Universal Periodic Review – 2020 – Libya

Oral Statement by Youth Gathering for Tawargha

18 March 2020

This statement is delivered on behalf of Youth Gathering for Tawargha.

The Libyan State has not consulted with us before sending their national report.

In December 2012, I with other partners established an NGO called Youth Gathering for Tawargha. The ultimate goal of the organization was to obtain justice to victims from Tawargha and hold perpetrators to account, as the domestic courts and police stations systematically denied access to Tawargha victims in Libya. We monitored and documented hundreds of cases. We faced discrimination and persecution in our country Libya because of our work, because of being from Tawargha, and because of our skin colour as black people. However, this did not deter us from working to this day.

Tawerga is a town located in the northern central region, on the Libyan coast, around 250 kilometers from East of Tripoli. Tawerga was home to some 40,000 residents; all of them were forcibly displaced in a matter of two days on 11 and 12 August 2011. 80% of Tawergans are black and they have been wrongly accused of being mercenaries supporting the former Gaddafi regime. Following the displacement of its residents, Tawerga town was systematically destroyed. Houses were burned down, roads were swept away, infrastructure was pillaged and farms were put on fire. Tawerga was rendered uninhabitable and it remained as such until 2014.

Since August 2011, revolutionary militias affiliated and supported by the Libyan State have committed widespread and systematic abuses against the Tawerga people including arbitrarily detention, torture and other ill-treatment, enforced disappearances and extrajudicial killings. Youth Gathering for Tawerga have been documenting these abuses since 2012. We found that over 320 people from Tawerga have been extrajudicially killed across Libya; more than 1200
people from Tawargha were arbitrarily detained, disappeared and subjected to torture and other ill-treatment. We documented victims being subjected to 84 different methods of torture, including being subjected to rape, being burned with hot metal sheets placed on the body, and shootings in the legs and left to bleed to death. Further, we recorded more than 220 people missing from Tawargha. These figures included men, women and children. We believe the figures could be higher given we were not able to document with families dispersed over the country, and our capacity to cover such a wide geographical area is limited.

In 2018, we conducted a survey for 840 victims of arbitrary detention across different parts in Libya including Tripoli, and Benghazi and the result was 99% of them reported being tortured. 73% of the victims were never brought before a judge for up to five years, 93% did not receive any medical care in detention, and 63% reported facing problems integrating into society following their release.

Between 2015 and 2018, many attempts for reconciliation agreements between the two cities supported by the United Nations failed and Tawarghans continued to be targeted across Libya because of their Tawarghans descent. On 3 June 2018, a deeply flawed agreement that compromised the rights of the Tawargha people was signed by the head of the Tawarghan local council. The Shura (advisory) Council of Tawergha issued a statement denouncing the behavior of the president of the Local Tawerghan Council and the other signatories, considering their actions individual and considering that they do not represent the people of Tawergha and its tribes.

Following this agreement, some 450 families returned to Tawargha city, however the situation in the city is very dire. For example, according to officials from the Agricultural and Environmental Sanitation Office of the Ministry of Agriculture, sewage, industrial, medical, human and construction waste are still being deposited 6 kilometers west of Tawergha city’s entrance. The landscape is unpleasant with garbage, odors, and piles of dust, which leads to diseases and other epidemics. Further, the situation remains very poor in relation to who is responsible for providing services for returning families, supervising the return process, and dealing with the increasing number of returning families.

Internally Displaced Persons (IDPs) Camps still exist in a number of towns in the East and the West of Libya. More than 3,200 families live in those camps in dire conditions with lack of hygiene and basic services including medical services. The ongoing armed conflict and indiscriminate attacks in the western region severely affected these camps and led to the killings and injuries of scores of IDPs. This has been documented in more than one incident.

Similarly, a militia affiliated with Abu Salim Brigade, which is authorized and supported by the Libyan State, evacuated the airport road IDP camp in Tripoli. They used using excessive armed force that led to several injuries among the Camp residents. Moreover, 33 young people were arrested on trumped up charges of combating crime and one of them was killed in unclear circumstances.

The Libyan State in the Last UPR cycle in 2015 accepted ten recommendations related to the protection of IDPs from human rights abuses, ensuring reconciliation and the right to return to
their places of origin. However, the Libyan State and its affiliated militias have failed to uphold their promises and ensure basic fundamental rights to the Tawarghans IDPs.

Recommendations:

- The Libyan State must fulfill its duties in protecting the IDPs from all forms of attacks, restoring living conditions in Tawergha to facilitate the return of the population while ensuring the safety of women and children;
- Since 2011, Tawerghans have not exercised their right to participate in the Local Council elections. Libyan Authorities and the High National Elections Commission must establish a local election authority and allow Tawarghans to vote.
- The Libyan State must put more efforts in identifying and finding the people who went missing since 2011.
- The Libyan State must reveal information about those still disappeared, release them immediately, provide redress to former detainees and torture survivors, and ensure their unhindered access to justice;
- Promote IDP’s access to education, healthcare and political participation.
- Prohibit all kinds of discrimination against IDPs including on the basis of political affiliation, colour or descent.