

## **SBS Dateline Report on Misrata & Tawergha**

10 April 2012

**Gaddafi may have gone from Libya amid scenes of celebration, but what's left behind is a country in chaos.**

Heavily armed rebels still control much of the country, with towns in ruins, infrastructure destroyed and a justice system struggling to get back on track.

With the active military support of NATO and the US for the uprising, a democracy was supposedly going to flower in the desert at the height of the Arab Spring. Now it seems that more thorns have grown than petals.

Yaara Bou Melhem has just returned from Libya where she reveals a disturbing pattern of abuse and torture of prisoners, supposedly Gaddafi's former supporters, but for many it seems their only crime in the new Libya was to be born black.

**REPORTER: Yaara Bou Melhem**

**The new Libya can be an unforgiving place, nowhere more so than in the city of Misrata. I'm being shown around a rebel controlled jail. About 900 prisoners are detained here. These men were rounded up by rebels during the bloody civil war and its aftermath.**

AHMAD SMEDA, PRISONER: I need the justice. Now, no justice.

**Ahmad Smeda claims to have been the bodyguard of Seif Gaddafi, the son of Libya's late dictator. Like many others here he is being held indefinitely and without charge.**

**REPORTER: (Translation): No idea how long you'll be here for?**

AHMAD SMEDA (Translation): A day, a year, ten years, 20 years. And no one tells you what you are accused of.

**But Ahmad may be one of the lucky ones. The cruelty metered out to Muammar Gaddafi set the tone for what was to come. In the past six months there has been a backlash**

**against those seen to have supported his regime. Human rights groups have reported widespread torture and abuse.**

**REPORTER: Do you know of torture going on inside the prisons?**

AHMAD SMEDA: Sometimes

**REPORTER: In this one?**

AHMAD SMEDA: Yes.

**The authorities insist no-one is maltreated in this prison but elsewhere the evidence is undeniable. Video after video has emerged of the torture of perceived Gaddafi loyalists, most of them far too gruesome to broadcast. In some cases the brutal treatment appears to be based solely on the colour of the victim's skin.**

**We are on our way to the internal displacement camp in Tripoli and we are going to speak to one of the wives of one of the men that appear in this video that's been circulating on social media sites. It is quite shocking - it shows 14 prisoners in a cage being made to eat the Gaddafi loyalist flag.**

GUARD (Translation): Eat the flag, you dog! Eat it! You Tawarghi dog! You filth!

**It's a humiliating display of revenge by Misratan rebels. The prisoners are black Libyans from the town of Tawargha, a former Gaddafi stronghold. Rebel Commanders have consistently claimed that many of Gaddafi's soldiers were mercenaries from sub-Saharan Africa. As a result black Libyans are being persecuted irrespective of whether they supported his regime or not.**

**Many have found shelter in the Janzour refugee camp set up on the grounds of a former naval base. One of the camp leaders is taking me to see Rabdee Karimah, whose husband Rabih, appears in the video.**

RABDEE KARIMAH (Translation): That's him, he is the one sitting alone in short sleeves.

**His hands bound, he is singled out for abuse by his captors.**

GUARD (Translation): You, Come here, come here, you dog. Eat the flag, eat the flag you dog!

RABDEE KARIMAH (Translation): The footage is really terrifying, he is not part of the battalions and he has no weapons. He is innocent.

**Gaddafi may belong gone but the rebels are still hunting down suspects. In February they attacked the Janzour camp, killing 7 and wounding dozens more.**

SISTER (Translation): It entered here and exited from here.

**These sisters from Tawargha, lost their brother and uncle and both were badly injured.**

SECOND SISTER (Translation): When they fired in the air and we didn't stop, they started shooting at us deliberately. Before my brother died he was talking to a rebel, telling him to throw his gun away – then one of the rebels shot him.

SISTER (Translation): One of the rebels came to me. He came holding his pistol and he pointed it at my leg – he said "You want Muammar, you helped him, you slaves, if Muammar dies, you are going to die".

