrate heinous crimes against detained migrants, including enslavement, sexual exploitation, enforced labor, torture, rape, and enforced disappearance.

Furthermore, the pervasive administrative and financial corruption within the government has ensnared many judicial and security entities, stakeholders, and decision-makers in fraudulent activities with armed groups, further entrenching the cycle of lawlessness and impunity.

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[7] "[The Public Prosecutor confirms the issuance of \(376\) warrants of arrest and habeas corpus regarding the wanted persons in the Tarhuna mass graves case](#)". Libyan News Agency. 17 August 2022.

[8] "[Libya: Head of government recognises inhumane detention conditions of migrants](#)". The World Organization Against Torture (OMCT). 18 December 2022.

[9] "Migrants and Refugees in Libya" Euromed Rights. [Biweekly Statistical Reports](#) covering all migrants and refugees in the Libyan Mediterranean Region for 2022 and 2023.

[10] "[The Libyan Audit Bureau reports from 2011 to 2021](#)". Last updated in February 2022" Libyan Audit Bureau official Website. Accessed February 2022.



5. Legal framework

The violations committed in Libya are considered crimes according to both international human rights law and international humanitarian law. From a legal perspective, the responsibility of the Libyan state arises from two norms. Firstly, the absence of effective means to meet the obligation to protect civilians residing on Libyan territories in the presence of an armed conflict without providing access to the affected populations through independent judiciary. Secondly, the lack of efforts to establish a unified Libyan government through disarmament, proper reintegration of the Libyan army, and progress towards fair elections.

These norms overlap in the current Libyan crisis and are compounded by arbitrary laws that are devoid of reference to basic human rights, as well as the absence of a domestic legal framework concerned with war crimes.¹¹

5.1 Examining the international legal framework for classifying crimes committed in Libya in 2022

In this 2022 annual report, LCW will focus on the legal classification of alleged crimes that have been documented during the year. It is important to note that the human rights situation in Libya has continued to deteriorate, and thus the report will not cover all legal shortcomings resulting from the incompatibility of Libyan law with international human rights and humanitarian law.

The scope of this report is limited to the classification of violations committed between January and December 2022:

[11] Prior 2011, Libyan law ensured impunity for state security agents as the legislation lacked fundamental guidelines for the minimum standards for humane treatment. This led to arbitrary practices and cruel treatment against detainees. Intelligence security services regularly used illegal methods to extract information, intimidate, and dominate detainees. Despite a change in the ruling system, the new government continued to exhibit leniency and disregard of violations. The absence of legislation aimed at protecting migrants is extremely concerning. Although [Article 10 of the Constitutional Declaration](#) recognizes the right to asylum and prohibits the extradition of persecuted individuals, Libya's migration law does not include any humanitarian exemptions. Instead, it imposes harsh penalties on irregular migrants, including imprisonment, fines, and involuntary repatriation, and penalizes the hosting community. Libyan law no provisions applicable in times of war, despite customary obligations to protect vulnerable groups, the delay in enacting existing provisions, combined with the current criminalization undermines fair guarantees. As a result, detainees and civilians are at increased risk, especially considering the proliferation of weapons and armed groups with varying loyalties. political system, the government continued to exhibit leniency and disregard for these violations.

5.1.1 Violations that may constitute crimes against humanity

Crimes committed in Tarhuna during the period of the de facto control of 'Al-kanyat' between 2016 and 2020 may constitute grave violations under international law. The total number of exhumed bodies from the mass graves in Tarhuna until 2022 is 286, of which only 193 have been identified.¹²

According to testimonies gathered by LCW, victims in the mass graves were either shot dead or tortured to death in official or unofficial detention. Victims were targeted due to their perceived affiliation with the government of the General National Congress in Tripoli, which was seen as an enemy by 'Al-kanyat'. Prior to 2016, the armed group was aligned with the General National Congress government in Tripoli, but hundreds of survivors and residents indicated that the group shifted to align with the Libyan Arab Armed Forces (LAAF), led by General Khalifa Haftar, in the east and targeted victims they believed were in support of the General National Congress after 2016. Testimonies also suggested that perpetrators tortured or killed victims for ransoms, to seize lands and properties, or due to personal revenge or tribal issues.

The widespread and systematic attacks directed against the civilian population in these instances, with the knowledge of the perpetrators of the consequences of attacks, suggest that the crimes committed in the Tarhuna mass graves appear to meet the elements of crimes against humanity.¹³

The Libyan judiciary remains weak in classifying war crimes not only due to the failure of the Prosecutor's Office to open effective and transparent investigations but also due to the absence of domestic, or parties' desire to exploit the crimes for the purpose of criminalizing political opposition,¹⁴ but also legislation concerned specifically with crimes committed in the context of armed conflict. Even if Libyan authorities succeed in opening effective and impartial investigations, the existing legal framework may not allow for the prosecution of war crimes.

This means that Libya, according to the United Nations Security Council resolution 1973 of 2011,¹⁵ ICC was referred by the Security council to have

[12] LCW has been monitoring the statistics published by [the General Authority for Research and Identification of Missing Persons on its official page](#). Until end of December 2022, LCW team counted 193 identified cases. The Authority's latest publication on February 13, 2023, reported a total of 220 identified individuals.

[13] "[Rome Statute of the International Criminal Court, 17 July 1998](#)". Article 7.

[14] "[Libya: Newly uncovered mass graves in Tarhuna are reminder to hold perpetrators accountable, not offer them political recognition](#)". EuroMed Human Rights Monitor. 12 August 2022.

[15] "United Nations Security Council Resolution 1973 (2011) Adopted by the Security Council at its 6498th meeting. "[S/RES/1973 \(2011\)](#)". 17 March 2011.

jurisdiction over war crimes committed in Libya after 2011, hence the Libyan state must allow the ICC to prosecute the perpetrators directly, or at least allow ICC to provide advice to Libyan authorities on establishing military courts within the country.

