

23 October 2015

## **Review of *Libya: Minority ethnic groups, Country Information and Guidance*, 18 February 2015**

**Prepared for the Independent Advisory Group on Country Information (IAGCI) by  
Dr Alan George (King's College, University of London)**

### **(A) Introduction**

1. This review assesses the Home Office Country Information and Guidance (CIG) report entitled *Libya: Minority ethnic groups*, dated 18 February 2015, on the basis of instructions from the Independent Advisory Group on Country Information (IAGCI).

2. The invitation to tender for the contract to review this Report stipulates:

*Country Information and Guidance Reports aim to provide an accurate, balanced and up to date summary of the key available source documents regarding the human rights situation, with respect to the issues selected for coverage, in the country covered. The purpose and scope of the reports are clearly set out in an introductory section of the document. Reviews should evaluate the above-mentioned report in this context and seek to identify any areas where it can be improved. Specifically the review should entail:*

*(i) Assessing the extent to which information from source documents has been appropriately and accurately reflected in the CIG Report.*

*(ii) Identifying additional sources detailing the current human rights situation in the country with respect to main grounds for asylum claims (which are noted in each CIG Report).*

*(iii) Noting and correcting any specific errors or omissions of fact.*

*(iv) Making recommendations for general improvements regarding, for example, the structure of the report, its coverage or its overall approach.*

3. In undertaking this Review, I have been conscious that the Home Office's CIG reports are intended to function as reference works for Home Office officials deciding asylum and humanitarian protection claims; and that these reports are focussed on particular themes and are not intended as general country of origin information reports.

### **(B) About the Author**

4. Alan George gained his first degree, in geography, from Oxford University in 1970. He obtained his Master's degree (on Middle East geography) at Durham University in 1972, and his PhD, on Syria, also at Durham in 1978. Since 1984 he has worked as a freelance journalist, researcher and expert witness in political asylum cases involving the Middle East.

As a journalist, he contributed to a wide range of UK and international publications including the *Observer*, the *Independent* and the *Guardian*, and he frequently commentates on Middle Eastern affairs for radio and television. He is a former Head of Research at the Arab-British Chamber of Commerce and a former Assistant Director of the Council for the Advancement of Arab-British Understanding (CAABU). His publications include *Syria: Neither Bread Nor Freedom* (Zed Books, London, 2003); *Jordan: Living in the Crossfire* (Zed Books, London, 2005); *Fortschritt oder Lahmung: Baschar al-Assads Syrien*, a chapter in Hartmut Fahndrich (Ed.) *Verebte Macht: Monarchien und Dynastien in der arabischen Welt*, Campus Verlag, Frankfurt/New York, 2005; and *Patronage and Clientelism in Bashar's Social Market Economy*, a chapter in *The Alawis of Syria: War, Faith and Politics in the Levant*, published by Hurst & Co this year. In 2003-2013 he was a Senior Associate Member of St Antony's College, Oxford University. In November 2013 he was appointed Senior Visiting Research Fellow in the Institute of Middle Eastern Studies at London University's King's College.

### (C) Summary

5. Libya has ceased functioning as a unitary state. Instead, it has become a patchwork of often warring fiefdoms controlled by militias based on tribe, ethnicity, religion and geography. It has two governments, only one of which is recognised internationally, and neither of which exerts effective authority. Against that confused and often confusing background, it is no easy task to portray and analyse developments coherently; and against that challenging background the 18 February 2015 *Libya: Minority ethnic groups* report is a very useful source for decision makers considering claims related to ethnicity in Libya. It offers accurate and generally well-referenced background to Libya's political and security travails and ethnic tensions, and the potential consequences for affected individuals.

6. There are a considerable number of minor typographical and stylistic defects that can easily be corrected. More substantively, quite frequently sections of text not contained within quotation marks were in fact extracted directly from source publications. In my view, it is very important that quoted and unquoted text should be clearly distinguished.

7. There is also a clear need to standardise the style of footnotes and references (quite a number of which, in addition, are slightly incorrect). In my list of suggested changes I have not amended each and every footnote/reference. By way of example, as it stands, the first footnote on page 10 is:

<sup>1</sup> CIA, World Fact-book: Libya, last updated 20 June 2014, People and Society <https://www.cia.gov/library/publications/the-world-factbook/geos/ly.html> date accessed 15 October 2014

I suggest that this be amended to:

<sup>1</sup> CIA, *World Factbook: Libya*, last updated 24 September 2015. <https://www.cia.gov/library/publications/the-world-factbook/geos/ly.html> date accessed 20 October 2015

Likewise, footnote 7 on page 11 is presently:

<sup>7</sup> US Department of State, Country Report on Human Rights Practices for 2013: Libya, Section 6, 27 February 2014, Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dliid=220366> accessed 22 October 2014

I suggest that it be amended to:

US State Department, *Country Reports on Human Rights Practices: Libya 2014*, 25 June 2015,

<http://www.state.gov/documents/organization/236824.pdf>

Accessed 21 October 2015

8. In terms of actual content, the only significant corrective task that I have identified is a requirement to update material extracted from annual publications such as the US State Department's human rights reports (although I am well aware that this need arises solely from the cut-off date for this CIG Report);

#### **(D) Suggested corrections**

#### **Preface**

9. Page 2, 'Feedback': 'Our goal is to continuously improve the guidance...' The split infinitive should be corrected. **Should be:** 'Our goal is continuously to improve the guidance...'

#### **Section 1: Guidance**

10. Page 4, 1.2: 'Is the person's account a credible one?'. This is stylistically clumsy. **Should be:** 'Is the person's account credible?'

11. Page 4, 1.2: 'Are those at risk able to internally relocate within Libya?' The split infinitive should be corrected. **Should be:** 'Are those at risk able to relocate internally, within Libya?'

12. Page 4, 1.3.1: '...feelings of shame; painful memories, particularly those of a sexual nature, and cultural implications'. This is a little bit clumsy. **Should be:** '...feelings of shame; painful memories, particularly those of a sexual nature; and cultural factors'.

13. Page 4, 1.3.2: 'On 9 April 2013, the General National Congress (GNC) adopted a law...' The GNC should be defined, as in: 'On 9 April 2013, the General National Congress (GNC; Libya's parliament) adopted a law...'

14. Page 4, 1.3.2: 'However, the interim governments enforce neither the prohibitions nor the punishments effectively, particularly with regard to women and minorities'. **Replace with:** 'The authorities, however, are unable to enforce either the prohibitions or the punishments effectively, particularly with regard to women and minorities'.

