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[Home](#)

> [Research Program](#)

> Responses to Information Requests

Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website. Please note that some RIRs have attachments which are not electronically accessible. To obtain a PDF copy of an RIR attachment, please email the [Knowledge and Information Management Unit](#).

16 January 2015

LBY105034.E

Libya: Treatment of former prisoners who are deemed to be anti-Qaddafi by members of General Khalifa Haftar's coalition or by Qaddafi loyalists; state protection offered to these former prisoners by the current regime (2010-December 2014)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Former Qaddafi Prisoners

Sources state that political opponents were arrested and imprisoned during Qaddafi's rule (CNN 26 Aug. 2011; Reuters 22 Feb. 2011). Reuters reported that according to Human Rights Watch, detainees included "academics, lawyers, students, journalists, Trotskyists, communists, members of the Muslim Brotherhood, and others" (ibid.). Furthermore, reports note that individuals imprisoned under the Qaddafi regime included Islamists (CNN 26 Aug. 2011; Carnegie Endowment for International Peace Sept. 2014, 3; Human Rights Watch Sept. 2012, 3).

According to CNN, following the 2011 uprising in Libya, prisoners have been released from the Tripoli prison, including "hundreds of Islamist militants" (26 Aug. 2011). A Reuters article published during the 2011 uprising against Qaddafi reports that "[m]ore than 700 prisoners accused of having ties to Islamist militant groups have been released in the past three years under a reconciliation program" (22 Feb. 2011).

2. General Khalifa Haftar and Operation Dignity

2.1 Historical Overview

Sources report that General Khalifa Haftar was a former general under Muammar Qaddafi (Jamestown Foundation 30 May 2014; BBC 16 Oct. 2014). Sources further state that the general was "close" to the former ruler (ibid.; MEMO 20 May 2014). He was involved in the 1969 coup that deposed King Idris Al-Sanousi (MEMO 20 May 2014; BBC 16 Oct. 2014; Jamestown Foundation 30 May 2014) and brought Qaddafi to power (ibid.).

Qaddafi rewarded Haftar's loyalty by giving him command of Libyan forces in the country's armed conflict with Chad in the 1980s (BBC 16 Oct. 2014; Jamestown Foundation 30 May 2014). In 1987, the Chadian troops defeated the Libyan army (ibid.; BBC 16 Oct. 2014). Haftar and members of his troops were captured by Chadians (ibid.; MEMO 20 May 2014; Jamestown Foundation 30 May 2014). Qaddafi, who denied sending troops to Chad, disowned Haftar (ibid.; BBC 16 Oct. 2014). According to the Jamestown Foundation [1], the "betrayal" caused Haftar to join Qaddafi's opponents (30 May 2014). A profile of General Khalifa Haftar by the BBC also states that Haftar "devote[d] the next two decades towards toppling the Libyan leader" (BBC 16 Oct. 2014).

Sources note that Haftar went into exile in the US following the war against Chadian forces (ibid.; Jamestown Foundation 30 May 2014; MEMO 20 May 2014). The Jamestown Foundation indicates that Haftar

and his troops were taken to the US by the CIA (30 May 2014). The BBC states that "US intelligence services ... gave [Haftar] their backing to several assassination attempts" against Qaddafi (16 Oct. 2014). The Jamestown Foundation similarly reports that both Haftar's opponents and supporters believe Haftar received support from the US "to rid Libya" of Qaddafi (30 May 2014). In 2011, Haftar returned to Libya and participated in the rebellion against Qaddafi in eastern Libya (*Jane's Terrorism and Insurgency Monitor* 21 July 2014; Jamestown Foundation 30 May 2014), where he obtained the support of some army units in central and eastern Libya (ibid.).

2.2 Operation Dignity

According to sources, General Khalifa Haftar is the leader of a coalition force known as Operation "Dignity" [*Karama* in Arabic], which began operations through an armed campaign against Islamist militias in May 2014 in Benghazi (BBC 16 Oct. 2014; Small Arms Survey Oct. 2014, 60; *Jane's Terrorism and Insurgency Monitor* 21 July 2014). Sources indicate that Haftar's coalition is also referred to as the "Libyan National Army" (ibid.; St John 7 Jan. 2015).

According to sources, Haftar's military targets are Ansar al-Sharia [a group that has been designated by the US as a foreign terrorist organization (US 8 Sept. 2015, 5; *Jane's Terrorism and Insurgency Monitor* 21 July 2014)] (ibid.; Al Jazeera 1 Nov. 2014; Human Rights Watch 8 Sept. 2014), and other Islamist armed groups (ibid.; St John 7 Jan. 2015). According to the Washington Institute for Near East Policy, a not-for-profit organization whose mandate is "to advance a balanced and realistic understanding of American interests in the Middle East and to promote the policies that secure them" (Washington Institute for Near East Policy n.d.b), the Rafallah al-Sahati and February 17 Brigades are among the other Islamist militia targeted by Operation Dignity (20 May 2014). Other sources indicate that Haftar also targets the Muslim Brotherhood (BBC 16 Oct. 2014; US 8 Sept. 2014, 3) and aims to "cleanse Libya of Islamists" (ibid.).