The systematic and widespread violations and crimes committed against migrants in Libya, including the targeting of irregular migrants intercepted at sea and their enforced return to detention facilities under the control of the Directorate for Combatting Illegal Migration (DCIM), where conditions are extremely inhumane, and where there is a wide prevalence of torture, unlawful killings, enslavement, and enforced labor, combined with the involvement of DCIM staff in human trafficking networks, as well as the continuity of armed conflict and the failure of the state to protect migrants, indicate that these violations may constitute crimes against humanity.¹⁶

Given the gravity of such crimes, which are prohibited under the Rome Statute, it is imperative that the International Criminal Court expands its mandate to facilitate the arrest and extradition of suspects in relation to crimes against victims of human trafficking in Libya.¹⁷

The violations committed by the Islamic State "ISIS" in Sirte between 2014 and 2016 may also amount to crimes against humanity. The nature of ISIS members as a terrorist armed group complicated the legal categorization, especially in the absence of a domestic law of war in Libya. This lack of a clear legal framework negatively impacted the possibility of providing judicial guarantees in courts. Despite the challenges, the discovery of mass graves in Sirte until October raises the possibility of finding more evidence to convict those accused. The severity and scale of the violations committed by ISIS in Sirte, including the killing and abduction of civilians, the forced displacement of communities, and the use of civilians as human shields, suggest that the crimes committed were widespread and systematic. Given the lack of a domestic legal framework to address such crimes, it is crucial for international courts and mechanisms to step in.

[16] "[Libya: Evidence crimes against humanity and war crimes committed since 2016, UN report finds](#)". The press release issued by the Office of the United Nations High Commissioner for Human Rights reads "Migrants, asylum-seekers and refugees are subjected to a litany of abuses at sea, in detention centres and at the hands of traffickers," said Chaloka Beyani. "Our investigations indicate that violations against migrants are committed on a widespread scale by State and non-State actors, with a high level of organization and with the encouragement of the State - all of which is suggestive of crimes against humanity." Chaloka Beyani, Independent Fact-Finding Mission on Libya. 4 October 2021.

[17] "[Statement of ICC Prosecutor, Karim A.A. Khan QC: Office of the Prosecutor joins national authorities in Joint Team on crimes against migrants in Libya](#)". The International Criminal Court. 7 September 2022.

5.1.2 War Crimes

Article 8 of the Rome Statute of the International Criminal Court lists acts that may constitute war crimes. The rules of war are regulated through various sources, including the four Geneva Conventions of 1949, the two Additional Protocols of 1977, and conventions banning various weapons, most of which Libya has ratified.¹⁸ Grave violations of these rules represent binding customary obligations for all signatory and non-signatory states. Under customary and conventional commitments, actions within the framework of military operations that target protected persons and objects constitute war crimes too. These violations include the targeting of individuals with killing or injury, the total or partial destruction of property, and theft.

Amid the ongoing internal armed conflict in Libya, both the Government of National Unity and the government affiliated with the HoR Parliament and the Libyan Armed Forces must be held accountable for the war crimes committed during the year. Under customary and treaty obligations, both parties are obligated to refrain from targeting civilians and objects that are essential to the civilian population. However, indiscriminate targeting and random exchanges of gunfire occurred between armed groups affiliated with the governments of Fathi Bashagha and Abdul Hamid Dbeibah in Tripoli, resulting in civilian casualties and material losses. The clashes between the 92nd Infantry Brigade and the Support Apparatus during July and August, which caused human losses in addition to material losses, and the damages resulting from indiscriminate shelling and gunfire in the city of Zawiyah between armed groups in September,¹⁹ constitute war crimes that are punishable under international law.

Furthermore, to date, neither government has carried out effective mine clearance operations in residential areas of Sirte, Benghazi, and Tripoli where armed groups affiliated with them and foreign mercenaries loyal to both have planted mines.²⁰ These mines pose a significant threat to civilians and need to be urgently removed to prevent further harm.

[18] "[IHL databases, Treaties, States Parties and Commentaries](#)" International Committee of the Red Cross. See the Four Geneva Conventions of 1949, the two Additional Protocols of 1977, and all agreements on weapons and customary international humanitarian law.

[19] "Statement by the UN Fact-Finding Mission on Libya on armed clashes in Tripoli" Press release issued by the Office of the United Nations High Commissioner for Human Rights. 29 August 2022. See also "[Tripoli Clashes... Map of Confrontations and military Factions](#)". Al-Hurra News. 27 August 2022.

[20] "[Libya: Landmines, Other War Hazards, Killing Civilians Increase Support for Clearance, Recovery Assistance around Tripoli](#)". Human Rights Watch. 27 April 2022.

5.1.3 Violations of Human Rights Law

Most of the documented cases in this report constitute violations of fundamental human rights principles. As a state that is party to several human rights conventions, Libya is legally obliged to protect all individuals on its territory. These conventions include the International Convention on the Elimination of All Forms of Racial Discrimination (1965), the International Covenant on Civil and Political Rights (1966), the International Covenant on Economic, Social and Cultural Rights (1966), the Convention on the Elimination of All Forms of Discrimination against Women (1979), the African Charter on Human and Peoples' Rights (1981), the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984), the Convention on the Rights of the Child (1989), the Arab Charter on Human Rights (2004), and the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990).²¹

These conventions impose obligations that address crimes perpetrated in Libya documented by the LCW team. These crimes include cases of abduction and enforced disappearance, arbitrary arrest and detention, torture, and extrajudicial or unlawful killings committed by security forces affiliated with the Government of National Unity, under the Libyan Presidential Council, and in the east committed by the Libyan Arab Armed Forces.

These violations impact fundamental human rights, such as the right to life, the right to be treated with dignity, equality under the law, the right to a fair trial, freedom of opinion and expression, peaceful assembly, and all of these obligations prohibit deprivation of liberty, torture, cruel, inhuman or degrading treatment, slavery, arbitrary detention, and discrimination.

[21] Search all treaties ratified by Libya at "[The United Nations Treaty Body Database](#)". UN Human Rights Treaty Bodies.