15. Page 5, 1.3.4: 'However other additional factors may put...' **Replace with:** 'Other factors, however, may put...'

16. Page 5, 1.3.4: ‘...perceived to have supported Gaddafi during the uprising’. **Should be:** ‘...perceived to have supported, Gaddafi during the 2011 uprising’.
17. Page 5, 1.3.4: ‘These abuses have been perpetrated by the authorities of the Interim Government or its armed affiliates, as well as by armed militias operating outside of government control’. **Should be:** ‘These abuses have been perpetrated both by the authorities and affiliated armed groups and by armed militias operating outside of government control’.
18. Page 5, 1.3.6: ‘...Saharan descent, derives in part from allegations...’ **Should be:** ‘...Saharan descent, derive in part from allegations...’
19. Page 5, 1.3.7: ‘Assassinations and abductions motivated by tribal conflicts are perpetrated by militia groups in Tripoli and Benghazi with impunity, with civilians being targeted solely for their actual or suspected tribal, family or religious affiliation’. **This could be re-phrased thus:** ‘Militia groups perpetrate assassinations and abductions with impunity, and can target individuals solely for their actual or suspected tribal, family or religious affiliation’.
20. Page 6, 1.3.8: ‘Decision makers should note that members of Gaddafi’s security forces have been responsible...’. **Should be:** ‘Decision makers should note that members of Gaddafi’s security forces were responsible...’
21. Page 6, 1.3.10: ‘...torture is being carried out by officially recognised military and security entities...’ **Should be:** ‘...torture is being carried out by government-linked or affiliated military units and militias...’
22. Page 6, 1.3.11: ‘...an individual of Tawurga, Tuareg and Mashashiya ethnicity...’ **Should be:** ‘...an individual of Tawergha, Tuareg or Mashashiya ethnicity...’.
23. Page 6, 1.3.12: ‘Although the Constitutional Declaration provides for equality before the law, and the current Libyan government have enacted legislation aimed at the protection of women, the law criminalising discrimination towards women and ethnic minorities is not enforced’. **Should be re-phrased thus:** ‘A Constitutional Declaration issued in 2011 provides for equality before the law, and a law has been promulgated banning discrimination against women and ethnic minorities, but this is not enforced’.
24. Page 7, 1.3.13: ‘...together with the reliance on and impunity of militia groups...’ **Should be:** ‘...together with the impunity of militias’.
25. Page 7, 1.3.14: ‘Where members of ethnic minority groups do encounter local hostility...’. **Should be:** ‘Where members of ethnic minority groups encounter hostility...’
26. Page 7, 1.3.15: ‘...they would be able to internally relocate...’. Split infinitive; **should be:** ‘...they would be able to relocate internally...’
27. Page 7, 1.3.15: ‘Hatred and resentment against Gaddafi.’ **Should be:** ‘Hatred of and resentment towards Gaddafi’.

28. Page 7, 1.3.15: ‘...regime are frequently taken captive...’ **Should be:** ‘...regime can be detained...’

29. Page 9, 1.4: ‘...to internally relocate...’ Split infinitive. **Should be:** ‘...to relocate internally...’

30. Page 9, 1.4: ‘Black Libyans who are not members of the Tawergha, Tuareg or Mashashiya tribes are not per se at risk...’ Tawergha is a town; Tuareg is an ethnic group; **NEITHER ARE TRIBES!! Should be:** ‘Black Libyans who are not Tuareg, from Tawergha or members of the Mashashiya tribe are not per se at risk...’

31. Page 9, 1.4: ‘...individuals may have been an active operational member of the security forces during the conflict, and as such, may be responsible...’ **Should be:** ‘...individuals may have been active operational members of security forces or militias and as such, may have been responsible...’

## Section 2: Information

32. Page 10, 2.1.1: ‘According to the 2014 CIA World Factbook, the...’ **Should be:** ‘According to the 2015 CIA *World Factbook*, the...’

33. Page 10, 2.1.4: I would recommend deleting this section, and **replacing it** with the following extract from the latest US State Department human rights report on Libya. What troubles me is that in the existing section there is no mention of the takeover of Tripoli by the Libya Dawn militia alliance, and this was crucial in prompting the parliament and government to relocate to eastern Libya. **The new section would read:** ‘The US State Department’s *Country Reports on Human Rights Practices: Libya 2014*, published on 25 June 2015, states: “On February 20 [2014], voters elected a Constitutional Drafting Assembly in soundly administered elections, although only 32 percent of eligible voters participated, and the two Amazigh seats remained vacant due to a boycott of the elections. On June 25, voters chose a new interim parliament in similarly administered elections, characterized by an estimated 42 percent turnout of registered voters. The new national legislature, the House of Representatives (HoR), replaced the previous interim legislative body, the General National Congress (GNC), which had unilaterally extended its mandate in December 2013 for one year. On September 22, the HoR approved a new government, led by Prime Minister Abdullah alThinni, which the international community recognized as the legitimate government. In a controversial November 6 ruling, the Supreme Court appeared to invalidate the HoR by overturning a provision of the Constitutional Declaration relating to the HoR’s election. According to the HoR, the Supreme Court made its ruling under duress and did not invalidate the primary electoral law leading to its creation. Previous militia harassment of state institutions, the July outbreak of fighting in Tripoli, and the takeover of the capital by the anti-HoR “Operation Dawn” coalition prompted the parliament and al-Thinni government to relocate in August to the eastern cities of Tobruk and Beyda, respectively. On August 25, a subset of members of the defunct GNC reconvened in Tripoli and announced the formation of a “National Salvation Government” led by Omar al-Hassi. At year’s end no country had recognized the al-Hassi administration. The extent of the GNC or al-Hassi administration’s control over allied militias was unclear.”’

34. Page 10, footnotes: footnote 1 **should be changed** to:

‘<sup>1</sup> CIA, *World Factbook: Libya*, last updated 24 September 2015.  
<https://www.cia.gov/library/publications/the-world-factbook/geos/ly.html>  
Accessed 20 October 2015’.

35. Page 10, footnotes: The access date for footnotes 2, 3 and 4 **should be** 20 October 2015.

36. Page 11, 2.1.6: ‘The Constitutional Declaration contains clear references to equal rights...’ **Should be:** ‘The US State Department’s *Country Reports on Human Rights Practices: Libya 2014* states: “The Constitutional Declaration [an interim constitution finalised by the National Transitional Council in August 2011] contains clear references to equal rights...’

37. Page 11, 2.1.6: ‘On 9 April 2013, the GNC adopted a law...’ **Should be:** ‘In 2013, the GNC adopted a law...’

38. Page 11, 2.1.6: ‘...prohibitions nor the punishments effectively, particularly with regard to women and minorities 7’ **Should be:** ‘...prohibitions nor the punishments effectively, particularly with regard to women and minorities’’. 7’

39. Page 11, 2.1.8: ‘According to the US State Department Country Report on Human Rights Practices for 2013 Arabic-speaking Muslims of mixed Arab-Amazigh ancestry constitute 97% of the citizenry. The principal linguistic-based minorities are Amazigh, Tuareg, and Tebu. These minority groups are predominantly Sunni Muslim but identify with their respective cultural and linguistic heritage rather than with Arab traditions.’<sup>9</sup> **Should be:** ‘According to the US State Department’s *Country Reports on Human Rights Practices: Libya 2014*, “Arabic-speaking Muslims of mixed Arab-Amazigh ancestry were 97% of the citizenry. The principal linguistic-based minorities were Amazigh, Tuareg, and Tebu. These minority groups were predominantly Sunni Muslim but identified with their respective cultural and linguistic heritages rather than with Arab traditions”.’<sup>9</sup>

40. Page 11, footnotes: Footnote 5 **should be replaced with:**

<sup>5</sup> US State Department *Country Reports on Human Rights Practices: Libya 2014*, 25 June 2015,  
<http://www.state.gov/documents/organization/236824.pdf>  
Accessed 21 October 2015

41. Page 11, footnotes 6 and 8: **Should be:** ‘Accessed 20 October 2015’.

42. Page 11, footnote 7: **Should be:**

<sup>7</sup> US State Department, *Country Reports on Human Rights Practices: Libya 2014*, 25 June 2015, <http://www.state.gov/documents/organization/236824.pdf>  
Accessed 21 October 2015

43. Page 11, footnote 9: **Should be:**

9 US State Department, *Country Reports on Human Rights Practices: Libya 2014*, 25 June 2015.

<http://www.state.gov/documents/organization/236824.pdf>

Accessed 21 October 2015'

44. Page 12, 2.1.9: **Replace all with:** “Language remained a point of contention. Under Qadhafi, Amazigh persons faced discrimination, including limitations on the use of their native language, Tamazight. Following the revolution Amazigh leaders pressed the interim government to designate Tamazight as an official language. In 2013 the GNC officially recognized the Amazigh, Tuareg, and Tebu languages and provided for their teaching in schools. Prime Minister Abdullah al-Thinni is Amazigh.