2.2.1 Composition of Operation Dignity Coalition Force

Jane's Terrorism and Insurgency Monitor, a private security organization publication that delivers analysis on "threats posed to governments, national security organizations and businesses by non-state armed groups" (Jane's Terrorism and Insurgency Centre n.d.), describes Haftar's Operation Dignity as a "loose alliance of army units and anti-Islamist militias that emerged from his canvassing in the east [who are] united by the sense of a perceived common enemy - Islamist armed groups and their political allies in Tripoli" (*Jane's Terrorism and Insurgency Monitor* 21 July 2014).

Reports suggest that after the armed campaign against Islamist militias in May 2014, Haftar's operation gained the support of several army units (Small Arms Survey Oct. 2014, 60; Jamestown Foundation 30 May 2014; *Jane's Terrorism and Insurgency Monitor* 21 July 2014). In an interview with *Jane's Terrorism and Insurgency Monitor* on 18 June 2014, Haftar claimed that "a majority of what remains of the Ghaddafi-era army was supporting him" (21 July 2014). Haftar also reportedly declared to Egyptian media in May 2014 that "'around 70,000 soldiers have joined us, including the air force, the navy, the air defence force, and, of course, the army'" (ibid.). However, *Jane's Terrorism and Insurgency Monitor* writes that "that number is a clear exaggeration" (ibid.).

Reports note that Haftar's coalition also comprises militia forces, including the al-Qaqa Brigade and the al-Sawaiq Brigade in western Libya (Jamestown Foundation 30 May 2014; *Jane's Terrorism and Insurgency Monitor* 21 July 2014), as well as the Barqa Defence Forces in the east (ibid.). Reuters also reports that the coalition received support from Benghazi youth (Reuters 20 Oct. 2014). According to the Libyan interim Prime Minister, Abdallah Al-Thinni, who "lauded the efforts of Operation Dignity," Benghazi youth gave their support to Haftar's coalition in order "to protect their neighbourhoods" from terrorism (*Libya Herald* 16 Oct. 2014).

The Economist indicates that Islamist opponents view Haftar's campaign as a "remnant of the ousted Qadhafi regime" (17 Oct. 2014). Similarly, Reuters reports that the Misrata faction, who opposes Haftar's coalition, believes Haftar is a Qaddafi loyalist attempting a "counterrevolution" with officials from the former regime (20 Oct. 2014). Al-Araby al-Jadeed, a London-based English-language news website that focuses on the Arab World and that aims to "counter autocratic and sectarian narratives that threaten to dominate the region" (Al-Araby al-Jadeed n.d.), quotes an unnamed Libyan human rights activist as stating that "the Dignity militias were commanded by military officials who supported the former regime and who want to take revenge for the revolution" (ibid. 1 Dec. 2014).

In contrast, in correspondence with the Research Directorate, Dr. Ronald Bruce St John, an independent scholar who has published over 100 articles on contemporary Libyan politics, stated that "the anti-Haftar Libya Dawn or Operation Dawn coalition has sought to portray Operation Dignity as largely composed of ex-Qaddafi loyalists; however, there is no empirical evidence to support this assertion" (St John 7 Jan. 2015). He further stated that to his knowledge, "there are no militias or brigades in Libya composed entirely or largely of former

members of the Qaddafi regime and [who are] loyal to that regime" (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2.2.2 Government Support to Operation Dignity

In July 2014, *Jane's Terrorism and Insurgency Monitor* wrote that the reaction of Libyan Prime Minister Al-Thinni to Operation Dignity's armed campaign in May 2014 in Benghazi was to condemn it, saying that it "undermined efforts to tackle terrorism" (21 July 2014). However, sources later stated that the Libyan Prime Minister supports Haftar's Operation Dignity (*Libya Herald* 16 Oct. 2014; St John 7 Jan. 2014). Furthermore, St John added that Haftar gained the support of the House of Representatives in Tobruk [2] (ibid.). An October 2014 article published by the BBC quotes Al-Thinni as saying that "all pro-government forces including Operation Dignity were under the umbrella of the state, as part of the Libyan National Army (LNA)" (BBC 16 Oct. 2012a). *The Economist* likewise states that

the embattled House of Representatives and the official government of Mr. Thinni have thrown their full weight behind the operation. Although it is likely that Mr. Haftar is still the main commander, it is increasingly clear that he is being relied upon to function as the Tobruk government's military protector. (17 Oct. 2014)

According to Agence France-Presse (AFP), Colonel Ahmed al-Mesmari, a spokesman of the Libya's national army, similarly claimed Operation Dignity "is one operation of the army, among others" (15 Oct. 2014).

