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## **Two years after conflict Libya must end plight of displaced communities**

The Libyan authorities must urgently find a durable solution to end the continued forcible displacement of tens of thousands of Tawarghas and other communities, from their hometown during the armed conflict of 2011, said Amnesty International.

The entire inhabitants of the town of Tawargha – some 40,000 people - were driven out by armed groups from Misratah who accused them of supporting Colonel al-Gaddafi's government. An Amnesty International briefing *Barred from their Home*, published on the second anniversary of the end of the conflict, highlights the continued discrimination, abductions and arbitrary detention of the Tawargha, who still face threats and reprisal attacks at the hand of militias acting above the law.

“Two years after the conflict, Tawarghas and other displaced communities are still waiting for justice and effective reparations for the abuses they have suffered. Many continue to face discrimination and live in under resourced camps with no solution in sight,” said Hassiba Hadj Sahraoui, Amnesty International's Middle East and North Africa Deputy Director.

Today Tawargha is a ghost town. Anti-Gaddafi fighters, seeking revenge over war crimes they believe the Tawarghas committed on behalf of Gaddafi in Misratah, looted and burned down their homes. For months after the conflict, the Tawarghas were hunted by militias and suffered arbitrary arrests, torture and killings.

The Tawargha continue to face threats and attacks on their camps from militia members who have threatened to stop any attempt by them to return. The authorities have failed to ensure their safe return and have also repeatedly deterred the Tawargha from returning for security reasons.

“It is unthinkable that the victims of abuses have been asked to relinquish their right to safe return, while the militias and others threatening them have gone unchallenged”, said Hassiba Hadj Sahraoui.

“The demands of Misratah's residents for accountability for war crimes in their city are justified, but justice cannot be selective and a whole community cannot be collectively punished.”.

In total around 65,000 people are internally displaced across Libya, not just Tawarghas but members of the Mashashya tribe from the Nafusa Mountains, residents of Sirte and Bani Walid, and Tuaregs from Ghadames too. The Tawarghas, ethnic black Libyans, are among those who have suffered the most.

More than 1,300 Tawarghas are estimated to be missing, detained or were subjected to enforced disappearances, mainly in Misratah. Most were seized by militias and subjected to torture and other ill-treatment, such as electric shocks, whipping and beatings with metal bars or water pipes in detention.

Amnesty International urges the Libyan authorities to investigate all cases of enforced disappearance and

torture without discrimination, including of victims perceived as pro-al Gaddafi.

Hundreds of Tawargha detainees, including children, have also been held in state prisons for more than two years, without charge or trial, in poor detention conditions, without adequate medical care or regular family visits. Family members of detained Tawarghas fear reprisal attacks each time they go to Misratah. In al Wahda prison in Misratah, Amnesty International met nine minors who were held without charge since they were apprehended in 2011.

“All those being held without charge must be released or charged with a recognizable criminal offence. The detention of children should be used only as a measure of last resort and for the shortest period of time,” Hassiba Hadj Sahraoui said.

Libya is currently facing the worst political and security crisis since the 2011 conflict. The rule of law has been undermined amid widespread lawlessness, arbitrary detentions, abductions and attacks on government institutions by state-affiliated militias. Despite these challenges, the Libyan authorities have a responsibility to ensure the protection of internally displaced communities who are among those most at risk.

“Finding a durable solution to Libya’s displacement problem will require time, but there are immediate steps that the authorities can take to show they are serious about respecting the rights of Tawarghas and other communities. There is no reason they should not enjoy their right to education and adequate standard of living like all other Libyans”.

Scores of Tawargha face obstacles in obtaining the documents they need to pursue higher education from academic establishments in Misratah. Families of missing persons do not receive governmental assistance, seemingly for no other reason than their perceived allegiance to Colonel al-Gaddafi.

Last month, Libya’s General National Congress agreed in principle to a Law on Transitional Justice that includes a set of measures to achieve truth, accountability and reparations for victims of human rights violations perpetrated during al-Gaddafi’s rule and since. The draft law, which is pending a final vote, establishes a Fact-Finding and Reconciliation Commission tasked, among other things, with addressing the situation of internally displaced persons without discrimination.

“The adoption of this law could be the first real step towards justice for Tawarghas and other displaced communities. Once the law is adopted, the authorities must ensure that the Commission is given the necessary resources and protection to conduct its work impartially, free from threats, public pressure and militia attack,” said Hassiba Hadj Sahraoui.

“A failure to do so could endanger the modest gains of victims in their struggle for truth and justice, and turn the law into another failed initiative.”

Amnesty International also urges the Libyan authorities to consult the Tawargha community in any discussions of solutions to address their needs, rights and legitimate interests.