“Ethnic minorities faced instances of societal discrimination and violence. Racial discrimination existed against dark-skinned citizens, including those originally of sub-Saharan descent, in part due to allegations Qadhafi relied on African mercenaries during the 2011 revolution. Following the revolution there were reports interim government authorities removed dark-skinned citizens as well as Tuareg from their homes in Tripoli and held them in detention centers and prisons. Government officials and journalists often distinguished between “loyal” and “foreign” populations of Tebu and Tuareg in the south and advocated expulsion of minority groups affiliated with political rivals on the basis they were not truly “Libyan.” A number of Tebu and Tuareg communities received substandard or no services from municipalities, lacked national identity numbers and thus access to employment, and faced widespread social discrimination”<sup>10</sup>

45. Page 12, 2.1.10: ‘In February 2014, the Egyptian weekly newspaper, El-Ahram, published a report providing a description of the tribal nature of Libyan society written by a Libyan historian<sup>11</sup>. The report stated:’. In fact, the report referred to a report by a Libyan historian; but it was **NOT** ‘written by a Libyan historian’. **Should be:** ‘In February 2014, the Egyptian weekly newspaper, *Al-Ahram*, published a report providing a description of the tribal nature of Libyan society.<sup>11</sup> It stated:’

46. Page 12, footnote 10: **Should be:**

10 US State Department *Country Reports on Human Rights Practices: Libya 2014*, 25 June 2015.

<http://www.state.gov/documents/organization/236824.pdf>

Accessed 21 October 2015’.

47. Page 13, 2.1.11: **Replace entirely with:** ‘The UN High Commissioner for Human Rights reported in January 2015: “The escalation in violence in 2014 also increased the number of persons deprived of their liberty by armed groups. In addition to fighters belonging to rival armed groups, UNSMIL/OHCHR received reports of civilians being abducted solely for their actual or suspected tribal, family, political or religious affiliation and nationality. A significant proportion of victims interviewed by UNSMIL/OHCHR reported that they had been subjected to torture and other ill-treatment during abduction. People abducted have been either unlawfully detained in official detention facilities or in makeshift facilities which are not officially recognized. Many people remain missing since the time of their abduction.”<sup>13</sup>’.

48. Page 13, footnotes: Delete footnotes 13 and 14. **Insert the following new footnote 13:**

13 UN High Commissioner for Human Rights, *Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Libya and on related technical support and capacity-building needs*, 12 January 2015.

[http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A\\_HRC\\_28\\_51\\_ENG.doc](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_51_ENG.doc)

Accessed 21 October 2015'

49. Page 13, footnotes: Footnote 15 **becomes** 14, and footnote 16 **becomes** 15.

50. Page 13, footnotes: Footnotes 12 and the newly numbered 14 and 15: **All should be:** 'Accessed 21 October 2015'.

51. Page 13, I suggest a lengthy **new section** 2.1.14: 'A briefing paper for the UN Secretary-General from Bernardino León, the Special Representative of the Secretary-General for Libya and Head of UNSMIL, dated 26 August 2015, stated: "Fifteen months since the start of military operations in Benghazi in the east, it is clear that the confrontations between the parties, have gradually transformed into a war of trenches with no imminent end foreseen. In the interim, the status quo is exacting a heavy toll on the civilian population, and on whatever remains of the city's much damaged infrastructure. Over a hundred thousand of Benghazi's population remain internally displaced and seventy per cent of health facilities in the city are either inaccessible or non-functional.

"The situation in the south is equally appalling. The absence of the State and of a proper functioning security apparatus has exacerbated local competition by tribal groups for power and resources, a conflict that has its roots in decades' long marginalisation and neglect by central authorities.

"At the national level, the scale of human suffering is staggering for a country with large oil reserves and strong economic potential. According to different United Nations agencies, an estimated 1.9 million people require urgent humanitarian assistance to meet their basic health care needs. Access to food is now a major problem for some 1.2 million people, mostly in Benghazi and the east. The figure for internally displaced persons across Libya now stands around 435,000. The healthcare system is on the verge of collapse, with many hospitals across the country overcrowded and operating at severely reduced capacity, many reporting acute shortages of medicines, vaccines and medical equipment. Power cuts are endemic in many areas of the country; some neighbourhoods such as in Benghazi are enduring electricity cuts almost round the clock.

"Close to 250,000 migrants are estimated to be in the country or transiting through, many of them facing significant protection issues, including arbitrary arrest and detention in abusive conditions, sexual abuse, forced labour, exploitation and extortion. This year alone has seen over 2,000 migrants drown in the Mediterranean Sea, the vast majority in a desperate bid to make the sea crossing from Libya to Europe's southern shores.

"At the same time, the country's economy continues to contract rapidly, the result of a significant reduction in oil revenues due to falling oil prices and low oil production from



Libya's oilfields. Libya's financial reserves are also being heavily depleted, in large part the result of unsustainable expenditures on non-productive items. The political-institutional crisis in the country has also manifested itself in a growing competition over key financial and other sovereign institutions...

"...Against this grim backdrop of growing hardship and misery stemming from deteriorating security and general lawlessness, widespread violations and abuses of international human rights and humanitarian law continue with impunity across the country.

"Armed groups from all sides continue to abduct civilians on account of their political opinions or identity, often in the hope of exchanging them in return for a ransom or for the release of fighters or other civilians taken by rival groups. Not even humanitarian aid workers have been spared...

"...When I last briefed the Council in mid-July, I spoke of ISIL, or Daesh, having asserted control of the strategically located city of Sirte in central Libya. That control has now been extended to more than 200-kilometre stretch of coastline east and west of Sirte. Despite an attempt by local armed groups on 11 August [2015] to dislodge the group from Sirte, Daesh fighters regained control of the city three days later. Casualty figures are difficult to confirm but witnesses report brutal revenge attacks by Daesh against their opponents".

52. Page 13, footnotes: The proposed new paragraph 2.1.14 above will require an appropriately numbered **new footnote**:

*xx Briefing by the Special Representative of the Secretary-General for Libya and Head of UNSMIL to the Security Council 26 August 2015.*

<http://unsmil.unmissions.org/Portals/unsmil/Documents/SRSG%20Briefing%20UN%20Security%20Council%2026%20August%202015.pdf>

Accessed 21 October 2015.

## **Tawerghans**

53. Page 14, 2.2.1: Footnote 17 should be **re-numbered** 16.

54. Page 14, 2.2.2: '...who vowed Tawerghans would never be able to return. The militia accused the Tawerghans, a community of black...neighbouring towns.'<sup>18</sup> **Should be:** '...vowed Tawarghas would never be able to return. The militia accused the Tawarghas, a community of black...neighbouring towns.'<sup>17</sup>

55. Page 14, 2.2.3: Footnote 19 should be **re-numbered** 18.

56. Page 14, 2.2.3: After 'extrajudicial killings', **insert the following:** 'A Human Rights Watch report issued on 30 October 2011 recorded: "Militias from the city of Misrata are terrorizing the displaced residents of the nearby town of Tawergha, accusing them of having committed atrocities with Gaddafi forces in Misrata, Human Rights Watch said today. The entire town of 30,000 people is abandoned – some of it ransacked and burned – and Misrata brigade commanders say the residents of Tawergha should never return.

“Human Rights Watch interviewed dozens of Tawerghans across the country, including 26 people in detention in and around Misrata and 35 displaced people staying in Tripoli, Heisha, and Hun. They gave credible accounts of some Misrata militias shooting unarmed Tawerghans, and of arbitrary arrests and beatings of Tawerghan detainees, in a few cases leading to death.”<sup>19</sup>’.

