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Introduction

The Libyan regime tries hard to close all its international files in an attempt to be reintegrated into the international community. However, the Libyan regime's internal human rights record is still full of crimes which can be regarded as genocides and crimes against humanity. Chief among these crimes is the mass murder of more than one thousand and two hundred political prisoners in 29th June 1996. Such incident made it most appropriate to shed the light on the conditions of the Libyan prisons and detention centres experienced by the Libyan political and conscience prisoners where they suffer from physical torture and psychological oppression under a regime that has no respect at all of the fundamental freedoms and dignity of humans. This booklet aims to briefly

introduce the prisons and detention centres in Libya along with the status of their inmates, present a descriptive exposition of the circumstances and incidents of the genocide that took place in the aforementioned Abu Saleem Prison and enlists the minimum demands necessary for revealing truth and punishing those responsible for the massacre.

While presenting this document of the information, data and documented testimonies, **Human Rights Solidarity** stresses that all such descriptions, elaborations or summaries are no meant to be regarded as an accurate reflection of the tragedy and suffering resulting from such massacre, rather the document is based upon the information, data and documented testimonies obtained and verified by **Human Rights Solidarity**. Thus the document does not represent all what happened (and perhaps this is only the tip of the iceberg).

Such information is based upon the testimonies – the credibility and realism of which are undoubted by **Human Rights Solidarity** - of ex-prisoners or detainees who saw, experienced then testified such incidents.

The names mentioned in this document - though sometimes incomplete – have been the light which led **Human Rights Solidarity** to disclose the massacre. However, there are many unknown names and numbers of persons from all over Libya who might have been killed along with innocents or repressed and suppressed for sometime but will remain eyewitnesses on the perpetrators of the massacre or a testimony on the martyrdom that will last until the Day of Judgement.

This is the first booklet ever to expose the incidents of Abu Saleem massacre through its chapters and sections providing an introduction to the detention centres and prisons in Libya, Chapter/ Section...etc.

The booklet is also aiming at inviting the Libyan authorities to shoulder its full responsibility for this massacre, disclose all its obscure facts and to bring all those who directly or indirectly contributed to or took part in the mass liquidation of the unarmed detainees, thus violating the most basic human rights.

Furthermore, the booklet calls upon all human rights and humanitarian organizations to contribute to and take part in revealing the truth of such human tragedy.

In fact, this document reflects the collective effort exerted by many of the faithful sons and daughters of Libya, wherever they are, who - through **Human**

Rights Solidarity - wanted to let such facts be exposed to light. Hence, **HRS** deeply thanks and highly praises all of them.

A dedication and Remembrance

To every drop of blood shed, to every innocent soul killed, to every word silenced, to every droplet of tear fell for the innocents, to all mothers, fathers, sons, daughters and the bereaved we dedicate our work.

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Chapter One

Prisons in Libya

Section One: An Outline of Prisons and Detention Centres in Libya.

Prisons in Libya are called "reformation institutions" and according to Prisons' Law no. 47 for the year 1975, Chapter One, Article One, "prisons are places for reformation and education aiming at reforming the behaviour of the persons sentenced to imprisonment and rehabilitating them for being good members in society".

However, prisons are more punitive institutions than reformation institutions which do not respond to the U.N. Minimum Standard Rules for the Treatment of Prisoners¹, which the first UN Congress on Prevention of Crime and Treatment of Offenders in Geneva in 1955 recommended for approval and were approved by the UN Economic and Social Council by two decisions in 1957 and 1977. Such rules have tried to set a vision for treatment of prisoners regarding the places of detention, hygiene and provision of food sufficient to maintain the health of prisoners, proper medical care and appropriate places where prisoners can exercise sports and train. On the basis of the visits of some monitoring organizations allowed by the Prisons' Administration Department and the statements of prisons' officials, the poor conditions of health and general utilities are crystal clear. In addition to the over-crowdedness of cells and the spread of infectious and dermatitis, the main characteristics of these prisons are the deteriorating psychological state of prisoners and rejection of their basic needs such as visits and medical care.

Noteworthy, a delegation from the London-based International Centre for Prison Studies (ICPS)², visited Libya from 11-25 October 2003. The program of the visit included meetings with the Secretary of the People's Committees for Justice and Public Security, some of the secretariat officials, security officers in the people's congresses, prison officials and prisoners. The ICPS published an outline of the Libyan prisons. However, the outline did not include the political detention centres such as the Abu Saleem Prison, the affected department in Ain-Zara Prison, and the of Internal Security Agency's centres and Military Police.

¹ - " The Standard Minimum Rules for the Treatment of Prisoners ", held in Geneva in 1955, recommended to be approved and were approved by the Socioeconomic Council in its decisions 663 c (d-24) in 31st July 1957 and 2076 (d-62) in 13 May 1977.