6. Violations

**documented by
LCW during 2022**

6.1 Humanitarian Consequences of Military Operations, Civilian losses, Civilian Casualties, and Indiscriminate Attacks

Based on the gathered information, it is evident that Libyan armed groups conducted indiscriminate military operations and clashes that resulted in intentional targeting of civilian populations, infrastructure, and habitats in Sabha, Obari, Zawiya, Tripoli, and Benghazi in 2022.

These incidents led to substantial civilian losses, civilian casualties and material losses that included damages to hospitals such as Ibn Sina in Sirte, Al-Jalaa, and Venesia in Benghazi, power stations, civilian residences, and the Sharara oil station. Additionally, there were deliberate disruptions of internet services, coinciding with news and rumors of internet service cuts in the east following protests in Abu Hadi, Sirte, and Tobruk.²² In September, Tariq bin Ziyad Battalion set fire to a civilian's house in Sirte.

At least 90 more people were injured or killed in other attacks from January to December, LCW recorded a total of:

- 34 deaths, including 18 victims (three children) killed in Tripoli during clashes between Brigade 92 and Brigade 52, and during the exchange of fire between forces loyal to Bashaga and Dbeibah.²³
- Other three victims (including an 80-year-old woman and a 10-year-old child) were killed in Zawiya due to clashes between Shohada Al-Naser Brigade and another armed group.²⁴
- In Benghazi, three civilians (including a two-year-old girl) were killed in random shelling and clashes.²⁵
- In Sabha, three children and one man were killed in confrontations between different armed groups.²⁶
- 57 civilians were injured (including one person who later died in the hospital) due to gunfire exchanges and military training in densely populated areas in Tripoli, Benghazi, Sabha, Wershefana, and Zawiya.²⁷

LCW documented incidents suggest that the proliferation of landmines and war debris resulted in the loss of civilian lives. The Libyan government had not taken any sufficient steps to alleviate or remove these hazards from civilian residential zones. Five civilians, including three Libyan minors, were killed in the Tajoura district of Tripoli due to land mines explosions.²⁸

[22] See Libya Crimes Watch. "[Monthly Reports](#)" LCW, March, July, and August 2022.

[23] See LCW, "[Monthly Reports](#)" May, August, and September 2022.

[24] See LCW, "Monthly Reports" [April 2022](#).

[25] See LCW, "Monthly Reports" [May 2022](#).

[26] See LCW, "[Monthly Reports](#)" June, July, and August 2022.

[27] See LCW, "[Monthly Reports](#)" January, February, September, November, and December 2022.

[28] See LCW, "[Monthly Reports](#)" February, April, July, October, and November 2022.

Two migrants, one of Chadian nationality and another unidentified migrant lost their lives due to mines planted in Bani Walid and Ain Zara areas.²⁹ In addition, nine Libyan victims including four children sustained severe injuries due to mine explosions in Tajoura, Ain Zara, Sirte, and Jufra.

Reported incidents in Jufra and Sirte suggest that Wagner mercenaries had planted these mines since 2019,³⁰ coercing civilians living in these areas and permitted fighters to establish points for heavy artillery, and violently enforced the planting of land mines in civilian properties and lands, resulting in the deaths and injuries of civilians and significant number of dead animals.³¹ One testimony indicates that civilian deaths happened to the presence of training camps in residential areas.³² The witness confirmed:



I heard noises and screams outside my house, rushed out, and found my brother bleeding heavily in the street, lying in front of his car. At first, I could not recognize what had happened! I thought he was stabbed, but he mumbled in pain and said he was shot!

I took him immediately to my car, but he lost consciousness twice on the way! My sister accompanied me. She was devastated and was crying and screaming until we arrived at the hospital! We took him to the emergency unit, and the doctors then took him to the surgery room. He needed blood, but he had already passed away before we got him donations. The doctor told us that a bullet from a machine gun went through his back and lodged in his liver, causing severe and leading to his death! Like the rest of my family, we did not understand what had happened?!

The second day, someone came to us and said that there was live ammunition military training at a camp less than 1 kilometre from our house, and a hail of bullets fell on the neighbourhoods too! We later filed an official complaint at the nearest police station, but no one cared to investigate. My brother's blood is just another loss, like other innocent people!



[29] See LCW, "[Monthly Reports](#)" March and October 2022.

[30] See LCW, "[Monthly Reports](#)" February, March, May, October, and November 2022.

[31] See LCW, "Monthly Reports" [February 2022](#).

[32] See LCW, "[Monthly Reports](#)" June and November 2022.

6.2 Violations Against Migrants, Refugees, and Asylum seekers

LCW documented 231 cases of migrant victims, 106 of which could not be identified. The bodies were discovered on the shores of Sirt, Zawiya, Benghazi, Tobra, Bani Walid, Derna, Tripoli, Surman, Al-Qaraballi, Tlemcen, Sabratha, and Tobruk.³³

Clear signs of severe burns and gunshot wounds were evident on 25 of the bodies found on the beaches of Sabratha and Bani Walid, amidst reports at the time of the sinking and burning of a migrant boat reportedly targeted with bullets.³⁴

Three Moroccans died at the Al-Maya Detention Centre. Two died due to medical neglect, while the third was found murdered.³⁵

A migrant was shot and killed in Zliten due to being near an area where clashes occurred between groups affiliated with the GNU and another group loyal to the east government.³⁶ Three migrants, one Egyptian, one Sudanese, and one unidentified, were also killed in clashes in Al-Zawiya.³⁷

LCW also documented the unlawful killing of a Palestinian female minor by an unknown shooter in Benghazi.³⁸ Additionally, two unidentified migrant bodies were found in both Sirt and Al-Qaraballi.³⁹

A Sudanese child was tortured before his abductors sent his family a video of the torture. Later, his body was found in the Wershefana.⁴⁰ Four migrants were intentionally injured by human smugglers in Masaid and were transported for treatment to the Tobruk Medical Centre.⁴¹

Witnesses also reported that a group of human smugglers fired on buses from the Tobruk DCIM center carrying 140 Egyptian migrants on the road to the border Masaid, forcing the drivers to stop and allowing the smugglers to abduct many.⁴²

[33] See LCW, "[Monthly Reports](#)" January, April, May, June, July, November, and December 2022.