57. Page 14, 2.2.4: **Replace entirely with:** ‘Amnesty International’s October 2013 report on the targeting of certain communities states: “Since the end of the conflict in 2011, Amnesty International has documented the abduction and enforced disappearance of dozens of Tawarghas from different cities. They were taken from checkpoints, camps, streets, homes and even hospitals, and immediately transferred to detention facilities in Misratah where they were tortured and otherwise ill-treated. Some subsequently died in detention. Many remain missing. The fate of many others, both civilians and soldiers, who went missing during the conflict, including in combat, also remains unknown. Representatives of the Tawargha community estimate that over 1,300 Tawarghas are either missing or detained, most likely in Misratah. Testimonies collected by Amnesty International suggest that many were captured and summarily killed”.<sup>20</sup>’

58. Page 14, 2.2.5: **Replace entirely with:** ‘The Amnesty International report stated: “During a fact-finding visit to Libya in April/May 2013, Amnesty International delegates met dozens of Tawargha detainees held in state prisons and in facilities effectively run by militias without state oversight, who said they had been held since 2011 without charge or trial... The detainees from the Tawargha community, like other detainees, have also been tortured in detention and subjected to poor prison conditions... Torture methods cited included whipping, beating with objects such as metal bars and water pipes (known locally as Tube PPR), and electric shocks. Some say they were forced into hard labour in prison. The victims have had no means to challenge the legality of their detention, report abuses they suffered, or seek redress. Many still carry the scars of the torture they endured, and have been denied medical care.”<sup>21</sup>’

59. Page 14, footnotes: **Renumber footnotes:** 17, becomes 16; 18 becomes 17; 19 becomes 18.

60. Page 14, footnotes: the renumbered footnote 18 **should be:**

18 Cairo Institute for Human Rights Studies, *Ongoing human rights situation in Libya*, written statement submitted to the Human Rights Council by the Cairo Institute for Human Rights Studies, a non-governmental organization in special consultative status, 19 February 2013,

[https://www.ecoi.net/file\\_upload/1930\\_1361977858\\_g1311182.pdf](https://www.ecoi.net/file_upload/1930_1361977858_g1311182.pdf)

Accessed 20 October 2015

61. Page 14 footnotes: Insert **new footnote** 19:

19 Human Rights Watch, *Libya: Militias Terrorizing Residents of ‘Loyalist’ Town*, 30 October 2011.

<http://www.hrw.org/news/2011/10/30/libya-militias-terrorizing-residents-loyalist-town>

Accessed 21 October 2015.

62. Page 14, footnotes: The access date for all links **should be** 21 October 2015.

63. Page 15, 2.2.6: ‘Approximately 35,000 people from the town of Tawergha, in Libya’s northeast, remained forcibly displaced at the end of 2013, with militias from nearby Misrata preventing them from returning to their homes. The militias accuse Tawerghans of supporting Gaddafi and committing serious crimes, including rapes and torture, against people in Misrata in 2011. 22’. **Replace entirely with:** ‘In its *World Report 2015* Human Rights Watch records: “Militias mostly from Misrata continued to prevent about 40,000 residents of Tawergha, Tomina, and Karareem [towns near to Tawergha] from returning to their homes as a form of collective punishment for crimes allegedly committed by some Tawergha residents during the 2011 revolution. Those displaced continued to seek safety and shelter in makeshift camps and private housing in many areas, but they remained subject to attack, harassment, and arbitrary detention by the militias. Libyan authorities and militia commanders failed to end the attacks or hold those responsible to account. The forced displacement of residents of Tawergha amounts to a crime against humanity”22’.

64. Page 15, 2.2.6: ‘According to the Head of the Local Council of Tawergha, a body formed after the conflict to represent the displaced community, some 18,000 Tawarghas fled to Benghazi and 13,000 sought refuge in Tripoli. Most live in poorly resourced makeshift camps. A further 7,000 live in Sabha in the south, in addition to smaller numbers in Sirte in the north, Tarhouna and Khoms in the west, Jura in the centre, and Ajdabya in the east.23’. **Replace with:** ‘Amnesty International’s 2013 report stated: “According to the Head of the Local Council of Tawargha, a body formed after the conflict to represent the displaced community, some 18,000 Tawarghas fled to Benghazi and 13,000 sought refuge in Tripoli. Most live in poorly resourced makeshift camps. A further 7,000 Tawarghas live in Sabha in the south, in addition to smaller numbers in Sirte in the north, Tarhouna and Khoms in the west, Jufra in the centre, and Ajdabya in the east.”23’.

65. Page 15, 2.2.8: ‘On 27 June 2013, Human Rights Watch reported on the displacement of people from Tawergha, who were being barred from returning to their homes following their original flight from Tawergha in 2011. The report, from Tripoli, stated:’ **Should be:** ‘On 27 June 2013, Human Rights Watch reported on the displacement of people from Tawergha, who were being barred from returning to their homes following their flight from Tawergha in 2011. The report stated:’.

66. Page 15, 2.2.8: The paragraphs in the exert from the Human Rights Watch **report need to be indicated**, thus:

“Libyan authorities should allow displaced residents of the city of Tawergha to return to their homes safely. Local authorities in Ajdabiya turned back a group of Tawerghans on June 25, 2013. Some had left Benghazi in a convoy of about 40 cars for Tawergha, 750 kilometers west, only to be barred passage in Ajdabiya, 150 kilometers from Benghazi.

“Tawerghans fled their hometown in August 2011 as armed fighters from the nearby city of Misrata approached. About 35,000 Tawerghans are dispersed across the country and have been prevented from returning by armed groups from Misrata. The Misrata groups accuse Tawerghans of fighting with pro-Gaddafi forces during the 2011 conflict and committing war crimes in Misrata.

“Whereas it is understandable that individuals in Misrata may want justice for crimes committed against them by individuals, that does not give them any right to block the right of return of displaced people to their homes Human Rights Watch said. Widespread or systematic forced displacement carried out as a policy, as in this case, amounts to a crime against humanity.”<sup>24</sup>

67. Page 15, footnotes: **Replace** the existing footnote 22 with:

22 Human Rights Watch, *World Report 2015*.

<https://www.hrw.org/world-report/2015/country-chapters/libya> accessed 21 October 2015  
Accessed 21 October 2015

68. Page 16, 2.2.11: ‘In November 2013, al-Fallah camp, which houses...’ **Amend thus:** ‘In November 2013, al-Fallah camp [one of four major camps for displaced Tawerghans in Tripoli], which houses...’

69. Page 16, 2.2.12: **Replace entirely with:** ‘In her Ninth Report to the UN Security Council, dated 12 May 2015, the International Criminal Court (ICC) prosecutor stated: “Intense fighting has caused waves of displacement. According to public UN, Amnesty International and Internal Displacement Monitoring Centre documents as well as various media reports, by the end of December 2014, the number of those displaced reached 400,000, eight times the number from before the 2014 armed conflict. By comparison, at the start of 2014, 50,000 persons were still displaced from the 2011 conflict. During the reporting period, massive displacement occurred in early November 2014. About 100,000 people fled in the space of a few weeks. In Benghazi, where the fighting was the fiercest, at least 55,000 people fled from late–October to mid-November 2014. This figure includes already displaced Tawerghan internally displaced persons (“IDPs”), prosecutors, judges, activists, human rights defenders and journalists who opposed Islamist militias. More people fled from Derna but no figure could be confirmed. Some 5,600 Tawerghans have been redisplaced from five different camps in Benghazi since 2014. This includes 250 families who left al-Hallis camp because of shelling in late November 2014, and 2,500 Tawerghans who fled Benghazi in October 2014. These figures are estimates as constant movement of population and double-counting make it difficult to assess precise numbers. In the east of Libya where the Tawerghan community is estimated to number 18,000, many are still on the move. Some IDPs however have been able to return. About 40% of IDPs from Tripoli were able to return in October-November 2014. By December 2014, most of 10,000 Tawerghans, who fled Tripoli during the summer, were able to return to Tripoli, although they have not yet been able to return to Tawergha. During the UN-facilitated Geneva talks at the end of January 2015, the municipalities of Misrata and Tawergha agreed to address the conditions of detainees in Misrata and to facilitate the return of Tawerghans to their land.”<sup>29</sup>’

70. Page 16, footnotes: **Replace** footnote 29 with:

29 International Criminal Court, *Ninth Report of the Prosecutor of the International Criminal Court to the UN Security Council pursuant to UNSCR 1970 (2011)*, 12 May 2015.