2.2.3 October 2014 Operation in Benghazi

Sources indicate that Operation Dignity launched a renewed invasion against Islamists in Benghazi in October 2014 (Al Jazeera 15 Oct. 2014; *The Economist* 17 Oct. 2014). Reporting in October 2014, the *Libya Herald* quotes local Benghazi residents as stating that, as claimed by Operation Dignity itself, "pro-government forces now control roughly 80 per cent of Benghazi. The districts of Benina, Buwatni, Fuwayhat, Majuri, Kish, Budhaymah, Sabri, Sidi Mansur and Al-Rajma just off Benina are said to be firmly in pro-government hands, with the army now manning checkpoints" (*Libya Herald* 22 Oct. 2014). A November 2014 article published by Al Jazeera similarly quotes a military commander, Faraj Barasi as saying, "[w]e finished combing and cleaning more than 70 percent of Benghazi. Now we are surrounding Al Salmani and Ras Adiba. These areas are full with terrorists and we have them completely surrounded" (Al Jazeera 1 Nov. 2014). The same article also notes that the army removed Islamists from the Benghazi airport and is now "aiming to push them from their final holdouts" (ibid.).

3. Treatment of Former Prisoners Under the Qaddafi Regime

Information on the treatment of former prisoners under the Qaddafi regime by Operation Dignity or other Libyan armed groups could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. However, the following information may be useful.

Sources state that General Khalifa Haftar's Operation Dignity has been engaged in the imprisonment of individuals (UN 4 Sept. 2014, 6; Al-Araby al-Jadeed 1 Dec. 2014). According to a report by the UN Support Mission in Libya (UNSMIL), produced in cooperation with the Office of the UN High Commissioner for Human Rights (OHCHR), "soon after mid-May [2014], Operation Dignity detained dozens of men in areas under their control based on their political, religious affiliation or nationality" (UN 4 Sept. 2014, 6). A December 2014 article published by Al-Araby al-Jadeed states that "[m]any former revolutionaries and even normal residents have disappeared in abductions in Benghazi by the so-called Dignity militia" (Al-Araby al-Jadeed 1 Dec. 2014). Sources note that Operation Dignity maintains several detention centers where prisoners are held (ibid; UN 4 Sept. 2014, 6).

An Amnesty International (AI) report states that

[s]ince the start of the armed confrontations, militias on all sides have carried out tit for tat abductions. Many civilians, including civil society activists, lawyers, journalists and public figures have been threatened, abducted and subjected to torture and other ill-treatment solely on account of their origin, opinion, or perceived political affiliation. (AI Oct. 2014, 7)

A Human Rights Watch Report also states that "[i]n the east, victims included supporters and opponents of Hiftar's campaign as well as those supporting or opposing the Muslim Brotherhood and armed Islamist factions such as Ansar al-Sharia" (Human Rights Watch 24 Sept. 2014). Human Rights Watch adds that "[b]oth sides appear to be holding people seized during the fighting, although there has been no word of some since militia forces detained them" (ibid. 8 Sept. 2014).

4. State Protection

In correspondence with the Research Directorate, St John reported that

[i]n January 2013, the General National Congress passed Law 10/2013 on the criminalization of torture, enforced disappearance, and discrimination. Unfortunately, with the Thinni government confined to al-Beida and the House of Representatives enjoying limited power and influence outside Tobruk, the Libyan government recognized by the international community is largely incapable of protecting prisoners held by Operation Dignity - or by any other armed force in Libya, for that matter. (St John 7 Jan. 2014).

In correspondence with the Research Directorate, the scholar also noted that "[c]urrently, there are two governments in Libya, each of them has only limited capacity to protect the members of the revolutionary brigades supporting it and no interest in protecting members of the revolutionary brigades opposed to it" (ibid. 5 Dec. 2014). According to the Carnegie Endowment for International Peace, an "international affairs think tank" in the US (Carnegie Endowment for International Peace n.d.), the Libyan police force is "unequipped to handle more difficult and hazardous policing tasks," while in several parts of the country, "it is the armed groups, not the army, that control defense ministries, barracks, bases, and ammunition depots" (Carnegie Endowment for International Peace Sept. 2014, 7). For further information on the capability of the Libyan state to protect civilians, consult Response to Information Request LBY105017.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Notes

[1] The Jamestown Foundation is a research organization in the US that reports on "events and trends in those societies which are strategically or tactically important to the United States and which frequently restrict access to such information" (Jamestown Foundation n.d.).

[2] Libya is politically divided between two governing bodies: an elected House of Representatives in Tobruk and the National Salvation Government in Tripoli, which is backed by the General National Congress (GNC) (AI Oct. 2014, 5). For more information on Libya's political situation, consult Response to Information Request LBY105017.

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Additional Sources Consulted

Oral sources: Attempts to contact the following were unsuccessful within the time constraints of this Response: Inkerman Group; International Crisis Group; Lawyers for Justice in Libya; Libyan League for Human Rights; Senior Associate, Carnegie Endowment for International Peace; Small Arms Survey; Organisation mondiale contre la torture.

Internet sites, including: Brookings Institution; Center For Strategic and International Studies; ecoi.net; Freedom House; *The Globe and Mail*; The Heritage Foundation; Inkerman Group; Rand Corporation; UN – High Commissioner for Refugees, Security Council; United States – Department of State; United States Institute of Peace; Woodrow Wilson Center for Scholars.

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[Top of Page](#)

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