



# *Crimes against Humanity by Government of National Accord in Libya*

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*Violating the international truce observed by the United Nations by the Government of National Accord which is allied with Turkish regime and targeting the civilians by shelling the town of Tarhunah in the southeast of the capital Tripoli to conclusively prove the inability of this 'illegal' government to protect the civilians in Tripoli or in other cities which it controls. In addition, this proves that Tarhunah city is totally subjected to the local militias and groups of mercenaries brought by Turkey to protect the illegal government.*

*Lack of legitimacy and violating Skhirat Agreement 2015 by the National Libyan Army is a new transition on the Libyan Lands; the matter which increases concerns and fears in regard to civilian victims of the raging conflict in Libya for 9 years especially as a lot of them have lost their lives and their properties have been destroyed by the armed militias which have committed many crimes go under crimes against humanity.*

### ***The Beginning... A Legal Crisis***

*Al Skhirat Agreement, which was concluded in December 2015, states the formation of the Government of National Accord for one year and to form a presidency council for the transitional period which is supposed to end by the elections and the approval of constitution, in addition the entire legislative task is assigned to the House of Representatives headed by Aqila Saleh. Establishing for the legitimacy of the House of Representatives has been done before signing Al Skhirat Agreement as being the only body which has been formed by public elections in June 2014 according to the Libyan Constitutional Declaration and law of elections.*

*The Political Agreements also states that the term of the House of Representatives shall continue until convening of the first session of the legislative authority (the constitutional parliament) and without the agreement of this legislative authority, also the Government of National Accord does not have the right to conclude any international treaties. The agreement adds that the Libyan constitution has not been approved yet and the elections have not taken place too besides the international conventions with parliament are not coordinated and are not approved by all members. So the Government of National Accord does not want to cease war as it can only stay in war circumstances.*

*According to the agreement, neither Fayeze El Serraj the president of the Government of National Accord nor the United Nations has the right to extend the terms and jurisdictions of the Government of National Accord, in addition the new Libyan Government cannot be established unless by the will of the entire Libyan people whether by conducting elections or by holding new conference for Libya.*



*This means that there is no legal or constitutional justification for the existence of Al Serraj government till now; perhaps this is what encourages Al Serraj to take controversial decisions such as the two memorandums of understanding which have been concluded with the Turkish president Ragab Tayeb Erdogan without passing the matter to the Libyan parliament the source of legislations representing the Libyan people. Also these two memorandums ignited the military situation in Libya. In addition, these memorandums with their both sides -the first side related to defining the marine borders (disregarding the rights of neighboring countries) and the second one which related to the military and security cooperation- paved the way for military Turkish existence in Libya and questioned the capacity or mechanism that Al Serraj gave to himself to take such step in addition to the justification of a president to conclude conventions with illegal government inside a country which suffers from internal conflict. Another side which assures that Al Serraj government lacks legitimacy, is that related to the Libyan parliament which was elected by the Libyan people themselves and which refused to approve the Government of National Accord twice so this government did not have the legitimacy upon which it can practices its tasks as a government for Libyan people. The collapsing legal status of the Government of National Accord made it completely dependent on militias which included terroristic members to protect it and fight the Libyan National Army.*

### **Map of Terroristic Militias Groups supporting the Government of National Accord**

*The section of security arrangements in Al Skhirat Agreement obliges all militias to submit their weapons and supplies, yet the Government of National Accord did not and gave those militias the freedom of movement inside the capital Tripoli; the matter which aggravating the difficult human condition for civilians living in areas controlled by this government. In Tripoli, a number of armed militias are prevailing; they are 9 criminal armed militias and some of escaped members from fighting in Benghazi, Derna and area of crescent oil. These militias are: corners militia, militia of Tripoli rebels, militia of special deterrence force, militia of ancient city, militia of 42 thieves, militias of Tajoura battalions, Abo Selim battalion, Forsan Ganzor battalion and battalion of moving forces in Ganzor. On the other hand, the strongest armed militias, which affiliated to extremist groups, exist in Misrata city which becomes full of foreign fighters as there are number of Turkish mercenaries and technicians who train the armed militias on using Turkish armored vehicles which recently were smuggled to the cities of the western region.*

### **Misrata Militias supporting the Government of National Accord**



- *Al Somod militias, Al Halbos militias, battalion 166, Al Motaharka battalion, Sharikhan battalion, Al Tageen battalion and the Third Force.*

### ***Militias of Sabratha City supporting the Government of National Accord***

- *Al Zanatan and Al Amazgh militias, Zeltin militias, the Military Council of Al Khomis City and the Alliance of Al Zawaya militias.*

*The armed militias and terroristic groups in Tripoli are supported politically, logistically and on media level by Turkey and Qatar, this comes in the context of suspicious movements led by the two countries to obstacle the Libyan Military Institution head by the Marshal Khalifa Hafr. In addition, the majority of armed militias and extremist groups in cities of western region in Libya have allied and become one power inside Tripoli. These armed militias and extremist groups focused in many axes in the Libyan capital to obstacle the progress of Libyan Army Forces by direct support and fund by the Government of National Accord headed by Fayez El Serraj.*

*The armed militias dominating Tripoli have resorted to allying with terroristic groups escaping from cities of eastern region to form military front to obstacle the progress of the Libyan Army; the matter which strengthens the movement of Libyan National Army towards the capital Tripoli and worries the neighboring countries fearing of penetrating of armed members and terrorists into them through Libya.*