[34] See LCW, "[Monthly Reports](#)" July and October 2022.

[35] See LCW, "Monthly Reports" [January 2022](#).

[36] See LCW, "Monthly Reports" [August 2022](#).

[37] See LCW, "[Monthly Reports](#)" January and September 2022.

[38] See LCW, "Monthly Reports" [May 2022](#).

[39] See LCW, "[Monthly Reports](#)" May and July 2022.

[40] See LCW, "Monthly Reports" [August 2022](#).

[41] See LCW, "Monthly Reports" [December 2022](#).

[42] See LCW, "Monthly Reports" [December 2022](#).

6.3 Mass graves

The discovery of mass graves in Tarhuna and Sirte followed the expulsion of the Kaniyat from Tarhuna in mid-2020 and the defeat of ISIS in Sirte in late 2016. These mass graves are a clear indication of the grave violations of international humanitarian law, with civilians being killed and buried in these sites.

In the year 2022, a total of eight mass graves have been unearthed in Tarhuna, Sirte, and Souq Al-Khamis Amshiha, containing 91 bodies in total. Among these, 68 are believed to be the remains of civilians who were arrested and executed by ISIS fighter in Sirte.⁴³ Additionally, two bodies were discovered on the outskirts of the capital in Souq Al-Khamis Amshiha,⁴⁴ while the remaining 21 bodies were found Tarhuna, as reported by the General Authority for Research and Identification of Missing Persons.⁴⁵

Al-Kaniyat militia, operating under the Ninth Brigade, stands accused of committing serious violations in Tarhuna and its surrounding areas. Key leaders of the militia, such as Mohammed and Abdulrahim Al-Kani, have been convicted of war crimes such as mass killings, extrajudicial executions, enforced disappearances, and torture.⁴⁶ These individuals have yet to face justice for their actions and continue to evade capture.

In response, the British government has taken measures to help combat impunity in Libya and ensure justice for the victims. This is particularly necessary given the Libyan parties' deliberate indifference and exploitation of the humanitarian catastrophe, which clearly constitutes crimes against humanity.

Furthermore, it has been reported that 56 individuals allegedly affiliated with ISIS were detained by the Misratan Forces during the armed conflict in Sirte in 2016. Presently, they are facing civil proceedings in Misrata's civil courts. According to reports, during the most recent court session held in August 2022, the detainees were charged with "killing fighters from Bunyan al-Marsous" instead of charges relating to the killing and targeting of civilians.⁴⁷ This approach raises concerns as it is in violation of international humanitarian law standards. The presence of individuals accused of war crimes in civil courts, where charges do not comply with the international

[43] See LCW, "[Monthly Reports](#)" August and October 2022.

[44] See LCW, "[Monthly Reports](#)" [December 2022](#).

[45] See LCW, "[Monthly Reports](#)" August November, and December 2022.

[46] "[UK sanctions Libyan al-Kaniyat militia and its leaders – statement](#)". Reuters, 13 May 2021.

[47] "[56 people prosecuted in Misrata for affiliation to ISIS](#)". The Libya Update. 8 August 2022.

humanitarian law definitions, renders possible trials illegal. Pursuant to the third common article of the Geneva Conventions, ISIS defendants have the right to a judicial guarantees and fair trial standards and should be tried in military courts following the rules of war. Therefore, relying exclusively on domestic law in civil trials may result in the criminalization of all defendants in all violations to the same degree, based on legislations addressing criminal acts in times of peace rather on times of war.



286 bodies were found in the mass graves in Sirte and Tarhuna, between 2020 and 2022



193 bodies were identified between 2020 and 2022

6.4 Arbitrary arrests, Abductions, and enforced disappearance

LCW documented 62 instances of arbitrary arrests, abductions, and enforced disappearances committed against civilians, which include activists, human rights defenders, bloggers, journalists, and ordinary people, including children in various cities of Libya such as Sirte, Misrata, Benghazi, Tobruk, Shahat, Al Bayda, Tripoli, and Kufra in 2022.

It has been verified that the Tariq Ibn Ziyad Brigade abducted and forcibly disappeared nine civilians, including minors, and five others who were later released. The fate of two children and two other men who remain missing is still unknown, while two others are confirmed detained in the detention facility of the said brigade located in Benghazi. Additionally, another Libyan victim was abducted and forcibly disappeared in Shahat, the whereabouts of four other civilian abductees by the same brigade in Sirte remain unknown.

The kidnapping operations carried out by LAAF armed forces in the eastern part of the country are not limited to Tariq Ibn Ziyad Brigade. It has been verified that ten other civilians were abducted by armed men traveling in vehicles owned by the LAAF in Benghazi and Sirte.⁴⁸

Moreover, three civilians were abducted by armed men associated with the

[48] See LCW, "[Monthly Reports](#)" March, April, July, September, and December 2022.