**The brutal treatment of Libya's black minority is rooted here. The siege of Misrata was the bloodiest of the nine-month long uprising. Gaddafi's troops launched a vicious assault from a loyalist town of Tawargha. Rebels say some of the Tawargians joined the fight. But the bulk of the town's mainly black population was caught in the middle.**

MOHAMMED SWEHLI, SWEHLI BRIGADE (Translation): Of course, the experience of Misrata was painful, painful indeed. Some people from Tawargha made very big mistakes, and until now they haven't been punished.

**Mohammed Swehli is a Commander of the one of the major Misratan Rebel Brigades. His men are hardened fighters and they are keen to show it.**

**REPORTER: Is that a hand grenade?**

REBEL FIGHTER (Translation): Okay, have a look here. There, I'll give it to you. Take it. There, take it.

**The Commander denies the incidents of torture are widespread.**

MOHAMMED SWEHLI (Translation): We are confident that the rebels are honourable rebels. They're not bandits, they're not militia groups. They are true rebels. It could be that someone in a particular

circumstance, or who may not be educated, he might torture someone, he might commit that. But these are individual occurrences.

**I want to see how the town of Tawargha has fared since the uprising. My journey takes me from Misrata in north-west Libya, 40 kilometres to the south. What I find is shocking. Tawargha was razed after Gaddafi was deposed and its residents forced to flee. This is what is left of the town of Tawargha - it's been completely destroyed and it's more than 40,000 inhabitants are unsure if they can ever return. In the ruins that remain looting still takes place. It's dangerous to film openly here. The rebels would rather the world didn't see the evidence of their retribution. Tawarghans are now scattered across the country in internal displacement camps.**

SALEM AL TAWARGE, BENGHAZI CAMP: The government is so weak, just to stop and watch what happened and watching in silence while people die.

**The head of this camp in Benghazi says his community is being collectively punished for crimes committed in Misrata during the war.**

SALEM AL TAWARGE: So why are you doing that with all the city? You are talking about 40,000 or 41,000 people here, just punish all of them.

**At the edge of the camp I meet two young men who endure horrific treatment in a Misratan prison.**

PRISONERS (Translation): This is my back. It was burnt with the vodka. They poured vodka and lit it.

And this is when they beat me with electric cables.

They called me slave.

This is torture from the plastic cuffs. Plastic cuffs.

**REPORTER (Translation): What was your accusation?**

PRISONER (Translation): Just Tawarghan.

**REPORTER (Translation): And you?**

PRISONER (Translation): The same story.

EMMANUEL GIGNAC, UNHCR: The Tawarghans are feeling discriminated. They feel they are not being properly protected.

**Emanuel Gignac runs the UN's high commission for refugees in Libya.**

EMMANUEL GIGNAC: We get regular reports of, you know, severe maltreatment of people, even killings, but it looks like, yes, in many cases it is revenge. It is carried out by individuals that are not properly controlled.

**The abuse of detainees forced Mediciens Sans Frontier two withdraw its operations from Misrata in January. The group said that by treating prisoners in between interrogations, it was effectively keeping them alive for the next torture session.**

OSAMA AL JUWALI, MINISTER OF DEFENCE (Translation): What happened in Misrata was very painful. As a result the young men's reaction may be irrational and that can lead to incidents of torture

**Libya's Defence Minister Osama al Juwali says in time the perpetrators will face justice, but he says torture is not a problem confined to Libya.**

OSAMA AL JUWALI (Translation): What happened in Libya is incomparable to what happened in Abu Ghraib for example or in Bagram or in other secret prisons that belong to advanced countries, in democratic countries where law prevails.

**For the families of those who have been arbitrarily arrested, it's an anxious wait. Five of Nuri Faraj Jaballah's relatives are being held by the rebels.**

**REPORTER: Do you fear for them? Are you afraid for them?**

NURI FARAJ JABALLAH: Yes, I am very worried for them what happens to them there in the prison in Misrata.