[http://www.icc-cpi.int/iccdocs/otp/Ninth\\_UNSC\\_Report\\_Libya\\_ENG.pdf](http://www.icc-cpi.int/iccdocs/otp/Ninth_UNSC_Report_Libya_ENG.pdf)  
Accessed 21 October 2015.’

71. Page 16, footnotes: date of link accesses **should be** 21 October 2015.

72. Page 17, 2.2.13: ‘According to Human Rights Watch, successive Libyan authorities have been unwilling or unable to make Misrata militias let Tawerghans return, thereby failing to end what amounts to a crime against humanity. Moreover, a law on special procedures enacted...’ It should be clarified that this is, in fact, directly quoted from the Human Rights Watch report. **It should be:** ‘According to Human Rights Watch, “Successive Libyan authorities have been unwilling or unable to make Misrata militias let Tawerghans return, thereby failing to end what amounts to a crime against humanity...Moreover, a law on special procedures enacted...’

73. Page 17, 2.2.14: Again, it is not made clear that this entire section is in fact a quote from the Amnesty International report. **It should be:** ‘In its October 2013 report, Amnesty International stated: “Numerous camps [for displaced Tawerghans] were attacked by militias in 2011 and 2012. A militia raid on Janzur Camp in Tripoli in February 2012 resulted in the death of seven camp residents, including three children; at least 13 other residents were shot and injured. Militias from Misratah regularly drove past camps in Tripoli, shooting in the air and insulting residents in an attempt to intimidate them. Women in the Libyan Red Crescent Camp in Benghazi recently told Amnesty International that they felt unsafe to leave the camp on their own and would only leave with a male companion. Sporadic incidents continue to be reported until today.”<sup>31</sup>’

74. Page 17, 2.2.15: **Replace this entirely with:** ‘According to the US Department of State:

“Approximately 30,000 members of the Tawargha community remained displaced...Opposing militias from Misrata attacked the town of Tawargha after the Qadhafi regime fell. Misrata militia compelled all inhabitants, largely descendants of sub-Saharan former slaves, to leave their homes. The Associated Press reported that approximately 17,000 members of the community resided in Benghazi, and 3,000 members caught in the crossfire between Islamist and Operation Dignity forces in October became IDPs for a second time. At year’s end there was no resolution on their return to Tawargha.

“IDPs continued to be vulnerable to abuses. Neither the HoR [House of Representatives] nor its predecessor, the GNC, was able to promote adequately the safe voluntary return or resettlement of IDPs.”<sup>32</sup>’

75. Page 17, footnotes: Replace footnote 32 with:

32 US State Department, *Country Reports on Human Rights Practices: Libya 2014*, 25 June 2015.

<http://www.state.gov/documents/organization/236824.pdf>

Accessed 21 October 2015.

76. Page 17, footnotes: date of access to all links **should be** 21 October 2015.

77. Page 18, 2.2.18: ‘Militias mainly from Misrata continued to arbitrarily detain, torture, harass and kill Tawerghans in custody. At the beginning of 2014, 1,300 people from Tawergha were detained, mainly in Misrata, or unaccounted for. The same militias also

prevented residents of Tomina and Karareem, towns near Tawergha, from returning home.<sup>36</sup>. Again, it should be clarified that this is, essentially, a direct quotation. **It should be:** ‘In its *World Report 2014* Human Rights Watch stated: “Militias mainly from Misrata continued to arbitrarily detain, torture, harass and kill Tawerghans in custody. At the time of writing [late 2013] 1,300 people from Tawergha were detained, mainly in Misrata, or unaccounted for. The same militias also prevented residents of Tomina and Karareem, towns near Tawergha, from returning home.”<sup>36</sup>’.

78. Page 18, 2.2.18: ‘Members of the Tawergha community continue to be at risk of arbitrary detention, especially outside camps, although to a lesser extent than in the immediate aftermath of the conflict. 37’. Once again, this is a direct quotation from the Amnesty International report, and this should be made clear. **It should be:** ‘In its October 2013 report on the targeting of the Tawarhans, Amnsty International stated: “Members of the Tawergha community continue to be at risk of arbitrary detention, especially outside camps, although to a lesser extent than in the immediate aftermath of the conflict.”<sup>37</sup>’.

79. Page 18, footnotes: dates of all access to links **should be** 21 October 2015.

80. Page 19, 2.2.20: The quotation from the Tawargha activist should be within single inverted commas, as the quotation comes within a wider quotation from the Amnesty report. **It should be:** ‘...that “Since the beginning of August [2014], at least 22 men from the Tawargha community have been abducted by several armed groups in and around Tripoli.”<sup>39</sup> It further notes that one Tawargha activist who was detained twice, was threatened with death, and repeatedly insulted: ‘They called me a slave and a mercenary. They accused me of supporting Warshafana and threatened that they would come and find me in the Tawargha camp in the Naval Academy. They said that the Tawargha do not deserve to live.’ ”<sup>40</sup>.

81. Page 19: I suggest the **inclusion of a paragraph 2.2.23** on a Briefing Note issued by UNSMIL on 15 May 2015. The new paragraph might read:

‘On 15 May 2015 the UN Support Mission in Libya (UNSMIL) issued a Briefing Note entitled *Civilians Facing Abduction and Torture in Libya*. It stated: “Armed groups across Libya are responsible for abductions of civilians including minors on account of their actual or perceived origin, opinion, family and political affiliation. UNSMIL is calling on all parties to the conflict to immediately release all those held solely on the basis of their identity or opinion and ensure that all those being held are treated humanely.

“Civilians are usually seized from their homes and workplaces or at checkpoints and public roads following identity checks. Those abducted are usually at risk of torture and other ill-treatment, and are frequently denied any contact with their families. Some have died in custody, possibly summarily executed or tortured to death...

... Abductions of civilians have persisted since the escalation of the armed conflict in 2014, but appear to have flared up in western Libya since the intensification of fighting at the doorsteps of the capital in March 2015.

“In western Libya, armed groups allied to Libya Dawn as well as their opponents supporting Operation Dignity have carried out retaliatory abductions of civilians,

frequently in the aim of securing prisoner exchanges of fighters and civilians taken by their rivals...

“...Individuals from communities displaced during the 2011 conflict, namely Tawergha and Mashashiya, have also faced a wave of abductions in March and April 2015 on account of their origin and their perceived allegiances in the ongoing conflict. In April, at least four men from Mashashiya were reportedly seized in the area of Aziziya, south of Tripoli, by armed groups affiliated with Operation Dignity and held in Zintan without charge for over a week. Two Tawerghan relatives were taken from the street in Tripoli in April, allegedly by an armed group from Misrata. According to information gathered by UNSMIL, the older man was transferred to a detention facility in Misrata, while the younger one was tortured and shot dead in captivity.”<sup>43</sup>.

The following footnote 43 could be inserted (although this would of course entail a renumbering of all subsequent footnotes):

43 ‘Civilians Facing Abduction and Torture in Libya’, Briefing Note, UNSMIL, 15 May 2015.

<http://unsmil.unmissions.org/Default.aspx?ctl=Details&tabid=3543&mid=6187&ItemID=2083322>

Accessed 21 October 2015.

82. Page 19: I suggest also the **inclusion** of a paragraph 2.2.24 on the UN-sponsored talks between Misrata and Tawergha (albeit that no real progress appears to have been made). The new paragraph could read:

‘Delegations from Misrata and Tawergha met in Tunis under UN auspices on 28 May 2015 and agreed to establish a Joint Committee to seek ways of resolving the issue of the displaced Tawerghans. After a meeting in Tunis on 9-11 September 2015 the Joint Committee issued a statement that it had “studied the victims' file as part of the strategy to resolve the issue of return...agreed to set out a clear plan for reparations for the victims...agreed to continue working on the issue of Tawerghan prisoners, civil registry and other required documentation for the Tawergha families as part of confidence-building measures.”<sup>44</sup>.