106th Brigade in Tobruk because they had participated in demonstrations in front of the HoR parliament.⁴⁹

There have been reports of groups kidnapping civilians in multiple cities. LCW documented two citizens being abducted in Tripoli, who were subsequently released, with the kidnappers still unknown. Additionally, three civilians who were kidnapped by unknown individuals in Benghazi and Al-Bayda are still missing.⁵⁰ The GNU-affiliated groups have not spared Libyan civilians from terror campaigns, kidnappings, or enforced disappearances. The Tripoli Revolutionary Brigade abducted a Libyan citizen,⁵¹ while the Stability Support Apparatus abducted another civilian and later both were released.⁵²

Moreover, the Special Deterrence Forces in Tripoli abducted two other civilians in separate incidents.⁵³ Tripoli's Internal Security agents abducted another civilian, and the Joint Forces in Misrata kidnapped two other civilians.⁵⁴ The mercenaries in southern Libya continued to abduct civilians for ransom. An armed group of mercenaries reportedly loyal to LAAF abducted three Libyan civilians from a public road near the city of Al-Kufra in the southeast of the country to demand ransoms. Luckily, the victims were released after 20 days.⁵⁵

LCW also confirmed through victims testimonies that individuals affiliated with Benghazi's Internal Security unlawfully detained eleven civilians in Sirte. One of the detainees was a poet who recited a critical poem about Tariq bin Ziyad Brigade brigades, while the other three were arrested during separate demonstrations in Tobruk, Benghazi, and Al Bayda. Moreover, two activists from a civil society commission office in Benghazi were also taken illegally into custody.⁵⁶

Meanwhile, four recordings of civilian detainees were presented by Tripoli's Internal Security forces. In addition, the Criminal Investigation Department in Tobruk arrested two other citizens in eastern Libya, who were eventually released after spending thirty days in arbitrary detention.⁵⁷

[49] See LCW, "Monthly Reports" [January 2022](#).

[50] See LCW, "[Monthly Reports](#)" February, October, and November 2022.

[51] See LCW, "Monthly Reports" [April 2022](#).

[52] See LCW, "Monthly Reports" [May 2022](#).

[53] See LCW, "[Monthly Reports](#)" May and June 2022.

[54] See LCW, "[Monthly Reports](#)" March, June, and August 2022.

[55] "[Abduction of Citizens on the Road to Al-Kufra by an armed group sources confirm, search efforts Initiated](#)". Libyan News 24. October 2022.

See also "[Video of the Kidnapping of Citizens in Al-Kufra, Abductors cars found](#)". Facebook video depicts discovery of vehicles following the kidnapping incident. September 2022.

[56] See LCW, "[Monthly Reports](#)" March, May, August, November, and December 2022.

[57] See LCW, "Monthly Reports" [March 2022](#).

6.5 Torture and Other Forms of Ill-treatment

LCW documented cases in which witnesses and victims reported the presence of torture, humiliation, and ill-treatment systematically practiced within and outside of detention facilities. LCW observes no discernible improvement in the conduct of perpetrators towards victims, as demonstrated by the physical indicators of torture signs found on many of the deceased' bodies.

It is significant to note that there are cases which have not been included in this report or other public reports, due to the reluctance of victims and survivors to come forward and discuss the violations committed. The victims' hesitation to provide specific details about their experiences of torture is frequently due to the fear of persecution and intimidation by the perpetrators, both during and after their detention and release. Detainees are subjected to degrading and harsh treatment, with such systematic abuses occurring in eastern Libya. Arbitrarily detained victims are systematically tortured in premises of the Internal Security in the east.

Released detainees from Al-Kuwayfiya prison and Tariq bin Ziyad detention in Benghazi reported suffering from chronic illnesses due to a lack of necessary medication. Similar degrading and abusive treatment patterns were reportedly employed during interrogations where victims were directly threatened with abduction if they spoke publicly about their torture. Diseases were prevalent in the eastern prisons and detention facilities where detainees suffered severe injuries due to torture, requiring urgent surgical intervention, but were deliberately ignored. Living conditions are extremely inhumane.

Detainees confirmed that medications for tuberculosis, chest allergies, and chronic diseases were never provided. One detainee reported being placed in solitary confinement without food for two days while arbitrarily detained for more than three months. The detainee was severely beaten, threatened with rape, and later informed that he would be killed and his body would be thrown into the sea.



I had a prisoner in the same cell with me, his leg was amputated and his wounds were rotting for some time! But the prison administration refuses to let him go to the hospital, just as medication and treatment for tuberculosis, chest allergies, and chronic diseases are completely unavailable, except for pain killers!



According to LCW documentation, armed groups in both eastern and western Libya have been engaging in systematic torture practices for two purposes. Firstly, these practices are intended to deter activists and protesters from expressing their dissenting views against the current governments in power, thereby delaying elections and gathering information about opposing political activities. Secondly, they are intended to extract confessions and instil feelings of humiliation and insult.

Survivors and witnesses have reported experiencing or witnessing torture in both official and unofficial prisons and detention centres operated by the DCIM across various regions in Libya. These violations have been reported in several prominent locations, including the Internal Security, Al-Kuwayfia Prison, Qarnada Prison, Tariq bin Ziyad detention in Benghazi, detention facilities under the control of the Special Deterrence Forces, the DCIM centre in Al-Zawiya Street in Tripoli, and the Al-Maya Migrants Detention Centre.⁵⁸

The **torture methods** employed in these locations **include beatings with sticks and electric wires on hands and feet region, "hanging" victims with metal chains, threatening to execute them, video recording victims naked, and rape.** These methods have caused severe physical harm and pain, resulting in psychological and physical suffering and trauma. The perpetrators also employed various other inhumane methods, such as depriving victims of food and access to toilets, preventing them from receiving medical care, and subjecting them to prolonged solitary confinement, majorly used as a discipline mean or for harsh punishment.

These methods have become normalized in detention centres, where prior abduction operations are frequently employed. The armed groups often unlawfully kill people under torture and dispose of their bodies in random areas and in refuse sites.⁵⁹

6.6 Extrajudicial and Unlawful Killings

Armed groups associated with the two governments allegedly killed 42 civilians in different locations in Libya.

Among these documented cases:

- Five Libyan civilians were killed in a manner consistent with bullets-execution-style, including a family consisting of a father, mother, and a 17-year-old child in their home in Tripoli.⁶⁰

[58] See LCW, "[Monthly Reports](#)" All 2022 reports.

[59] These testimonies were provided by individuals who had been subjected to arbitrary detention, abduction, and torture. Consistent with the 'do no harm' principle, the victims' identities have not been disclosed.

[60] See LCW, "[Monthly Reports](#)" [February 2022](#).