² - The International Centre for Prison Studies (ICPS), <http://www.prisonstudies.org>

The table below is an outline of the criminal prisons in Libya:

Country	Libya
Affiliation	The People's General Committee of Justice and Public Security
Prison Administration	The General Administration of Judicial Police
Address	Al-Fallah, Tripoli, Libya
Phone	+218214804532
Fax	+218214804490
E-mail address	Almiezan@almiezan.net
Prison Administration Official	Belkasem Gargoom
The total number of prisoners including pre-trial detainees / remand prisoners)	13217 - according to statistics of Feb 2007
Prison population rate (per 100,000 of National population	217 per 100000 person based on an estimated national population of 6.1 million at Feb 2007
Pre –trial detainees / remand prisoners (percentage of prison population)	49.9% (18.2.2007)
The Percentage of female prisoners	3.1% according to the statistics of 18 Feb 2007
The number of juvenile prisoners	(Under the supervision of Social Security ministry)
Foreigner prisoners (percentage of prison population)o	35.0% according to the statistics of 18 Feb 2007
The number of establishments/ institutions	37 according to the statistics of 2007
Official capacity of prison system	9000 according to the statistics of 18 Feb 2007
Occupancy level (based on official capacity	146.9%
Recent prison population trend (year, prison population total, prison population rate)	2004 9,763 (173)

It is known that such shelters are overcrowded, as illustrated in the table above, and are subject to general negligence. In addition, those who work there face the problem of short funds. As aforementioned, such centres can by no means be called reformation centres as officially referred to. On the contrary, they lack social specialists and produce real criminals. The suffering of the prisoners of conscience takes another form that would be tackled in other parts of this booklet.

In this part, detention centres and headquarters of security agencies used as detention and torture centres, as depicted by some ex-prisoners, will be described. This is important because sometimes what happens in such centres, such as coercive extraction of confessions parallel with the desire of the centre commanders to get promotions and financial rewards, is more

horrific than that of Abu Saleem Prison. It is worth mentioning, here, that after political prisoners or prisoners of conscience are detained at the abovementioned security centres, they are transferred to Abu Saleem Prison as the major prison.

Prisons and Detention Centres

Detainees' rights are explicitly violated since the very beginning of detention by security bodies. The arrest operation is executed without a juridical writ, which clearly comes under arbitrary detention. The result of such flagrant violation is that the detainee is isolated from the outside world in some internal security centre or some centre of the revolutionary committees subject to no judicial supervision whatsoever. The **Commission against Torture** stated in its report that torture cases usually take place in the early hours of detention after which the prisoner is isolated from the outside world.

According to ex-prisoners who were once imprisoned in Libya, have defined two phases that political prisoners in Libya experience:-

A) The primary phase in which the prisoner is held in a detention centre or a security centre so that confessions can be extracted and fabricated accusations can be proved in ways that show the creativity of interrogators who seek promotions or a financial rewards.

B) The second and final phase in which prisoners are destined to life sentence in Abu Saleem Prison, the only trusted place by the Libyan Regime for imprisoning the prisoners of conscience and political prisoners and isolating them from the outside world into a world where they are bound to slow death.

Therefore, it is important to state that the Internal Security Agency centres and the Revolutionary Committees' shelters mentioned below are just examples. For in each place in Libya, there are more than one of these centres and shelters. Many persons have been detained by the Revolutionary Committees for long periods of time in such detention centres without informing the security or the criminal agencies.

Centres detentions and Revolutionary Committees' shelters:

- **Bo Hadi Detention Centre, Tripoli.**
- **Al-Ghayran Detention Centre (Mazra'et Al-Enab)**
- **Al Hadaba Al khadra' Detention Centre, Tripoli.**
- **A Detention Centre under the Radio Building, Tripoli.**
- **The Main Centre Tripoli, Al Jamahiriya Street. off Abu Hareeda Street next to Al-Qods Mosque, Tripoli**
- **The Revolutionary Shelter in Al-Andlus District, Tripoli.**
- **The Revolutionary Shelter Centre in Abu Seleem area.**

- **Al-Tarabya Al A'kaedeya Detention Centre, Tripoli.**
- **The Communication Office with the Revolutionary Committees – Al Seidi st, Tripoli.**
- **A Centre in Seidi Al-Masry area – next to Tripoli University.**
- **A Centre in Mizran Street, Tripoli City.**
- **The Headquarters of the Internal Security Agency “General Administration” Al Jamahiriya Street – next to Al Jamahiriya Market, Tripoli.**
- **The headquarters of the Military Intelligence Agency, two facades – the main façade overlooks El-Zawya Street and the other El Seidi Street.**
- **The headquarters of Atheism and Mental Effects Combat Department - the 7th November St, Tripoli (the Ex-power Building) opposite to the Central Hospital in Tripoli from the direction of Seidi El Sayed St.**
- **The 7th April Camp Detention Centre– west of Benghazi –near Qaryonis University**
- **The headquarters of Atheism and Mental Effects Combat, El Uroba branch, in El Mehishi district, Benghazi – the branch of the Al-Alwan Factory for People's Committee, Benghazi**
- **Security centre affiliated to the headquarters of Atheism and Mental Effects Combat El Serti People's Committee, Benghazi near Hospital of Handicapped, Benghazi**
- **The ex-centre of Internal Security Agency near the Civil Court in Benghazi, overlooking the corniche opposite to Benghazi Sea Port**
- **The Internal Security Centre, the Internal Security Agency, near to Al-Fundug Al-Baladi , the ex-buildings of the Man Made River Administration, Benghazi**
- **The Revolutionary Committee's Shelter in El Keesh area, Benghazi**
- **The Revolutionary Committee's Shelter in El Sabri area, Benghazi**
- **The Revolutionary Committee's Shelter in Seidi Hussein area, Benghazi**
- **The Revolutionary Committee's Shelter in El Baraka area, Benghazi**
- **The Ex-Police Centre, Darna**
- **The International Security Centre- Corniche – Darna**
- **The Military Police Centre – Darna**

- **The Revolutionary Committee's Shelter in different districts, Darna**
- **The Internal Security Agency branch in Ajdabia city**
- **The Revolutionary Committee's Shelter in Nalot city.**
-
- **Al Qara Detention Centre, near Sabha**
-
- **The Revolutionary Committee's Shelter in Sert city**
-
- **The Revolutionary Committee's Shelter in Ben Waleed city**

Below are the prisons, among such prisons are the official ones furnished with the latest means of suppression. Usually prisoners spend several years or unlimited periods behind the bars of such prisons.