*The Libyan General Command of the Armed Forces accuses Qatar, Turkey and number of European countries of supporting armed militias and extremist groups allied with the Government of National Accord in addition to providing them with great political and military support fearing of Libyan Army's success in liberating Tripoli and ending the rule of militias in the capital. Also the Major General Ahmed Al Mismari, the spokesman of the Commander in Cheif of the Army, has accused Qatar and Turkey of forming joint military operations chamber in Misrata to obstacle the Libyan Army from liberating Tripoli from terroristic groups which 'feed on' the blood of Libyan people and dominate all Libyan institutions in Tripoli.*

### ***Turkish arming of armed militias to support the Government of National Accord***

*Although the international resolution no. 1970 by the Security Council in March 2011 which called all member states in UN to prevent selling of supplying weapons and their belongings to Libya in addition to the resolution no. 2420 which allows the member states to inspect the ships going to and coming from Libya to confront the entry of weapons into Libya, yet the reality is totally different as weapons are still supplied to the Government*



*of National Accord in Tripoli. In September 2015, the Greek authorities arrested a Turkish ship loaded with weapons was going to Libya when coastguard boat attacked the ship which sailed from the Turkish port of Al Iskandrana to the Herakelyon Port on Greek Island of Crete. Moreover, in January 2018, the Greek coastguard arrested a Turkish ship loaded with explosives which was going to Libya, the insurance data of the ship indicated that these explosives were loaded at the Turkish ports of Iskandrana and Mersin and that the captain was asked by the ship's owner to sail to Misrata to unload the entire load there. Also in December 2018, a Turkish ship arrived at Al Khoms Port loaded with weapons and ammunition. Through its official account on Facebook, the customs service in Benia Airport in Benghazi said that the shipment sent by Turkey included 3.000 Turkish-made pistols, other pistols, hunting rifles and ammunition.*

### **Crimes of Armed Militias against Civilians**

- 1- The armed militias and Turkish drones supporting the Government of National Accord have randomly shelled the houses of civilians in many areas in the north of Tarhona city, and in Tripoli especially in Kasr Bn Ghashir area as the house of Fathy Akak has been severely affected.*
- 2- In the north of Tarhona city, civilians' houses were shelled by 'Grad' missiles which are used by Tripoli militias and mercenaries which resulted in many injuries.*
- 3- The liberated areas from the militias have witnessed starving and restricting campaigns against civilians who also suffer from lack of gas and electricity in addition to continuous cut off of drinking water.*
- 4- These militias targeted residential districts and civilians and killed citizens including children and injured others in addition to destructing properties of citizens and food stores in Al Karemia region. Also during their random shelling, they targeted two homes beside the food stores which yielded in the death of one citizen and injury of 11 people among them 4 people from one family. In their shelling by 'Gharad' missiles, the militias killed children in Al Sour Road in Tripoli.*
- 5- The militias involved in many criminal acts including killing, mayhem and robbing public and private properties.*
- 6- The militias attacked state institutions, fired private properties, and released hundreds of prisoners from the prison of Sarman City without investigations as there are terroristic members and with precedents among the prisoners.*



- 7- *The militias cut off the electricity in Tarhouna City and targeted medical and food supplies.*
- 8- *The militias involved in the explosion targeted the students of Military College in Tripoli. In addition, they implemented explosions in Benghazi in 'military secondary' and another center of military training in addition to targeting the military students in the eastern area who were in vacation.*
- 9- *The cities of AlAzizya, Al Sadaya, Al Sawani and other districts have been exposed to random shelling against civilians by the militias of the Government of National Accord; the matter which exposed the citizens and their properties to danger.*
- 10- *There were some complaints by number of citizens as there were tortured and ill-treated during their detention by the armed militias.*
- 11- *Circulating photos of torturing a citizen called Gamal Al Saeh who was arrested and detained by the force of central support 'Sart branch' affiliated to the Government of National Accord randomly and legally and has been exposed to the most severe and cruel forms of torture till he infected with renal failure while another prisoner died because of torture by the same militias.*
- 12- *Many human rights reports said that armed groups in Libya killed and tortured the detained people in prisons which included thousands of illegally civilian detained people and which dominated by the Government of National Accord.*
- 13- *Ghanwa militias affiliated to the Government of National Accord and which focused in Hamza camp in the airport road launched a number of 'Al Garad' missiles towards the project of Al Hadaba, Al Akwakh district and buildings of Al Zohoor district.*
- 14- *The Libyan National Army announced the killing of 4 civilian citizens in a shelling by Turkish drones by the militias in the region of Al Asabaa in south of Tripoli who were there in their works' headquarters in goods stores.*
- 15- *Closing the airport road by the militias in front of 40 thousand displaced people.*

### **Recommendations**



- *The Forum for Development and Human Rights Dialogue calls the UN Mission in Libya to investigate the crimes committed by the militias affiliated to the Government of National Accord and bring the criminals to the International Criminal Court according to the resolutions of the Security Council.*
- *Calling the International Security Council to stop and criminalize all forms of military support provided by the Turkish regime to the militias affiliated to the Government of National Accord according to the resolution no. 1970 of 2011 which bans all forms of transporting weapons to Libya.*
- *Supporting the efforts of the National Army in facing the terroristic militias and disarming them to protect civilians in Tripoli and other citizens dominated by the illegal Government of National Accord.*