- Similarly, the Joint Forces in Misrata allegedly killed one civilian.⁶¹
- An official working for Sharara oil company was assassinated in the city centre of Sabha.⁶²
- Unknown armed individuals allegedly killed four civilians in separate incidents in Sabha, Benghazi, Souq al-Khamis, and al-Ajaylat.⁶³
- The remains of seven Libyan citizens, showing signs of torture, were found on roadsides or in isolated locations in Tarhuna, Benghazi, and Gharyan.⁶⁴
- Al-Kufra desert yielded the discovery of 20 bodies, including two Libyans who reportedly lost their way and died with 18 migrants in the desert.⁶⁵

A young man was allegedly killed by police officers at Sidi Khalifa police station after they forcefully entered his house and randomly open fire causing a fire in the house. Subsequently, the young man passed away due to burn injuries, as the police officers did not provide medical assistance or allow his transportation to a hospital.⁶⁶ LCW also confirmed that a detainee passed away due to medical negligence in Qernada prison.⁶⁷

In addition, eyewitnesses from the Haniya area of Al-Bayda purportedly witnessed armed individuals riding in vehicles with the Criminal Investigation Department logo in Qernada, under the direction of Munir Abdul Razzaq Belhaj, attempted to apprehend civilians late night.

This led to locals protesting due to the lack of justification for the arrests, and in response, the armed individuals reportedly discharged firearms indiscriminately, resulting in the death of a young Libyan and the injury of another with a gunshot.⁶⁸ Families have spoken out about the alleged inhumane way in which armed groups inform them about the retrieval of their loved ones' bodies. A relative of a killed victim gave the following testimony, describing the mysterious circumstances surrounding the killing of his nephew:



My nephew, who was a university student, was abducted by armed men in one of the cities in eastern Libya and remained missing for

[61] See LCW, "Monthly Reports" [March 2022](#).

[62] See LCW, "Monthly Reports" [January 2022](#).

[63] See LCW, "[Monthly Reports](#)" January, February, and June 2022.

[64] See LCW, "[Monthly Reports](#)" May, June, and November 2022.

[65] See LCW, "Monthly Reports" [June 2022](#).

[66] See LCW, "Monthly Reports" [April 2022](#).

[67] See LCW, "Monthly Reports" [March 2022](#).

[68] See LCW, "Monthly Reports" [December 2022](#).

almost ten months. One day, I received a call from a relative who worked in a security agency, asking me to go to the hospital morgue to verify a body that matched my nephew's description. Another person and I went immediately, and indeed, it was my 26-year-old nephew! However, his color and appearance had changed because he had been dead for several days, according to the forensic doctor's testimony. The scene was very painful for me! I was shocked, and I did not know what to do?!

I asked a security officer found outside the hospital how did the body get there? He told me that a Toyota car with tinted windows had arrived with the dead body, and two armed men got out of it and threw the body in front of the hospital's back door before leaving.

The body had signs of torture on the legs! And wounds on the wrists! The forensic doctor suggested that the cause of death was due to the cessation of the heart muscle, likely due to the shock resulting from severe fear during torture.

We still do not know why or how my nephew was killed. The judiciary and the security authorities did not care about giving us answers and if we get justice! They did not answer our questions, they did not try to investigate this incident and know who the perpetrators were, and no one talked about trying those responsible for such terrible horrific crime committed against an innocent young man.



6.7 Violations against Civil Society

Civil society organizations, activists, human rights defenders, bloggers, and journalists continue to face harassment, abduction, and enforced disappearances. Internal security agencies in both eastern and western regions of the country targeted 34 activists, media professionals, and protesters who participated in demonstrations in Tobruk, Sirte, Misrata, and Tripoli.

In 2022, LCW documented three incidents of assault against a journalist, the arbitrary arrest and humiliation of another journalist, and the enforced disappearance of a third journalist. ⁶⁹In 2022, ongoing smear campaigns and defamatory actions taken against activists further restricted civil space.

[69] See LCW, "[Monthly Reports](#)" March and February 2022.

These actions have been largely driven by Al-Awqaf Authority's announcements, which is reportedly controlled by the Salafist Madkhali group allied with LAAF in eastern Libya, and by Dar Al-Ifta and the Civil Society Commission in western Libya.⁷⁰ LCW confirmed that the Executive Director of the Civil Society Commission in Benghazi and the Director of the International Organizations Department at the Commission were arrested after being summoned by the Internal Security Agency in Benghazi. The Agency had also raided the executive management offices of the Commission, seized computers, and further shutdown of the Commission's web page.⁷¹

As part of its campaign to discredit civil society, the Libyan government levels preconceived accusations against civil society. **Accusations and smear campaigns aim to convince the public that civil society only works on treachery, atheism, moral decay, and promotes homosexuality.**⁷² Thereby, tarnishing the image of human rights defenders in the Libyan conservative community. This is largely accomplished by exploiting Islamic culture in campaigns that promote that the government and the commission describe as **"ideas that conflict and contradict Islamic and ethical values."**

However, in reality, the majority of civil society activities aim to promoting community development including the respect of human rights, and calls for an end to violations committed by the armed groups in Libya. This includes documentation of torture and war crimes, reminding of the danger of impunity, and advocating for the rule of law by emphasizing respect for freedoms and equal rights for all.

Additionally, the government has enacted arbitrary laws that restrict civil work and puts activists and victims at danger, including the recent **Anti-Cybercrimes Law** that was passed by the HoR and is now in effect since October 2022. The contains vague and unclear provisions that mainly prohibit the use of safe digital platforms and criminalizes the use of encryption.

The restrictions imposed by the divided Civil Society Commission in the East and West are not only discriminatory but also highly dangerous for activists

[70] "The Libyan Dar Al-Iftaa issued fatwa strictly prohibiting communication between Libyan civil society institutions and 'foreign countries' without the explicit knowledge and approval of the Libyan state". Libyan Dar Al-Iftaa Official Website, 2018. In accordance with this fatwa issued by the Libyan Dar Al-Iftaa, effective fatwas have the power of laws that permit the return to Libyan jurisprudence in criminalizing actions opposed to what the government and Dar Al-Iftaa deem acceptable. The absence of an explicit legal text in legislation permits the recourse to fatwas according to Libyan law.