The following footnote could be inserted (although, again, this would entail a renumbering of all subsequent footnotes):

44 *Statement of the Misrata/Tawergha Joint Committee*, 11 September 2015.

<http://reliefweb.int/report/libya/statement-misrata-tawergha-joint-committee-11-september-2015>

Accessed 21 October 2015.

## **Tuareg**

83. Page 19, 2.3.1: ‘IRIN notes that the Tuareg, an Imazighen [plural of Amazigh] non-Arab minority, a nomadic pastoralist group, are also found in Algeria, Mali, Niger and Burkina Faso. It further notes that 90 per cent of Libyans live along the Mediterranean coast and many see non-Arab southerners as belonging more to ‘Africa’ than Libya.’ It is not made clear that this is largely a direct quotation from the IRIN report. I am not over-

comfortable with the use of ‘Imazighen’, which is the plural of Amazigh but which will not be widely understood. I think it would be better to describe the Tuareg simply as ‘Berber’ or ‘Amazigh’. This paragraph **should be re-phrased thus**: ‘An analysis by the UN’s *IRIN* news agency notes that the Tuareg, a Berber (or Amazigh) group traditionally subsisting as nomadic pastoralists in south western Libya, are “also found in Algeria, Mali, Niger and Burkina Faso”; and that “90 per cent of Libyans live along the Mediterranean coast and many see non-Arab southerners as belonging more to ‘Africa’ than Libya.”<sup>43</sup>’.

84. Page 19, footnotes: The date of access of all footnotes **should be** 21 October 2015.

85. Page 20, 2.3.4: ‘IRIN reports that...’ **Should be**: ‘The UN’s *IRIN* news agency reports that...’.

86. Page 20, footnotes: date accessed for all links **should be** 21 October 2015.

87. Page 20, 2.3.6: **Replace** the extract from the US State Department’s 2013 report with the following, from the 2014 report: ‘The US Department of State notes: “Ethnic minorities faced instances of societal discrimination and violence. Racial discrimination existed against dark-skinned citizens, including those originally of sub-Saharan descent, in part due to allegations Qadhafi relied on African mercenaries during the 2011 revolution. Following the revolution there were reports interim government authorities removed dark-skinned citizens as well as Tuareg from their homes in Tripoli and held them in detention centers and prisons. Government officials and journalists often distinguished between “loyal” and “foreign” populations of Tebu and Tuareg in the south and advocated expulsion of minority groups affiliated with political rivals on the basis they were not truly “Libyan.” A number of Tebu and Tuareg communities received substandard or no services from municipalities, lacked national identity numbers and thus access to employment, and faced widespread social discrimination.”<sup>50</sup>’.

88. Page 21, 2.3.6: ‘Freedom House reported in August 2014...’ **Should be**: ‘Freedom House’s *Freedom in the World 2015* reported...’

89. Page 21, proposed new paragraph 2.3.9: I suggest **the inclusion** of the following new paragraph 2.3.9: ‘In January 2015 the UN High Commissioner for Human Rights reported: “Sporadic fighting also erupted throughout the year [2014] in southern Libya around the towns of Sabha, Kufra and Awbari, involving Arab, Tabu and Tuareg armed groups, many allied with either the Dignity or Libya Dawn camps.”<sup>54</sup>’.

90. Page 21, proposed **new paragraph** 2.3.10: ‘On 26 February 2015 the UN Secretary-General reported: “The military conflict between the Libya Dawn coalition and Operation Dignity forces continued to have a spillover effect in southern Libya, particularly by fuelling tribal tensions between the Tabu and Tuareg communities. That culminated in the struggle by armed groups on both sides for control of a number of key oilfields in the southern region.

“In Awbari, intermittent clashes took place between Tuar and Tabu armed groups following attempts by Tuareg militias to take control of a number of strategic facilities in the area, including the city’s airport and the nearby Sharara oilfield. The fighting resulted in the displacement of some 24,500 people, most of whom were subsequently hosted by



communities in Brak al-Shati, Ghat, Murzuq and Sabha. There has also been increasing evidence of growing mobilization by both Tabu and Tuareg armed groups in the area.”<sup>55</sup>’.

91. Page 21, footnotes: footnote 50 **should be replaced with:**

50 US State Department *Country Reports on Human Rights Practices: Libya 2014*, 25 June 2015.

<http://www.state.gov/documents/organization/236824.pdf>

Accessed 21 October 2015.

92. Page 21, footnotes: footnote 51 **should be replaced with:**

51 Freedom House, *Freedom in the World 2015*.

<https://freedomhouse.org/report/freedom-world/2015/libya> accessed 21 October 2015

93. Page 21, footnotes: **new footnote 54** (although that would of course entail a renumbering of all subsequent footnotes):

54 UN High Commissioner for Human Rights, *Report of the United Nations High Commissioner for Human Rights on the situation of human rights in Libya and on related technical support and capacity-building needs*, 12 January 2015.

[http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A\\_HRC\\_28\\_51\\_ENG.doc](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_51_ENG.doc)

Accessed 21 October 2015’

94. Page 21, footnotes: **new footnote 55** (although that would of course entail a renumbering of all subsequent footnotes):

55 *Report of the Secretary-General on the United Nations Support Mission in Libya*, 26 February 2015.

<http://unsmil.unmissions.org/Portals/unsmil/Documents/N1504690%20.pdf>

Accessed 21 October 2015.

## **Tebu/Toubou/Tabu**

95. Page 21, 2.4.1: This paragraph - and, indeed, all the paragraphs up to and including 2.4.6 - **should be prefaced** by some indication of the source, and all should include opening and closing quotation marks, as all these paragraphs are direct quotations from the referenced Danish report. For 2.4.1 I suggest: ‘In her detailed study of Libya’s Tebu, Laura Van Waas of Denmark’s Tilburg University, observed: “The Tebu (also commonly.....”’.

96. Page 21, footnotes: the date of access for all footnotes **should be** 21 October 2015.

97. Page 22, all paragraphs: In each case, the paragraph **should be** placed within quotation marks; and each should start with some clear indication of the source, such as: ‘The same report by Ms Waas continues....’ and so on.

98. Page 22, footnotes: the date of access for all footnotes **should be** 21 October 2015.

99. Page 23, 2.4.7: ‘The Oxford University Department of International Development, in a 2012 conference report about the impacts of the Arab Spring on forced migration, writes that the Tuareg and Tebu populations in southern Libya struggle with issues of citizenship and statelessness, respectively. The Tebu have had their citizenship withdrawn, have no documentation, and therefore enjoy no state rights. Similarly, on 23 April 2012, Amnesty International (AI) reported that the Tebu people have "been refused the renewal of their identification documents, driving licenses and passports."<sup>60</sup> Freedom House reports in August 2014 that :“There were reports of discrimination against the Tebu and Tuareg minorities in employment, housing, education, and other services.”<sup>61</sup> It is not made explicit that the first part of this paragraph is a direct quotation. **I prefer:** ‘A 2012 conference report by Oxford University’s Department of International Development about the impact of the Arab Spring on forced migration, states: “The Tuareg and Tebu populations in southern Libya struggle with issues of citizenship and statelessness, respectively... The Tebu have had their citizenship withdrawn, have no documentation, and therefore enjoy no state rights.”<sup>60</sup> Also in 2012, Amnesty International noted: “During Mu’ammarr al-Gaddafi’s rule, members of Libya’s black Tabu community faced state-sanctioned discrimination. Tabu people have been subjected to forced evictions, arbitrary arrest and detentions. They have often been refused the renewal of their identification documents, driving licences and passports. Some Tabus say they are still suffering discrimination from Arab communities. Arab communities in the area have meanwhile accused non-Libyan Tabus from other counties like Chad and Sudan of meddling in the country’s affairs and taking part in the fighting.”<sup>61</sup>’.