- **Abu Saleem Central Prison in Abu Saleem area, Tripoli**
-
- **-Abu Saleem Military Prison in Abu Saleem area, Tripoli**
-
- **Al-Jadida Prison, Tripoli, a civil prison of which a part is used for political cases**
-
- **Ain Zara Prison in Tripoli, originally a civil prison Ain Zara Road**
- **Al-Kwaifyah Central Prison in Benghazi, a civil prison of which a part is used for political cases. A partition was inaugurated in August 1995 and a month later a huge partition was constructed as detention centre for political prisoners. Prisoners are transferred to Tripoli through this partition which is known as the Police partition or Juveniles' Partition.**
- **Al-Zawya Central Prison in Al-Zawya city**

Political Detention Centres and Prisons

1- Atheism and Mental Effects Combat Agency Centre:

The Atheism and Mental Effects Combat Agency centre is located in the 7th November Street, Tripoli (the Ex-power Building) opposite to the Central Hospital in Tripoli from the direction of Seidi Al-Sayed St. The centre is an underground detention centre consisting of a number of small separate cells of 1x2 m area each, a bathroom included. No air or sunlight can enter such cell. The place is used for preliminary interrogations during which very cruel torture operations are conducted to extract confessions from detainees (see "Methods of Torture" – the detainee was tortured in the Atheism and Mental Effects Combat Agency centre). Currently, the centre is supervised by a number of military officials known for their loyalty to Colonel Al-Tohamy Khaled such as Salah Al-Meshry. Among the detainees is Abdel Hakim Al Rowemy, the Abu Saleem's Prison ex-commander who introduced many reforms of great benefit to prisoners, after being accused of carelessness in Al-Gaddadfa Group Case, the group that tried to assassinate Colonel Al-Gaddafi and was executed in 2004. Another inmate of such prison is Muhammad Abu Sedra, one of the oldest prisoners of conscience, who was detained in 1989.

Instead of being set free after a special's court proved he is not guilty in 2005, he is still being held in incommunicado in such miserable centre.

2- Military Police Prison:

Military Police Prison is located at Al-Buhdemah District, in Benghazi. It is considered one of the most important and strongest prisons. Colonel Ragab Buzied Sultan Al Gaddafi is one of the prison's known commanders.

Description of the Prison:

The prison is divided into three general sub-divisions. Sub-division no. 5 includes a large number of solitary confinement cells up to 24 each of 180cm x 90cm area.

Sub-division no. 4 consists of four rooms of 3m × 2.5m area each. The room was designed to contain seven prisoners but actually it is overloaded with just the double of this number. There is another partition containing 7 rooms each of 3m x 2.5m area. Another building is attached to the prison to encompass big rooms dedicated for the officers and soldiers of Military Forces. Sub-division no. 2 and 3 are used for criminal cases, whereas Sub-division no. 1 is used for officer cases.

Bathrooms and Toilets of the Prison

There are no bathrooms or toilets in any of the Sub-divisions. The number of bathrooms existing outside the Sub-divisions is four. Prisoners are not allowed to use such bathrooms except in fixed times, thus prisoners resort to urinate in glasses or bottles and empty them after going to bathrooms and so on. To conclude, 140 prisoners use only four toilets.

3- Ain Zara Prison

Ain Zara Prison is located in the area of Ain Zara, Tripoli City, at the entrance of Ain Zara coming from the direction of El-Fernaj area, off Nasser University Road, after the service station, to the left, then to the right to find the prison in the front.

The prison is divided into four partitions, one of which is used for collective detention. The number of detainees in its rooms is about 20. In June 1998, the new prison was inaugurated, as an attachment to the old one, and was transformed into interrogation bureaus.

The Sub-divisions of the Old Prison

Sub-division no. 1 is the collective detention partition. It includes 12 rooms, one of which is used as a storehouse and another is used as a clinic. In the same building, the administration department is located. It is composed of the prison manager's office, chief interrogator room and two other rooms are assigned for interrogation.

Sub-division no. 2: includes 16 Cells.

Sub-division no. 3: includes 28 Cells. In each cell, there are about 3 or 4 detainees. Most of the detainees in this Sub-division are supposed to be released.

Sub-division no. 4 consists of 10 cells used for solitary confinement but it has been transformed into interrogation bureaus.

The area of the cell, except for the collective detention partition, is about 3×3 m² furnished including a toilet. As for the collective detention partition, the area of the cell is about 7×7 m² furnished with a toilet.

As for new partitions known to the prisoners as Al-Ahkaf (the sandy mountains), they are 5 partitions, and each partitions has 24 rooms.

Bathroom is composed of a toilet and a water faucet. In partitions, the bathroom has no door whatsoever and is directly opposite to the door of the cell with 1.5 m high walls. This means that if a prisoner wants to answer the call of nature, then his fellows have to sit in embarrassment away from the walls and the door of the bathroom.

Section Two: Abu Saleem Prison

Abu Saleem Prison is the main prison of political detainees and prisoners of conscience in Libya. Often it represents the end of the political prisoners as they are imprisoned for the rest of their lives. The number of prisoners who experienced imprisonment in such prison has been more than 2000. At the present time, the official sources say that it contains from 400 to 500 prisoners.