[71] See LCW, "Monthly Reports" [December 2022](#).

[72] "[Libya: Terrorization of civil society on moral and religious grounds highlights impunity of radical armed groups](#)". Cairo Institute for Human Rights Studies. 2022.

working on sensitive issues such as human rights and documentation of war crimes. These arbitrary measures prohibit civil society organizations from receiving foreign funding and criminalize cooperating or partnering with international organizations without prior written permission from the Commission. In addition to these restrictions, approval from internal security and intelligence is required before any activities can be held.

As a result, activists face travel restrictions, as security approval is required from the internal security at Benina Airport in Benghazi before traveling abroad. This severely limits the ability of activists and defenders to participate in activities outside of Libya. It is important to note that the dangers also extend to international organizations' staff. LCW documented that one of the international organization workers was arrested at Benina International Airport in Benghazi and was detained in the internal security department in the Al-Kuwaifiya prison for more than a week without any reason.⁷³

One of the previously detained activists spoke about the threats faced by civilian actors:



The internal security agency arrested me hours after I participated in a protest in Sirte, and they detained me in an unofficial location for about 15 days. The investigators accused me of threatening national security, campaigning for instability, and sabotage. Then, they forced me to sign a document to never participate in any future protests.



The restrictive measures imposed by the Civil Society Commission, coupled with the requirement for internal security and intelligence approval, are hindering the ability of activists and defenders to carry out their work. These restrictions have also led to travel limitations and arbitrary arrests, further exacerbating the challenges faced by those advocating for human rights in Libya.

6.8 Violations against Peaceful Protestors

In accordance with the provisions of [Law n°65 of 2012](#), demonstrations and civil gatherings are prohibited unless prior written approval is obtained from authorities and security agencies. The law stipulates that the event organizer

[73] See LCW, "Monthly Reports" [November 2022](#).

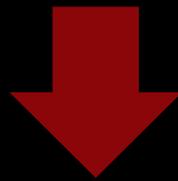
must be identified, and the time and location of the protest must be specified.

In 2022, a total of 40 civilians were arrested during demonstrations:

- 22 of them arrested during protests outside the parliament building in Tobruk. Four activists were falsely charged with crimes such as threatening national security, sabotage, and vandalism.
- The internal security agency and military forces of the Libyan Arab Armed Forces (LAAF) conducted arbitrary arrests in Sirte, targeting over 18 civilian activists who participated in protests and demanded that the government address the poor living conditions since the LAAF took control of the city in 2020. Some of those arrested were forcibly disappeared for more than 100 days, and a few were eventually released only after signing unlawful pledges not to protest again.

6.9 Statistics

561 violations were recorded in 2022



Libya Crimes Watch has referred 60 files and sent 84 correspondences to international bodies.

7. Conclusion

The priorities of the Libyan public shifted from demanding democratic and inclusive elections to focusing on economic stability and conflict resolution, with the dream of achieving political unification of the eastern and western fronts under a single government taking precedence. However, armed groups affiliated with the government are involved in criminal activities such as fraud and corruption, and the Libyan community has unfortunately been forced to accept these practices as common norms. As a result, citizens are adapting to the unstable security situation by avoiding civil intervention and seeking ways to simply survive.

Despite its apparent passivity, the current approach towards addressing the situation in Libya offers no reassurance of safety or security for the people residing on Libyan territories, including Libyans and migrants. Reports indicate that individuals in Libya are constantly exposed to the dangers of abduction, arbitrary arrest, torture, or even unlawful killing. Civil society actors in Libya have documented numerous instances of people being subjected to arbitrary detention, torture and ill-treatment, forced labor, enforced disappearances, slavery, and other violations that constitute war crimes.

The continuous perpetration of such heinous acts by armed groups and security agents resulted in many victims unable to report what they endure, due to fear of retribution or a lack of faith in the fairness and impartiality of the judicial system. There is an urgent need for more robust and effective measures to safeguard the well-being of all people in Libya.

Within this painful reality, victims have been subjected to arbitrary detention, torture, and arrests for no reason. A significant number of victims have been subjected to enforced disappearance, and others have been found deceased but remain unidentified or missing. Dead people were found in various locations, including random sites, dumpsters, or mass graves. Several documented cases allege that detainees are uninformed of the accusations brought against them and are deprived of their right to communicate with their legal representative or relatives.



The reprehensible and unlawful practices of human trafficking, enforced labor, sex trafficking, trade, extrajudicial killing of migrants, and rape persist in their targeting of migrants. Elements of such systematic practices against the migrant community suggest that such violations may constitute crimes against humanity. Despite repeated calls and reports issued by both local and international organizations to the European Union, European governments, Libyan governments, Libyan Coast Guard, DCIM, and other security agencies to take effective action to bring these heinous violations to an end, no tangible progress has yet been made.

The appearance of migrant bodies washing up on Libyan shores, with visible signs of gunshot wounds and burns, is a grim reminder that migrant boats are still being attacked and that migrants continue to be subjected to life-threatening situations. The detention of migrants in facilities known for such systematic violations, under the eyes and with the consent of all parties, is a clear indicator of the absence of the rule of law and the lack of protection for these vulnerable populations. Urgent and concerted action is required to put an end to these violations and to bring the perpetrators to justice.

Regrettably, this report only included violations and alleged crimes that have been documented and verified by LCW. It does not reflect the entire scope of violations and crimes committed in Libya in 2022. The deteriorating security situation, the prevalence of impunity, and the breakdown of law and order have led to an increase in other criminal activities such as revenge killings, honor crimes, drug abuse, personal vendettas, theft of land and property, and organized crime. The authorities and security agencies hold a responsibility to urgently address these issues as they have failed to take necessary action.