100. Page 23, 2.4.7: ‘Freedom House reports in August 2014 that..services.’<sup>61</sup> **Should be:** ‘Freedom House’s *Freedom in the World 2015* reported..services.’<sup>62</sup>’.

101. Page 23, 2.4.7: The Minority Rights Group footnote **becomes** 63.

102. Page 23, 2.4.8: The 2013 US Department of State report footnote **becomes** 64; and **I suggest adding** at the end of 2.4.8: ‘The US State Department’s 2014 human rights report for Libya states: “A number of Tebu and Tuareg communities received substandard or no services from municipalities, lacked national identity numbers and thus access to employment, and faced widespread social discrimination.”<sup>65</sup>’.

103. Page 23, footnotes: Note that there is a **new footnote** 61, requiring all subsequent footnotes to be renumbered. The new footnote is:

<sup>61</sup> *Libya: Central government must protect Kufra residents from militia clashes*, Amnesty International, 23 April 2012.

<https://www.amnesty.org/en/latest/news/2012/04/libya-central-government-must-protect-kufra-residents-militia-clashes/>

Accessed 21 October 2015.

104. Page 23, footnotes: **new footnote** 62 (replaces old footnote 61):

<sup>62</sup> Freedom House, *Freedom in the World 2015*.

<https://freedomhouse.org/report/freedom-world/2015/libya>

Accessed 21 October 2015

105. Page 23, footnotes: old footnote 62 **becomes** 63; old footnote 63 becomes 64.

106. Page 23, footnotes: **new footnote 65**:

65 US State Department, *Country Reports on Human Rights Practices: Libya 2014*, 25 June 2015.

<http://www.state.gov/documents/organization/236824.pdf>

Accessed 21 October 2015.

107. Page 23 footnotes: old footnote 64 **becomes** 66.

108. Page 24, 2.4.11: footnote 65 **becomes** 67.

109. Page 24, 2.4.12: footnote 66 **becomes** 68.

110. Page 24, suggested new paragraph 2.4.13: ‘Armed clashes between the Toubou and Tuareg persisted during 2015. A press report on 22 July 2015 stated: “At least 40 people have been killed in ethnic clashes in southern Libya over the past week, a local official said, leading to hundreds of families being displaced. Rival tribes from the Toubou and Tuareg minorities have been pitched in armed conflict over the past week, with the latest fighting centred on the oasis city of Sabha. Since February, there have been repeated clashes between the two ethnic groups to fill the power vacuum in the south.”<sup>69</sup>’

111. Page 24, footnotes: a new footnote 69 will be needed, if my suggested new paragraph 2.4.13 is accepted. The **new footnote** would be:

69 ‘Ethnic clashes in Libya's south kill dozens’, Al-Araby al-Jadeed website, 22 July 2015.

<http://www.alaraby.co.uk/english/news/2015/7/22/ethnic-clashes-in-libyas-south-kill-dozens> accessed 21 October 2015

Accessed 21 October 2015.

## **Black Libyans**

112. Page 24, 2.5.1: footnote 67 **becomes** 69.

113. Page 24, 2.5.1: ‘The U.S. Department of State Report for 2013 noted “societal discrimination and violence originating in ethnic differences. Racial discrimination existed against darkskinned Libyans, including those originally of sub-Saharan descent, in part due to allegations that Gaddafi used African mercenaries during the conflict. There were reports that authorities removed dark-skinned Libyans as well as Tuaregs from their homes in Tripoli and held them in detention centres and prisons”.<sup>68</sup> **Replace with:** ‘The U.S. Department of State Report for 2014 noted: “Ethnic minorities faced instances of societal discrimination and violence. Racial discrimination existed against dark-skinned citizens, including those originally of sub-Saharan descent, in part due to allegations Qadhafi relied on African mercenaries during the 2011 revolution. Following the revolution there were reports interim government authorities removed dark-skinned citizens as well as Tuareg from their homes in Tripoli and held them in detention centers and prisons.”<sup>70</sup>’.

114. Page 24, 2.5.2: Footnote 69 **becomes** 71; 70 becomes 72 and 71 becomes 73.

115. Page 24, 2.5.2: ‘It should be noted that the Tawarghas are a community of black Libyans<sup>70</sup> and that the Tebu are a tribe of indigenous Black African nomads.<sup>71</sup>’ **Replace this with:** ‘Amnesty International has noted that Tawerghans are “a community of black Libyans”<sup>72</sup>, while the Jamestown Foundation has described the Tebu as “a tribe of indigenous Black African nomads”<sup>73</sup>’.

116. Page 24 footnotes: **Re-number** all the footnotes. 65 becomes 67; 66 becomes 68, and so on. In each case the access date should be 22 October 2015.

117. Page 24 footnotes: **replace** old footnote 68 (which is the new footnote 70) with:

70 US State Department, *Country Reports on Human Rights Practices: Libya 2014*, 25 June 2015,  
<http://www.state.gov/documents/organization/236824.pdf>  
Accessed 22 October 2015’

118. Page 25, 2.5.3: footnote 72 **becomes** 74.

119. Page 25, 2.5.4: I think this paragraph is quite clumsily written. **Replace with:** ‘Amnesty International further reports that armed militias have targeted entire communities accused of having supported Gaddafi and of committing crimes during the 2011 conflict, the targeting of Tawergha by Misrata militias being a prime example. The same report also notes that militias seize suspects from their homes, the street or at checkpoints and that easily identifiable targets such as black Tawerghas or sub-Saharan Africans are particularly vulnerable.<sup>75</sup>’

120. Page 25, 2.5.5: The quoted section **should have** speech marks at its close. Footnote 74 should become 76.

121. Page 25, 2.5.6: I think this paragraph is clumsily written; and it ends with quotation marks although it is not a quotation. **Replace with:** ‘During a field mission in September 2011, Human Rights Watch (HRW) reported that Africans in Libyan prisons were held in overcrowded cells with appalling hygiene standards and no access to clean drinking water. In addition, many sub-Saharan Africans had been displaced by the fighting and because of fear of reprisals. The largest such group was in the port of Janzur between Tripoli and Zawiya, housed in a makeshift camp with poor hygiene and sanitation conditions. Residents complained to HRW that armed Libyans frequently entered the camp to harass them and rape women.<sup>77</sup>’.

122. Page 25, **proposed new paragraph** 2.5.7: I would propose the following: ‘In the section of its 2015 report dealing with its ‘Peoples under Threat index’, the Minority Rights Group stated that “Black Libyans, Sub-Saharan migrants, Tebu, Berbers” are under increasing threat in Libya. The report stated: “Libya re-entered the index in 2010, a year before the war that removed President [*sic*] Gaddafi from power, but then steadily rose in the table as Libya held its first democratic elections in 2012 and many international actors hailed a new era of democracy for the country. In fact the revolution had seen the expulsion from their homes of up to 1 million migrant workers and black Libyans in the context of public attacks on sub-Saharan Africans and the rise to power of unaccountable, and at times openly racist, armed militias. As Libya rises again in the index this year, these forces are now tearing the country apart in renewed civil war.”<sup>78</sup>’

The related footnote 78 would be:

78 Minority Rights Group, *State of the World's Minorities and Indigenous Peoples 2015*. <http://minorityrights.org/wp-content/uploads/2015/07/MRG-state-of-the-worlds-minorities-2015-FULL-TEXT.pdf>  
Accessed 22 October 2015.

123. Page 25, footnotes: **renumber** - and standardise - all footnotes appropriately.

## **Amazigh (Berber) Nationalism**

124. Page 26, 2.6.2: 'It further notes that the regime suppressed any sign of Berber activism and attempted to ensure that Berbers marry only non-Berbers in order to erode their sense of identity.<sup>77</sup>' **Amend to:** 'It further notes that the regime "suppressed any sign of Berber activism" and "sought to ensure that Berbers marry only non-Berbers in order to erode their sense of identity."<sup>79</sup>'

125. Page 26, 2.6.2: footnote 78 **becomes** 80.

126. Page 26, 2.6.2: 'Amnesty International describes in May 2011 that since the siege began, "scores of people, mostly young men, have "disappeared" in the Nafusa Mountain area at the hands of forces loyal to Colonel Gaddafi...' **Should be:** 'In a May 2011 report, Amnesty International stated that since the start of a regime siege of the Nafusa Mountains in early March that year "scores of people, mostly young men, have "disappeared" ...at the hands of forces loyal to Colonel Gaddafi...'.

