

Libya

The information below is based on the Report of the Secretary-General on Conflict-related Sexual Violence (S/2018/250), issued on 23 March 2018¹

47. Libya remains at the epicentre of the global migration crisis, while also being affected internally by instability, political fragmentation and the proliferation of arms and armed groups. That volatile climate has allowed transnational smuggling and trafficking networks to thrive. Patterns of sexual violence against migrants, refugees and asylum seekers, perpetrated not only by smugglers, traffickers and criminal networks, but also by police and guards associated with the Ministry of the Interior in some cases, have been documented. The Department of Combating Illegal Migration and the coastguard have also been implicated in violations. Cases of sexual assault have been documented in the internal security apparatus in Kuwayfiah, under the command of Colonel Mohammad Idriss al-Seaiti (see S/2017/466). In such settings, migrants have described being taken by armed men, including Department guards, from their shared cells to be repeatedly raped by multiple perpetrators. Testimonies also indicate that migrant women have been abducted, raped and detained by armed groups, with some released following the payment of ransom and others sold into sexual slavery. In October 2017, a Somali national was convicted by a court in Italy of multiple crimes against migrants in Bani Walid, including sexual violence. In September 2017, following international pressure over alleged sexual abuse, the Department announced the closure of a notorious detention centre in Surman. The Tariq al-Sikkah detention centre was also closed, following similar allegations, although none of the abusers have been brought to justice. In some detention centres, in particular those in which men, women and children were not detained separately, women have been subjected to strip searches under the scrutiny of male guards. In 2017, the United Nations Support Mission in Libya (UNSMIL) documented cases of ill treatment, including threats of a sexual nature, at the Mitiga detention facility operated by the Special Deterrence Force and the Central Security- Abu Salim brigade and at other locations formally under the control of the Ministry of the Interior. Sexual violence has also reportedly been used as a form of torture against men in detention centres operated by armed actors.

The information below is based on the Report ‘Abuse Behind Bars: Arbitrary and unlawful detention in Libya’ produced by the Office of the United Nations High Commissioner for Human Rights in cooperation with the United Nations Support Mission in Libya, issued in April 2018²

8. Torture

2011 “conflict-related” detainees released since December 2015 have also recounted torture and ill-treatment during their prolonged detention. A 49-year-old Government employee arrested in August 2011 and released in November 2016, without charge or trial, recounted being subjected to torture at the Tomina prison in Misrata. He alleged that prison guards raped him, flogged him until he lost consciousness, hung him upside down for hours and burnt him with a hot iron including on his back and genitals. He described being forced to strip naked

¹ Full text available [here](#)

² Full text available [here](#)

and engage in sexual acts with a canine. For two years, he was held in solitary confinement in a cell so small that he was not able to stretch out his legs. Throughout his detention, he reported witnessing 10 detainees' deaths in custody because of alleged torture, a summary execution, lack of food and water, and denial of medical assistance.³ When HRD met him several months after his release, he could not walk unassisted, stuttered, and had a severe hand tremor. Detainees held with him corroborated his account.

Most victims of torture carry physical and psychological scars from their ordeals, but have little or no access to specialized assistance, including mental health treatment, physiotherapy and psychosocial support, let alone judicial redress.

The information below is based on the Investigation by the United Nations High Commissioner for Human Rights on Libya: detailed findings (A/HRC/31/CRP.3), issued on 15 February 2016⁴

(b) Sexual and gender-based violence

182. OHCHR has received credible reports of different armed groups committing sexual and gender-based violence against women, girls and boys, with complete impunity. Some of these accounts have been described in this present report in Section K on children, and Section I on migrants.

4. Torture and other ill-treatment

299. Numerous alleged cases of torture and other forms of cruel, inhuman or degrading treatment have taken place, particularly of individuals in detention facilities controlled by the State and/or armed groups. Detainees have suffered severe beatings with plastic pipes or electrical cables, prolonged suspension in stress positions, solitary confinement, being held incommunicado, and electrocution. Some of the facilities where torture has been reported, including where torture has resulted in the death of detainees, have been listed in Chapter V, Section D on torture and other ill-treatment. Many detainees were also deprived of adequate food or water, and were subjected to threats of a sexual nature, and extortion of payment in exchange for freedom. OHCHR also observed a lack of redress for numerous alleged cases of torture and other ill-treatment.