The limited access to information has resulted in a lack of public awareness of many other crimes such as sexual violence, rape, and human trafficking that are often associated with racism, and cultural stigmas. Additionally, social shaming and psychological factors often prevent sex-related violations against both men and women from being reported. LCW documentation team's capacity is limited due to the vast number of reported violations in Libya.

8. Recommendations



Libya Crimes Watch addresses its recommendations to both political fronts in Libya's east and west. LCW condemns the Libyan Attorney General's Office, the Libyan House of Representatives, and the Libyan Presidential Council in Tripoli for failing to address the worsening human rights situation and protect civilians from violations committed by their affiliated armed groups and security agencies. LCW denounces the Libyan Arab Armed Forces (LAAF) in the east for crimes committed under their jurisdiction and effective control, including those committed in prisons, detention centers, security and military headquarters, and for all arrests and abductions against civilians and protesters in the east and in Sirt.

The legal responsibility for unlawful killings, abductions, enforced disappearances, and arbitrary detention during times of war falls on the Libyan authorities, both in terms of accountability and the fact of having effective control. The Government of National Unity (GNU) and the LAAF, who currently oversee all administrative, financial, and judicial operations in Libya, are both responsible for the impunity and the prevalence of crimes, and must both be subject to accountability.

If these authorities wish to address the situation in Libya the need to consider recommendations of civil society organizations working on documentation for years, these according to LCW in 2022 would include:

Libyan Crimes Watch calls upon the Libyan Attorney General's Office and other relevant prosecuting authorities to undertake expeditious and transparent investigations into all alleged crimes documented in this report, and any other violations of which they may be cognizant, with a view to ensuring accountability and bringing the responsible parties and perpetrators to justice. If it is established that the Libyan Attorney General's Office is incapable of dealing with the control exerted by armed militias and the lack of efficacy of the domestic judiciary in fairly and justly prosecuting the perpetrators in Libya, LCW further calls for the facilitation of the extradition of suspects abroad.

Libya Crimes Watch demands the disclosure of the whereabouts and status of all individuals who have been forcibly disappeared or abducted by internal security agents in various Libyan cities. LCW also calls for the immediate release of those who are unlawfully detained or their immediate referral to concerned prosecutions for investigation. LCW demands adherence to fair and just legal procedures, including referral to specialized prosecutor's offices

within the time limits set forth by Libyan laws. LCW emphasizes the need to uphold the detainees' privacy and dignity, and to allow their families and legal representatives to visit them, in accordance with internationally recommended standards. LCW also requests that detainees' health and age be taken into account if their detention is lawful. The Libyan Attorney General is urged to conduct a prompt investigation into these incidents and hold those responsible accountable, including security personnel who engage in arbitrary arrests, degrading and inhumane treatment, and torture against detainees in any location within Libyan territory under the governments' jurisdiction and control.

Libya Crimes Watch emphasizes that mass graves must be given the utmost priority, and effective and transparent investigation mechanisms must be implemented to bring suspects who have local and international arrest warrants issued against them to justice. LCW also calls to urgently allow international litigation to take place in the Tarhuna and Sirte mass grave crimes to prevent their exploitation and politicization for the benefit of any party in the Libyan conflict. LCW further demands that suspects be tried in specialized military courts in accordance with the provisions of the 1998 Rome Statute, which defines these crimes as crimes against humanity and reminds the Libyan government and the General Attorney's office that Libyan citizens have the right to be informed of all procedures carried out by the Libyan authorities. Therefore, it is incumbent upon the Libyan government to issue clear and public statements on the developments in the investigations of these cases. Specifically, the government should identify and disclose the identities of unidentified deceased bodies, prevent armed groups from obstructing the search and identification of bodies, collect and process DNA testing, and disclose the final investigation results.

Libya Crimes Watch urgently calls upon the Government of National Unity, the Libyan Presidential Council, and the authorities in eastern Libya, including the General Command of the LAAF, to immediately cease their campaigns of harassment against civil society. Such harassment has taken the form of arbitrary arrests and ill-treatment of protesters, activists, journalists, and media professionals, and to stop the smear campaigning and the defamation of human rights defenders. LCW demands that all Libyan authorities immediately end the use of intimidation tactics, including abductions, enforced disappearances, torture, and repeated threats.

LCW emphasizes the urgent need to guarantee freedom of expression and freedom of association, and the respect for the autonomy and independence of non-governmental organizations from the government. This respect for autonomy and independence is the legal foundation to ensure the effective work of civil society. LCW calls upon the authorities to ensure that these fundamental rights are protected and upheld, as they are essential to the promotion and protection of human rights and the rule of law in Libya.

Libya Crimes Watch demands that Libyan authorities take legal, administrative, and health measures and issue fair decisions that protect vulnerable and marginalized groups, particularly vulnerable migrants, foreign workers, and asylum seekers, from various forms of violence, torture, mistreatment, sexual assault, sexual trafficking, and enforced labor. The authorities must also prevent the arbitrary arrest and detention of asylum seekers and holders of UNHCR cards and refrain from involuntarily returning victims to home countries where they may face political persecution, until they are transferred to safer countries. The Government of National Unity, authorities in eastern Libya, and all relevant bodies must prepare effective mechanisms for the search, rescue, and identification of missing migrants in Libyan territory and at sea, and ensure accountability for those responsible for serious violations and crimes committed against migrants.

Libya Crimes Watch urgently demands that the Government of National Unity and the Libyan Armed Forces take immediate action to clear landmines, especially areas where civilian populations reside. The use of prohibited weapons, including landmines, in civilian locations must cease, as they do not discriminate between civilians and military personnel, endangering both groups constituting a war crime under international humanitarian law. LCW demands prompt and impartial investigations into incidents resulting in civilian casualties and extrajudicial killing due to indiscriminate attacks, damage to civilian objects and properties, in accordance with international human rights and the law of war. Those responsible for these actions must be held accountable and brought to justice, with appropriate legal measures taken to ensure that they do not evade justice.





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