**REPORTER: What have they been accused of.**

NURI FARAJ JABALLAH: Because they are from Tawargha. I hope that they get set free and soon.

**I head to Misrata to try to track down Nuri's family. We hand their names to a prison official who helps us find three of them.**

NURI'S COUSIN (Translation): They saw us as a group in the families camp, they selected a few and took us away. They brought us here because we are Tawarghi.

**They say they are being well treated, but no-one has told them what they are accused of. They haven't even been questioned.**

NURI'S COUSIN (Translation): They say, if you are innocent you go, they say in three days if you are clean you go. It has been 7 months and nobody has interrogated us and we don't know why. There is a big group they haven't interrogated. We just want to know what is our charge.

**They are far from alone. Without a functioning legal system in Libya, thousands of prisoners from a civil war are caught up in a legal limbo.**

**REPORTER: Do you want the central government to step in and charge you with something or release you from jail?**

NURI'S COUSIN (Translation): We wish. We're here unjustly and the longer it takes, the more damaging to you because you are innocent.

**In the power vacuum that exists here the rebel factions still control many of the jails. They are flush with weapons and refusing to disarm. Persuading them to join the armed forces and police has already proved problematic. Libya's interim rulers find themselves outgunned by those they seek to control.**

**REPORTER: Do you have confidence in the central government? Did you understand the question?**

MOHAMMED SWEHLI: Yes.

OSAMA AL JUWALI (Translation): The rebuilding of trust in the state's institutions and in the army requires effort and requires time. And this is amongst the things that makes the rebels hold on to their weapons.

**Militia groups are now a law unto themselves. In Benghazi armed Islamists desecrated Commonwealth war graves including 50 Australian headstones and fierce tribal clashes in the Saharan south has shown just how volatile this country remains - and now there is another challenge. It was here in Benghazi that the revolution was born and the tribes of the east are asking for their share of control - unilaterally declaring a federal state. Abu Bakr Bayira, is one of the organisers of the conference.**

ABU BAKR BAYIRA, FEDERALISM PROponent: We recommend to the transitional government and we'll see if they come and discuss this and they negotiate with us we might reach an agreement. –If they say no then we will try to close our borders and defend our resolutions. We will create a separate state in this region.

**The militias of the east stand at the ready to fight, most of the country's oil wealth and water comes from here. Tripoli can't afford to have it break away and Libya can't afford another war.**

CROWD (Translation): No, no, no to federalisation! Tripoli is the capital...

**The move has polarised the country, sparking angry protests. The interim government has outright rejected it.**

ABU BAKR BAYIRA: Libyans paid a very high price during these few months fighting Gaddafi troops. We hope we don't have to repeat this bitter experience again between Libyans.

**It's only been six months since Gaddafi's regime was toppled - forging a new Libya from the bloodied Ashes of the last was never going to be easy.**

OSAMA AL JUWALI (Translation): Unfortunately, in the war that took place, Gaddafi and the battalions that were with him used unconventional means which caused and instilled hatred and resentment in the people's souls. We don't expect these things to go away quickly. Human souls need time for the wounds to heal.

EMMANUEL GIGNAC: It's an issue of you know rights and justice. If this is not happening in Libya, what future you can give to a democracy, equality and justice?

**But for some Libyans there is much to overcome before they can start to forgive.**

SISTER (Translation): We want our houses, we want our land even if they are burnt, we want our land.

**REPORTER (Translation): Would you go to another place?**

SISTER (Translation): Never! My city is my city. We're asking the world to find a solution for us. We want to go back to our city. We're sick of being homeless. The searching, arresting our brothers and

our families. I mean seriously, I'm a Libyan how can they treat us like strangers, as refugees? I'm a refugee in my own country.

**MARK DAVIS:** Looks like they got rid of the mad and just stuck with the bad. You wouldn't want to be black in the new Libya. Elections are scheduled for June, amid fears of a split between the country's east and west.

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