The Geographical Location of the Prison:

Abu-Saleem Prison is located in Al-Masaken Al-Sha'abia suburb of Abu Saleem area, in Tripoli. The prison is named after the area. Originally a military police camp known as the 28th of September Camp, the prison encompasses the headquarters of the Police and Military Prisons' Department. It occupies about 30 acres surrounded by a 7 meter-high fence supplied with barbed-wire and watchtowers. A space of about 20 meters separates watchtowers.

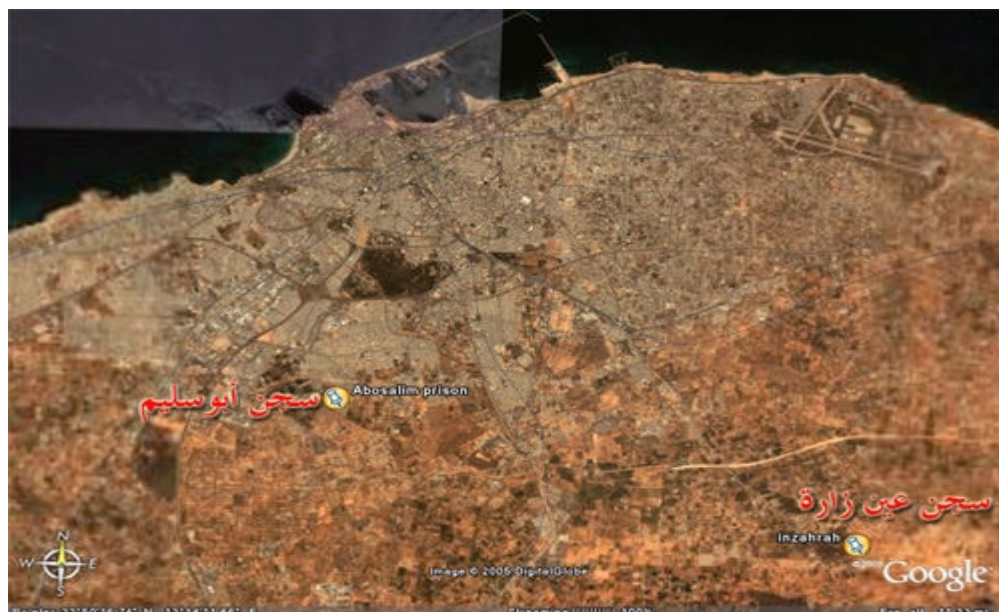


Figure (1) is taken by satellite for Tripoli and it shows the location of Abu Saleem, and Ain Zara Prisons.

The Description of the Prison

The Abu Saleem prison has been built in 1984 to replace the old prison, the Black Horse Prison. The prisoners of the old prison, which was built by the Italians during the occupation era, were transported to the Abu Saleem Prison, along with those who were arrested in May 1984 Events known as Bab Al-Azyaya Events.

Abu Saleem Prison is composed of two identical prisons, namely, the Central Prison, and the Military Prison. Originally, the Military Prison was dedicated to military prisoners only, however, due to the increase of the number of prisoners and detainees; it is used now for the purposes of imprisoning political detainees and prisoners of conscience.

The two prisons are separate from each others, but the two prisons are connected by a fence with two entrances, one of them is not used, that was built after the escape process which took place in mid 1990s and was known as Ajdabia Events. This separating fence is about 6 meter-high cement walls. Above each corner of wall, there is a watchtower. There are also other watchtowers overlooking the yards of the prison.



Figure (2) is a photo taken by satellites showing the general details of Abu-Saleem Central and Military Prisons.

Each of the two prisons is surrounded by a 7 meter-high wall, over which there are barbed wires, watchtowers and higher corridors that are also used for watching the prisoners when they are brought out of their cells to be exposed to the sun's rays.

The area of each prison is 11200 m² including an eight-part building. Each part is called a "depot" or "partition". The building is divided into two opposite rows, in each there are four partitions with partitions opposite to each others. The odd order is on the right, and the even one is on the left. In the main corridor, partition no. 1 is on the right and opposite to it is

partition no. 2 on the left; after that partition no. 3 and 4 , then 5 and 6, then 7 and 8 – a group of shillat (cells) (which can hardly contain one person and one bed cover to sleep over. After the opposed partition no. and 2, there is a door separating the two partitions the rest of partitions.

The way of numbering partitions differs from time to time. Sometimes, it is numbered in sequence, (Partition no. 1 is followed by no. 2, 3 and 4) all of which are on the same side. On the other hand, sometimes it is numbered oppositely (partition no. 1 opposite to no. 2, and so on; this way of numbering is the one used at the present time.

Every two partitions are separated by a yard known by the prisoners as " illarya", which is an Italian word for ventilation. This yard is about 45 meters high and from 6 to 8 meters wide.

A yard separates partitions no. 1 and 3, no. 3 and 5 and no. 5 and 7. On the opposite side also, a yard separates partitions no. 2 and 4, no. 4 and 6 and no. 6 and 8 (as in Figure (1)).

