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Libya must investigate death of Special Forces soldier under torture

Libya's authorities must urgently investigate the death of a soldier who was tortured to death last week following 10 hours of interrogation by his own army unit, said Amnesty International.

Hussein Radwan Raheel, 37, who served with the Saiqa Forces, an elite army unit under the Ministry of Defence, was severely beaten and subjected to electric shocks, family members told Amnesty International. A forensic report and photos of his body seen by the organization also indicate that he was tortured.

"Torture and ill-treatment were routinely used by the state to terrorize the Libyan people under al-Gaddafi's brutal rule. The Libyan authorities must show that the country has made a clean break with the past by sending a strong message that human rights violations by state officials will no longer be tolerated," said Hassiba Hadj Sahraoui, Deputy Middle East and North Africa Programme Director at Amnesty International.

"An independent, impartial civilian-led investigation into the death of Hussein Radwan Raheel must be carried out and its results made public. Those responsible for his death must be held to account to show that torturers will not be granted free rein in Libya today."

Amnesty International fears that a military investigation will lack transparency and independence and will only lead to whitewashing abuses.

"Since the Libyan uprising two years ago, the authorities have turned a blind eye to abuses by militias, entrenching impunity. Failing to punish violations perpetrated by state agencies will only lead to institutionalized torture," said Hassiba Hadj Sahraoui.

According to a forensic report, Hussein Radwan Raheel died after he was repeatedly beaten and given electric shocks causing heart and circulatory failure. He had bruises on his nose, face, chest, back and limbs as well as electric shock marks on his arms.

After he was tortured, Hussein was allegedly held in a cargo container without a mattress or blanket and with no access to medical care. He was found dead the next morning, and his body was transferred to Tripoli Medical Centre.

Hussein Radwan Raheel's family was informed of his detention by a friend, who told them that officers from his unit arrested him after he reported to the Military Compound of the Saiqa Forces in Tripoli at about 11:00am on 1 December. One of his commanding officers confirmed to his family that he was interrogated about the disappearance of a

military vehicle from the compound. At no point during his detention were his family allowed to visit or speak to him on the phone.

The next day, they learned through personal contacts that Hussein Radwan Raheel had died. After confirming his identity, the family reported his death to Hadba police. His body was referred for forensic examination by order of the prosecution.

Two other members of the Saiqa Unit, including Mohammad Faraj Tarhouni aged 23 were detained on the same day and were held under interrogation for a week. Both were referred to the military prosecution on 8 December and are currently held in a Military Prison in Tripoli. Amnesty International fears that they might have also been tortured or ill-treated.

In September 2013, the Libyan Prime Minister praised the Saiqa Forces, saying that they will represent “the birth of the new Libyan army”.

“As Libyan people take to the streets to call for the return of the police and the national army to restore security and order, the authorities must ensure that the ‘new Libyan Army’ is an accountable and professional body that enforces the rule of law rather than further undermining it,” said Hassiba Hadj Sahraoui.

Any international efforts to support the rebuilding of the Libyan security sector or to train Libyan soldiers must also emphasize the respect for human rights principles.

Background

In April, the General National Congress enacted a law on torture, enforced disappearances and discrimination, which sets a minimum prison sentence of five years for anyone found guilty of inflicting physical or mental suffering against anyone detained under their authority with the aim of eliciting a forced confession. A life sentence is prescribed for cases where torture results in death.

Officials at the Ministry of Justice acknowledged to Amnesty International in a meeting in August 2013 that no one had been prosecuted under the torture law since it was enacted in April 2013.

The United Nations Support Mission in Libya has documented 11 cases where evidence suggests that detainees were tortured to death between January and October 2013. Between September 2011 and July 2012, Amnesty International documented 20 cases of deaths in custody supported by medical records and forensic reports. In 2013, the organization visited 27 detention centres across the country, including state prisons, those under nominal state oversight and those run by militias. Amnesty International found that torture and ill-treatment remains widespread in some places of detention and is systematic in other. Detainees are especially vulnerable to abuse during the first few days following detention.

The Saiqa Forces are Libya’s Army Special Forces, formed of commandos who report directly to the Army Chief of Staff and the Ministry of Defence. The Saiqa Forces were first created in Benghazi in 2010, and began operating in the west of the country only

after the 2011 armed conflict ended. The Forces are made up of former al-Gaddafi soldiers, but also former militia members who were allowed to integrate the institution at the end of the conflict.

Public document

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