

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

Index: MDE 19/021/2012

12 October 2012

Libyan authorities urged to protect Bani Wali residents from clashes

Amnesty International today has called on the Libyan authorities to ensure that Bani Walid residents are protected from reckless fire, and that movement to Bani Walid is not arbitrarily restricted. The call was issued against the backdrop of armed clashes in the eastern outskirts of Bani Walid, and after a civil society delegation travelling to Bani Walid with the aim of resolving the tensions there was prevented from reaching the city.

According to local residents and doctors, armed confrontations in the area of Mardoum on the eastern outskirts of the city resulted in three deaths among Bani Walid residents on 10 October. Among the dead are nine-year-old Mohamed Mustafa Mohamed Fathallah and his 25-year-old uncle, Abdel Azim Mohamed al-Mabrouk. According to their relatives, the two sustained fatal shrapnel injuries at around 4pm on 10 October, while sheltering in the house of a relative in the neighbourhood of al-Nahr, also in the eastern outskirts of the city. Relatives told Amnesty International that the victims had fled their own home in the area of Mardoum – site of the confrontations – to seek safety, and were standing about 2.5 metres away from the house when fatally injured.

On 12 October, a large delegation composed of some 120 civil society activists and tribal leaders was prevented from reaching Bani Walid by a group of armed men, reportedly from the Libya Shield forces and other militias, at a checkpoint some 60 kilometres away from Bani Walid on the main road from the capital Tripoli. Two members of the delegation told Amnesty International that the delegation was not allowed to proceed despite having authorization from Mohammed Magariaf, the president of Libya's parliament, the General National Congress (GNC). The purpose of the visit was to assess the situation on the ground, visit detainees, and hold discussions with the Bani Walid local leadership. Members of the delegation told Amnesty International that the ensuing verbal altercation between members of the delegation and the armed men manning the checkpoint, led the latter to fire into the air to disperse the convoy.

On 25 September, the GNC authorized the Ministries of Interior and Defence to use force if necessary to arrest suspects, including those responsible for the alleged torture and killing of the Misratan Omran Shaaban, one of the men credited with capturing Colonel Mu'ammara al-Gaddafi on 20 October 2011.

Since then, members of the Libyan army, Libya Shield forces and armed militias from various parts of the country, including Misratah, have surrounded Bani Walid, and clashes have occurred in the eastern outskirts of the city. In addition to casualties among Bani Walid residents, three members of the Libya Shield forces died as a result of confrontations near Mardoum on 10 October, and a further 35 were injured, according to a spokesperson of the chief-of-staff of the Libyan army. The spokesperson added that the Libyan army had clear instructions not to prevent medical and other essential supplies from entering the city; and that a delegation from the International Committee of the Red Cross (ICRC) and the Libyan Red Crescent visited Bani Walid on 11 October. On 11 October, the ICRC issued a press release indicating that it delivered medical supplies to Bani Walid.

Background

On 5 October, Amnesty International called on the Libyan authorities to exert maximum restraint in any use of force, which should be proportionate to the purported objective of arresting suspects, and to ensure that movement to and from Bani Walid is not arbitrarily restricted. In the past 10 days, Amnesty International has received reports that some vehicles carrying medical supplies, fuel and food, as well as regular passenger cars, have been prevented from entering; while others were allowed to proceed.

On 12 October, Amnesty International obtained information that a private car carrying medical supplies to Bani Walid was stopped some 40 kilometres away from the city by a group of armed men. Its two passengers were reportedly taken by the militia, along with their car and the supplies. Another man travelling to Bani Walid at about 1pm on 12 October told Amnesty International that he was told to turn back at the same checkpoint, without being provided with an explanation.

Long-standing tensions between Bani Walid and Misratah were exacerbated following Omran Shaaban's death on 24 September. Misratan *thuwwar* ("revolutionaries", as anti-Gaddafi fighters are commonly known) and members of the Libya Shield forces, Omran Shaaban and Mohamed Abdallah Ali were abducted around 9 July near Bani Walid. Omran Shaaban was freed on 11 September along with two other Misratans detained by armed militias in Bani Walid. When Amnesty International visited him in hospital in Misratah on 12 September, he was paralyzed and in a coma. He was transferred to France for treatment, but succumbed to his gunshot wound on 24 September. Two other Misratan detainees released along with Omran Shaaban were tortured. At least four other Misratans are believed to be held by armed militias in Bani Walid. When Amnesty International visited Bani Walid on 20 September, it was not able to locate their whereabouts and visit them, despite requests to the city's local leadership.

Bani Walid was among the last cities to fall under the control of anti-Gaddafi forces during Libya's internal conflict last year. Hundreds of residents from Bani Walid have been arrested by armed militias. Many continue to be detained without charge or trial across Libyan prisons and detention centres, including in Misratah. Many have been tortured or otherwise ill-treated. The entrance of anti-Gaddafi forces into Bani Walid in October 2011 was accompanied by widespread looting and other abuses.

Thousands of individuals suspected of having fought for or supported the government of Mu'ammar al-Gaddafi continue to be detained across Libya. The vast majority have yet to be officially charged or brought to trial. Since the fall of Tripoli and the vast majority of the country under the control of anti-Gaddafi forces in August 2011, human rights abuses by armed militias such as arbitrary arrest and detention; torture or other ill-treatment – including to death; extrajudicial executions and forced displacement continued to take place in a climate of impunity. To date, armed militias seize people outside the framework of the law and hold them incommunicado in secret detention facilities, where they are vulnerable to torture or other ill-treatment.

For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566 or email: press@amnesty.org

International Secretariat, Amnesty International, 1 Easton St., London WC1X 0DW, UK
www.amnesty.org