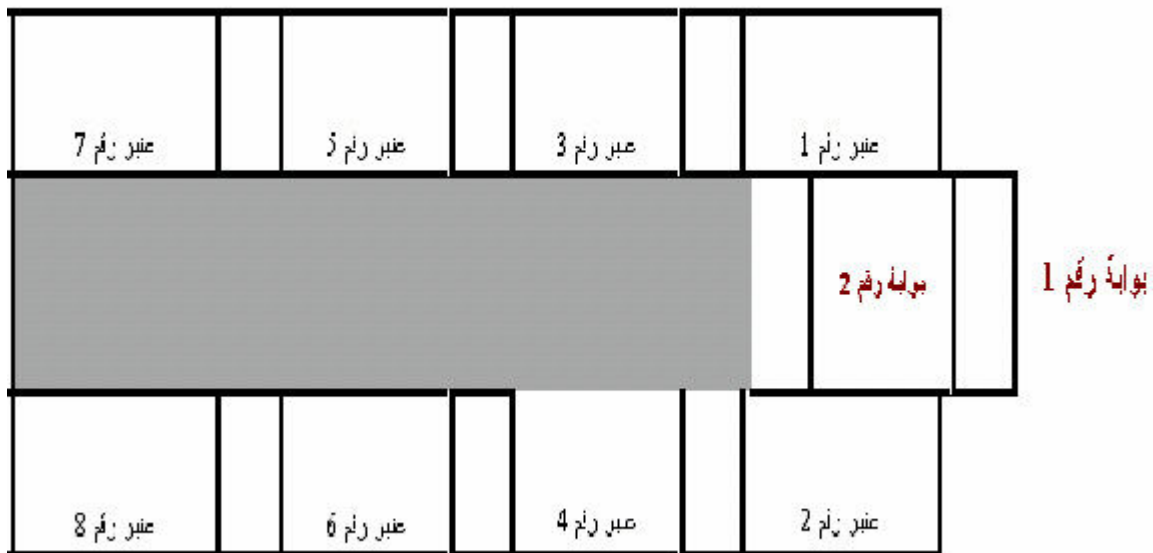


Figure (3),- diagram showing the number of partitions in general, and the way of distributing such partitions.



Figure (4) shows the above mentioned yard. The prisoners go out of their cells to this yard once a week for just two hours. In this same yard, the Abu Saleem Massacre took place, where the guards of the prison ordered the prisoners to go out to " LARYA " after the end of negotiations, and opened fire on the prisoners in “LARYA”.

One of the ex-prisoners, whose initials are **A.k**, says that they used to find the remains of hair and teeth of those who were killed in the massacre, in addition to the effects of bullets on the walls of the yard. This implants fear in the hearts of many prisoners who can not detach themselves from the memory of such horrid massacre.

1- The toilets used by the prisoners while they are in the yard, is also used by the prisoners, who suffer from urinary, kidney and other diseases. Actually, it can not be even called toilets; the so-called toilet is a 1 meter-deep hole surrounded by a cover made by the prisoners themselves to shelter them while using toilets for prisoners are not allowed to go back to their cells to use the toilets of their cells.

2- The sanitary drainage water, which is drained by the guards in the yards for wilfully harming the prisoners by its horrible and stinky smell makes a lot of prisoners refrain from going out of their cells to this yard. They prefer to stay in their cells all the time, because they are able to endure the narrowness of the cell but unable to stand the fusty smell, and the ugly views they are going to see in the yard.

Strange enough, sanitary drainage water allows some little grass to sprout. Sometimes, prisoners resort to eat these grasses in order to survive, when they are not allowed to eat or when the food is too late.

3- The place dedicated for reading and reciting the Holy Koran in solitude is a simple quilt put by the prisoners in the corner of the building so that those who wants to read Koran and pray to Almighty God can do so in solicitude away from seeing all those who can interrupt them.

4- Standing above the illarya, a number of guards watch the actions of prisoners very closely.

5- The photo shows the height of the cell, which is about 7.5 meters high.

The Partition

A partition is a 7.5 m high building whose area is 570 m². The length of a partition is 45 m. Every partition has a huge iron door whose height is 7.5 m and its width is 1.5 m. The door is connected to a long corridor leading to the prison administration (see figure no. (1))

Each partition has 14 opposite rooms and the surface area of each room is 6x6 m. The room has a big rectangular window which dimensions are 6 m x 40 centimetres overlooking the corridor. In partitions no. 1 and no. 2, there are iron beds in the rooms while in the rest of the partitions the prisoners sleep on the ground.

There are two kinds of partitions as follows:-

1) Collective Partitions:

Six partitions in each prison are used as collective prisons. Each partition has 14 opposite cells. These cells are distributed as follows: seven on the right side and seven on the left separated by 1.5 m wide and 45 m long corridor.

2) Single Confinement Partitions:

In each prison there are two partitions used as single Confinement cells. There are twenty opposite cells in each partition in which ten cells lie on the right and the other ten on the left separated by 1.5 meter-wide and 45 meter-long corridor.

Figure (2): A detailed diagram illustrating the way in which the depots are distributed and the number of cells in each depot.

3) The Collective Cell:

The surface area of each cell is 36 m² (6x6) and the height of the wall is nearly 7.5 m. The cell has a 2 meter long and 1.5 meter-wide iron door. In the middle of the door lies an aperture known by the prisoners as “**KONTA**” through which the food is handed to the prisoners. The aperture is also used by guards in monitoring prisoners (see Figure (5)).



Figure (5)

The figure shows a partition of seven cells on the right and seven cells on the left. The main door of the partition lies in the opposite side through which the prisoners go out to the courtyard. In addition, the door of one of the cells appears in the figure where an aperture or *Konta* as known by prisoners lies in the middle. The food is handed over to the prisoners through this aperture. The guards no longer open the doors while giving food to the prisoners as they fear any attempted escape or mutiny which may be carried out by the slimy and bony prisoners. Besides, the shadow of the small hole which allows air and light in appears in the figure.