The information below is based on the Report on the Human Rights situation in Libya, issued on 16 November 2015⁵

6.1.2. Tripoli and western Libya

Sirte residents and officials also reported the deliberate destruction of at least six houses of alleged supporters of Libya Dawn in the area of al-Sawawa on 11 July, purportedly by Libyan armed groups pledging allegiance to ISIL. Houses of the former mayor and his relatives from the Ma'dan tribe were among those allegedly destroyed. The houses were empty at the time of

³ According to accounts, the conditions and treatment at the Tomina Prison have improved since the death, in 2015, of Issa Issa, the Director of the prison and commander of a local armed group.

⁴ Full text available [here](#)

⁵ Full text available [here](#)

the attack, as the residents had fled to Misrata together with the retreating forces of the 166 Brigade armed group from Misrata. A local official suggested that the attack was in retaliation for reports of torture and sexual abuse of detainees held in Misrata, who had been captured by the 166 Brigade armed group.

6.5. Situation of Internally Displaced Persons

During the reporting period, UNSMIL documented the abduction of IDP men from Tawergha, Mashashiya, and Warshafana commonly taken on the basis of their origin following identity checks at checkpoints or public roads. Since May, men from Benghazi were captured from inside their IDP accommodations in Misrata and Tripoli, on suspicion of their support of “terrorists.” For instance, on 8 May, a 30-year-old man from Benghazi was taken from a shelter in Tripoli (used by IDPs from the east) along with two other IDPs from Benghazi, apparently by the Rad’ armed group. They were then transferred to a makeshift detention facility in Mi’tiga. He recounted being subjected to torture and other illtreatment including suspension in stress positions, beatings, the use of electric shocks and threats of a sexual nature. He was apparently held on suspicion of involvement in terrorist acts, including the attacks on the Corinthia Hotel. He spent 25 days in solitary confinement without being brought before the judicial authorities.

The information below is based on the Report of the International Commission of Inquiry on Libya (A/HRC/19/68), issued on 8 March 2012⁶

45. The Commission interviewed 35 people who were tortured by Qadhafi forces. Torture methods catalogued included severe beatings including on the soles of the feet (falaqa), electric shocks on genitalia; burning, threatening with dogs, suspension over doors, hanging from bars, and locking in small spaces or in solitary confinement for extended periods. The Commission verified most claims by examining victims’ wounds, scars and medical reports and by visiting the sites.

48. Rape and other types of sexual violence were also inflicted in detention. The Commission interviewed several former male and female detainees who described rape and other sexual assaults.

65. The Commission is aware of numerous media accounts of rapes in Libya and endeavoured to investigate the allegations. The Commission interviewed more than 20 male and female victims of sexual violence. The Commission met with another 30 witnesses including doctors, attorneys, and individuals with direct contact with victims or perpetrators. The Commission interviewed five perpetrators accused of committing rape and also reviewed relevant reports of NGOs and other material.

67. A second pattern was of sexual violence and torture of males and females in detention centres who were thuhar or supportive of the thuhar, to extract information, humiliate and punish. Victims were arrested and normally taken to a location where they were interrogated and tortured. The allegations of rape and sexual violence made to the Commission included vaginal rape, sodomy and penetration with an instrument, as well as electrocution and burning of the genitals. The majority of their allegations came from men detained in Abu Salim and

⁶ Full text available [here](#)

several men and women detained in Ein Zara.

70. The prevailing culture of silence, the lack of reliable statistics, the evident use of torture to extract confessions, and the political sensitivity of the issue combine to make this issue the most difficult one for the Commission to investigate. The Commission found that sexual violence occurred in Libya and played a significant role in provoking fear in various communities. The Commission established that sexual torture was used as a means to extract information from and to humiliate detainees. The Commission did not find evidence to substantiate claims of a widespread or a systematic attack, or any overall policy of sexual violence against a civilian population. The information received is, however, sufficient to justify further investigation to ascertain the extent of sexual violence.