127. Page 26, 2.6.2: footnote 79 **becomes** 81.

128. Page 26, 2.6.2: 'Language remained a point of contention. Under Gaddafi, Amazigh persons faced discrimination, including limitations on the use of their native language, Tamazight. They encouraged the new government to make Tamazight one of the official languages. Following the passage of the electoral law for the Constitutional Drafting Assembly that omitted stipulations on language, Amazigh groups launched a campaign of civil disobedience 24 July 2013, including a boycott of the GNC. On 30 July 2013, the GNC officially recognized the Amazigh, Tuareg, and Tebu languages and provided for them to be taught in schools.<sup>80</sup>' This is all a direct quote from the 2013 State Department report. **Replace entirely with:** 'The US State Department records: "Language remained a point of contention. Under Qadhafi, Amazigh persons faced discrimination, including limitations on the use of their native language, Tamazight. Following the revolution Amazigh leaders pressed the interim government to designate Tamazight as an official language. In 2013 the GNC officially recognized the Amazigh, Tuareg, and Tebu languages and provided for their teaching in schools. Prime Minister Abdullah al-Thinni is Amazigh."<sup>82</sup>'

129. Page 26, 2.6.2: 'The UN Secretary-General reports that "As for the elections for the Constitution Drafting Assembly of February 2014, the Amazigh community declined to present candidates or register voters, demanding constitutional guarantees for their rights." <sup>81</sup> The same source states "...much remains to be done to deal with unresolved issues regarding the participation of the Amazigh community, assert the independence of the process and protect it against the risks of intimidation and violence."<sup>82</sup>' **Replace**

**with:** ‘In September 2014 the UN Secretary-General reported: “As for the elections for the Constitution Drafting Assembly of February 2014, the Amazigh community declined to present candidates or register voters, demanding constitutional guarantees for their rights....much remains to be done [in respect of the process of formulating a national constitution] to deal with unresolved issues regarding the participation of the Amazigh community, assert the independence of the process and protect it against the risks of intimidation and violence.”<sup>83</sup>’

130. Page 26 footnotes: **Replace** old footnote 80 with the following, and re-number it as 82:

82 US State Department, *Country Reports on Human Rights Practices: Libya 2014*, 25 June 2015,.

<http://www.state.gov/documents/organization/236824.pdf>

Accessed 22 October 2015.

131. Page 26 footnotes: old footnote 81 **becomes** new footnote 83, but with the paragraph reference deleted. The old footnote 82 can be deleted.

132. Page 26 footnotes: **re-number** all footnotes appropriately; and standardise them. All link access dates should be 22 October 2015.

## **The Mashashiya**

133. Page 27, 2.7.1: ‘The Mashashiya (also known as Mashashiya) tribes-people live in western Libya, and are reported to have originally been shepherds, nomadic people who followed their herds. They now live in the region around the Nafusa Mountains, Zintan and other towns in the area.<sup>83</sup> A report by ‘SpiegelMobil’ published in 2011 provides the background to the tribal rivalries between the Mashashiya and other tribes; the report states:’**Replace all this (and note that the reference numbered 83 is deleted, as it actually has no real relationship to the content of the existing 2.7.1) with:**

‘The Mashashiya tribe, originally nomadic pastoralists, are ethnically Arab and lived in the Nafusa Mountains, south west of Tripoli. Significant numbers were relocated there by the Qadhafi regime as a means of diluting the Amazigh (or Berber) dominance in that region. The areas to which the Mashashiya were relocated were dominated by the Zintan tribe, and the Mashashya supported the Qadhafi regime during the 2011 uprising while the Zintanis vehemently opposed the regime and played a leading role in the uprising. During the conflict and again in June 2012 there was armed conflict between the Mashashya and the Zintani militia. In a September 2012 report the International Crisis Group stated: “The Mashashya originally were nomads. Following disputes with the Magarha tribe, Qadhafi’s government resettled a large section of them to the western mountains, triggering land disputes with neighbouring Yefren and Zintan. During the 2011 war, many Mashashya sided with Qadhafi, whose forces shelled Zintan from the Mashashya town of Awaniya; when Qadhafi’s forces left in July 2011, more than 10,000 residents of Awaniya fled with them, and their homes were looted and burned by revolutionary brigades. After the war, the two communities fought again in December 2011 and in mid-June 2012, when 105 were killed and 500 more wounded”.<sup>84</sup>’

134. Page 27, 2.7.1 and 2.7.2: I suggest **reorganising** these two sections, bringing all the quotes from the Spiegel article into a revamped 2.7.2. This would clearly be enclosed

within quotation marks and would start: ‘A 2011 article published on the website of the German magazine *Der Spiegel* offers further background to the tribal rivalries between the Mashashya and other tribes.<sup>85</sup> It states: “They [elders of the Zintan tribe] say.....prison because of their tribal affiliation”’

135. Page 27, footnotes: delete the existing footnotes 83, 84 and 85. New footnote 84:

84 International Crisis Group, *Divided We Stand: Libya’s Enduring Conflicts*, September 2012.

<http://www.crisisgroup.org/en/regions/middle-east-north-africa/north-africa/libya/130-divided-we-stand-libyas-enduring-conflicts.aspx>

Accessed 22 October 2015.

136. Page 27, footnotes: **new footnote** 85:

85 ‘Settling Old Scores: Tribal Rivalries Complicate Libyan War’, by Mathieu von Rohr, Spiegel Online International, 26 July 2011.

<http://www.spiegel.de/international/world/settling-old-scores-tribal-rivalries-complicate-libyan-war-a-776695.html>

Accessed 22 October 2015.

137. Page 28, 2.7.3: **Delete** this paragraph as it adds nothing to other information in the report, and is anyway now a bit dated.

138. Page 28, 2.7.4: This now **becomes** 2.73. ‘Amnesty International reports that “In...” Replace with: ‘Amnesty International reports: “In...”’

139. Page 28, 2.7.3: ‘Abductions during identity checks by Zintan militias continued well after the end of the conflict. ... Militias from Zintan accused the Mashashya of...’. **Insert new paragraph, thus:** ‘Abductions during identity checks by Zintan militias continued well after the end of the conflict..

“Mashashya leaders estimate the total number of internally displaced members of their community at approximately 10,000, comprising some 1,730 families. A list of forcibly displaced people from the community was submitted to the Office of Displaced Person’s Affairs in March 2013, but little has been done to improve their living conditions or find a durable solution to their plight.

“Militias from Zintan accused the Mashashya of...”

140. Page 28, 2.7.3: ‘...threaten Tawargha, militias from Zintan vowed that the Mashashya would never be able to return. The suffering of the Mashashya intensified following armed assaults on Shgeiga and Mizda in June 2012. The violence led to 105 deaths, according to...’. **Insert paragraph break, thus:** ‘...threaten Tawargha, militias from Zintan vowed that the Mashashya would never be able to return.

“The suffering of the Mashashya intensified following armed assaults on Shgeiga and Mizda in June 2012. The violence led to 105 deaths, according to...”

141. Page 28, 2.7.3: footnote 87 **becomes** 86.

142. Page 28, footnote 88 **becomes** 87.

143. Page 28, **new footnote** 87:

87 Internal Displacement Monitoring Centre, 'Libya IDP figure analysis'.

<http://www.internal-displacement.org/middle-east-and-north-africa/libya/figures-analysis>

Accessed 22 October 2015.

144. Page 28, footnotes: standardise all footnotes and give link access dates as 22 October 2015.