In each cell, there is a 40×40 centimetres ventilation hole at the top of the wall. On the top of opposite wall, there is another 2 meter-high window overlooking the corridor of the partition (see Figure (6)). A 2×2 meter bathroom exists in each cell, see Figure (7)).



Figure (6), shows the ventilation hole which allows air and light in. It is also apparent that such hole was significantly narrowed after some prisoners used it to escape. Subsequently, the administration of the prison decided that the hole must be narrowed with cement in order to prevent further escapes. This act has a severe negative physical and psychological impact on many prisoners who used to look at the sky and contemplate.

4- The Solitary Confinement Cells

The area of a solitary confinement cell is 4 m², and the height of it is 7.5 m. It has a 2 meter-long and 1.5 meter-wide iron door. Above the door, there is a 2 meter-high window with a hole through which prisoners are watched by guards.

The Characteristics of Cell during the Period of the Massacre:

- A very high degree of moistness that its effects are most apparent on the walls and tiles.
- The spread of insects such as red ants, cockroaches, bugs, mosquitoes as well as rats.
- It is not allowed to throw garbage and wastes except in the holes of the toilets...
- Beds are nothing but timeworn iron fragments unsuitable for sleeping as they are wreckage.
- Covers and blankets are full of tiny little insects like bugs, and the smell of decay is very strong. In addition, they are full of dust and dirt, which resulted in asthma for many of the young prisoners causing the death of many of them like Buhleka Dabdah Al-Zawy, Osama El-Hamy, Salah Mikraz and Muhammed Buhedmah who were among the very first victims.

- They are deprived from lighting most of the time and the lamps which break down are not replaced.
- In summer, situation becomes worse and worse as weather becomes suffocating as a result of the hot weather mixed together with the breath of prisoners. The spread of a lot of dermatitis like itching, and fungal dermatitis is inevitable. Among the victims of these diseases is Omar Mustafa Ashnabo, who became a bedridden because of dermatitis which caused his paralysis for 5 years.
- They are usually cut off water which causes the rottenness of toilets and results in an awful smell.



Figure (7) shows the extremely poor conditions of cells' toilets, where the minimum conditions of cleanness and health are not applied at all. The toilet specified for urination and excretion is broken, rotten and cracked and its excretion deposits result in a stinking smell which harms the prisoners. The overlook of the bathroom is so disgusting that no one can ever imagine that any human being can use this place at all with due consideration of the fact that usually there is no water in the toilets and the prisoners may sometimes be cut off water for a whole month.



Figure (8) the poor condition of the cell walls and moistness on the sides of the wall is most clear.



Figure (9) Due to the narrowness of the cell, as showed in the photo, prisoners dry their clothes and hang them near the ceiling of the cell by climbing the wall separating the toilet and the shower place. This process is repeated whenever a prisoner desires to wash and dry his clothes.



Figure (10) The photo, taken in one of the partitions of Abu Saleem Prison, shows the absolute darkness which sometimes overwhelms the prison; negatively effecting prisoners and some of them get psychological problems as a result of staying for up to several years in solitary confinement without seeing a glimpse of light.

The Prison's General Administration:

The General Administration building is located opposite to the main entrance. It is a two-storey building which includes interrogation offices, solitary confinement cells and an underground vault. The Administration Department consists of four offices and a clinic. Single confinement cells are under the building while monitoring guards take their position on top of building. After the building by nearly four meters, there is a long corridor on the left connecting the eight partitions of the central prison together with the administration.

The Administrative Structure of Abu Saleem Prison:

The Abu Saleem Prison is affiliated to the Internal Security Agency in terms of administration, said a number of Libyan officials to the delegation of Amnesty International upon its visit to Libya in February 2004 which lasted for two weeks. Omar Ali Shelbek, the then Prosecutor General, stressed that Abu Saleem Prison is subject to the supervision of the Internal Security Agency and does not fall under his jurisdiction. Brigadier General Belqasm Al-Qarqoum, the

Prisons' Administration Department manager, confirmed that the above mentioned prison does not fall under the administrative jurisdiction of the Internal Security Agency as well.

A number of persons were previously in charge of the prison's administration. Chief among such ex-commanders are Amer Al-Masallaty – deceased – and Abdel Hakim Al Rowemy – imprisoned in the Atheism and Mental Effects Combat Agency Centre. The prison is administratively affiliated to the security bodies and committees in charge of the tasks of investigation and specifying cases. Among those who have had big roles are Abd Allah Al-Senoussi, Khairi Khaled – deceased – and Al-Touhami Khaled.

The names of guards and those who were dealing with the prisoners at the time of the massacre include the following:

- Khalifa Al-Maktoof
- Thabet Al-Ossaiba'i – a Toka manager who was known for being extremely thorough while inspecting and searching for the properties of the prisoners and taking such properties to be burned in the courtyard.
- Moustafa Al-Hayran.
- Al-Merghani Al-Hayran
- Faraj Al-Ojailli
- Faraj Al-Za'adi
- Mohamed Al-Reih
- Attia Al-Na'ali
- Abdel Qader Al-Tawerghi
- Amer, Chief Sergeant
- Bu Ojilla, aka Al-Tayary, Chief Sergeant
- Qaradawi, a soldier

The names above are only some of the names of prison officers. Of course, there are other names, but it is not possible to know them at the present time because of the obscurity imposed by the Libyan authorities on prisons and persons inside them. One day, LHRS wishes, the names of all those in charge of prisons and their roles would be disclosed.

Some of the practices of those in charge – at the time of the massacre:

- Monitoring the execution of the reception day: prisoners stand in front of a wall then the guards start insulting and beating them with sticks, whips, metal wires, and the end of machine guns for long hours.
- Transferring the detainees to interrogation offices and bringing them back again.
- Transferring the detainees to and from other prisons.
- Presenting meals to prisoners.
- Taking part in torture operations during the interrogation as will be mentioned later.

Chapter Two

Prisoners of Abu Saleem Prison and Methods of Torture

Section One:-

Prisoners of Conscience and Political Prisoners in Abu- Saleem Prison

The first group to be imprisoned in Abu Saleem Prison was the group arrested during the events which took place in May 1984. Moreover, political prisoners were transferred to it from a prison called the Old Central Prison (Al-Hessan Al-Aswad) Prison or the Black Horse Prison). One of the ex-prisoners told LHRS that prison walls were painted in haste with white lime for he could smell lime when he first entered the cell.

The number of prisoners of conscience before 2nd March 1988 was about 530 prisoners. On 3rd March 1988, 404 prisoners were released and on 8th March, 28 prisoners were further freed. The freed prisoners were the 1986 Summer Events group. Such general amnesty was known as “**Asbah Al-Sabah**” (literally, Sun Rise). However, the amnesty did not include 100 prisoners who stayed in the Central Civil Prison and were known as the 100 Group, part of the 1984 Events Group. At the same time, those accused of maintaining relationships with the opposition abroad, the accused in the Liberation Party Case and some other figures, such as Al-Sayed Ahmed **Al-Zuobeir** Al-Senoussi, the oldest political prisoner who spent about 30 years in prison till he was released in 2002, were also deprived from the amnesty. "I spent in prison 29 years and 4 months", said an ex-prisoner when asked about the period of time he spent in prison. However, the country did not enjoy peace except for few months. At the end 1988, arrest campaigns were into motion again. In December, security bodies launched wide arrest campaigns almost all over the country. Crackdowns lasted till the end of March 1989. Many Islamist-oriented persons were arrested in a most random crackdown during which a huge number of youth who used to pray at mosques were detained and transferred to Abu Saleem Prison. When investigations were over, the prison was divided into 3 groups or classes; Group A, Group B, and Group C.

Group "A "

This group was totally isolated. Nothing was ever heard of them except some news concerning the spread of infectious diseases, namely, tuberculosis.³

Group " B"

This group was treated the same way as Group "A". However, some of the group members were given permissions for visits. The two groups were imprisoned in partitions no **3, 4, 5 and 6** of the Central Prison.

3- The LHRS Report On the Poor Health Conditions in the Libyan Regimes' Prisons, 22 March 2000

Group "C"

The prisoners of this group were subjected to fewer restrictions than other groups as they were allowed visits once every 3 months. This came as a result of their families' sit-ins before the Internal Security Agency building and the Abu Saleem prison. Many of those prisoners were interrogated for only a half an hour or one hour but remained in custody at that time waiting to be released. Between 1990 and 1994, more persons were detained during the Ben Walid's Events, also known as October 1993 Events, after an alleged coup d'état carried out by a number of army officers. Some of those officers were executed. Another group was also arrested during the Ajdabia's Events known as the Weaponry Disappearance Case.

In May 1995, 306 prisoners of group "C" were released. However, in the same month, some militant groups, later known as the Fighting Islamic Group, the Martyrs Movement and others were allegedly discovered. As a result, Security forces started a wide crackdown, hence the number of prisoners increased. Cells became over-crowded and conditions were getting worse. The number of prisoners in the one cell was multiplied more than one time. They had hard times and were deprived of their simplest rights enshrined by the Convention on Treatment of Prisoners⁴

Prisoners were subjected to physical and psychological torture. In addition, they were never allowed legal appearance before court or even charged with a crime and their whereabouts became unknown. The administration of the prison treated them cruelly using collective punishment which even became crueler particularly after some prisoners escaped in November 1995. They were 13 prisoners; one was killed; ten were arrested; and two prisoners managed to escape abroad - see LHRS' report on Ajdabia Events. After such escape, the prison was divided as follows:

The Central Prison:

- Partition no. **1 and 2** were dedicated for the rest of Group C's prisoners who were released later in 2001 and 2002.
- Partitions no. **7 and 8** were assigned at that time for the October 1993 Group, the Coup D'etat Group.
- Partitions No. **3 and 6** were specified for prisoners of Groups "A" and "B".

The Military Prison

Partition no. 1:- was dedicated for a Group of prisoners known as "100 Group"

This Group was not released by virtue of the general amnesty "**Asbah Al-Sabah**", (Sun Rise), in March 1988. However, those prisoners were released later in 2001 and 2002. Among those released was Al-Sayed Ahmed Al-Zuobeir Al-Senoussi who was arrested in 1970 after being accused of involvement in an attempted coup d'état and was sentenced to death by the People's

⁴ The Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment adopted and proclaimed by the UN General Assembly Resolution 43/173, dated 9 December 1988.

Court in 1972. He remained in solitary confinement cell in Al-Hessan Al-Aswad Prison till the summer of 1984. Then he was transferred to Abu Saleem Prison where he was detained in solitary confinement cell till 1987. The sentence was then changed from death sentence to life imprisonment. Before his release, Al-Senoussi was considered the oldest political prisoner as he stayed in jail for 31 years, of which 17 years were in solitary detention. The said prisoners included the following names⁵:

- **Saad Mohamed Saleh Al-Gazwy, air force engineer, detained in May 1984, Benghazi.**
- **Ahmed Hussein Berneh, businessman, detained in May 1984, Benghazi.**
- **Wanis Ali Al-Shaery, university professor, detained in May 1984, Benghazi died after his release**
- **Omran Omar Al-Toraby, dentist, detained in May 1984, Benghazi.**
- **Abdullah Muftah Amneenah, businessman, detained in May 1984, Benghazi.**
- **Hassan Astitah, university professor, detained in May 1984, Darnah.**

Partitions no. 2 and 8 were dedicated for detainees who were not completely interrogated.⁶

Section Two:-

Means of Torture in Libyan Prisons and Detention Centres.

Was you tortured or beaten? What were the methods of torture used?

Responding to the question above posed by the LHRS Questionnaire on the Cases of Arbitrary Detention and Detention Centres in Libya, many of those who were asked said "yes" and provided the descriptions of the kinds of torture used against them as following:

Moral Means of Torture

- Preventing talking in heard voice even while reading Quraan.
- Cutting electricity especially at night.
- Delaying provision of meals.
- Knocking the doors very hard upon entering so as to increase fear and terror in the hearts of prisoners.
- Summoning prisoners late into the night for interrogation or torture.

⁵- See LHRS's statement on the release of Al-Sayed Ahmed Al-Zobeir Al-Senoussi among other prisoners of conscience- dated 28th August 2001.

- Threatening of rape or killing and sometimes putting the hangman's rope around neck.
- Claiming the confession of the prisoners against each other aiming at implanting hatred between them.
- Using lies, reprehensions and insults during interrogation.
- Preventing families and relatives from visiting prisoners.
- Preventing the entrance of drugs, clothes and cleaners.
- Denying prisoners the right to legal appearance before courts and examination of cases.

Physical Means

- **Collective Beating by Guards:** A group of executioners stand in a 45 meter-corridor and the prisoner is brought between them. The first guard beats him with a stick; the second with hand; the third with a whip, the fourth with iron stick and so on until the prisoner loses consciousness.
- **Hanging:** Prisoners who do not confess immediately are hanged and undergo electric shocks while hanged.
- **Putting out cigarettes in several parts of the body.**
- **Threatening of harming the reproductive system.**
- **Kicking ears and face.**
- **Using "Bouka" or the fried chicken method:** tying hands with legs then a stick is put under the knee while the head is directed downward so that all body weight is carried by the cuffed hands and blood goes down to the brain. No body can bear this painful position which leads to death in some cases.

One ex-prisoner explained to LHRS the way he was tortured as following:

"I was arrested and transferred to the interrogation bureau in the so-called Atheism Combat Agency located in the 7th November street "the ex-power building". At 10:30 am, my friend, I, and a third person were brought out for interrogation. Such third person was arrested two months before us and was physically and psychologically tortured till he was forced to mention some of the names of Islamist-oriented persons whom he knew. In the beginning, they let the said person in for sometime then they brought him back and took my friend. I was driven away so that I can not hear what was happening. One hour later, they came to take me. Before the door, I found my friend in an extremely bad condition while he was wearing his clothes after being stripped from them upon interrogation, rather upon torture. They told me 'if you didn't speak, the same will happen to you'. My friend was taken away and I was taken into the room. It was a too small room that one loses consciousness upon entrance and there were two interrogators....."

*After two questions, it seemed they were not happy with my answers. I was stripped of my upper clothes and was asked to take off one of the two pants I was wearing. My hands were tied with my legs and a thick stick was passed between my hands and legs in a certain way. Then they lifted and hung me between a chair and a table (this way is known as fried chicken or **bouka**) as one becomes like chicken being fried!! It was a very painful position and pain was centred in my hands. The handcuffs were about to penetrate my bones as all my weight was centred on my wrists. Beating is another story. They started beating too hard on my face, back and hips with a gas hosepipe while I was screaming as loud as I can. However, they showed no mercy. They kept stroking me as I was hung for a period of time, then they stroke me all over my body, including my head, after bringing me down. I couldn't control such beatings. Then they hung and beaten me, and*

after a while they brought me down and beaten me and so on. They used to ask me during such process, 'do you know so and so? How come you do not know him? You are a liar? We will kill you! You are an atheist!' Meanwhile, they kept repeating some rude insults and other bad names inappropriate to be mentioned here. After threatening me that this torture will be repeated again and that I have to think twice before the next time if I want to live, they asked the jailer to take me back to the cell. Nearly blindfolded, I was brought back again to the cell at noon. Having reached the cell, I lied on the ground extremely tired and frightened. I began to vomit while my friend consoled me saying that they will not beat me again and he kept crying for me as he experienced more torture than I did and knows well the brutality of torture.

After I calmed down, we prayed the Noon Prayers together. Unable to stand on my feet, I prayed while sitting on the ground then I tried to sleep for a while but I couldn't as all my body was hurting and I couldn't sit or sleep on any part.

For the first time in my life, I wished to die before the start of the next interrogation session. In the first session, I was wildly tortured after being asked only two questions. I wondered: what would happen in the second and third sessions?

At the afternoon, guards came again and took me blindfolded to be interrogated. In the room, one of the interrogators asked me whether some stuff belong to me. "Yes", I said, hence, I was taken to another room where I found four persons waiting for me. The chief interrogator asked me about one of my stuffs which was found in my home and how I got it. "I got it from the mosque", I replied only to be slapped in the face for several times till I felt dizzy. The question was repeated and my answer was the same. Thus, I was tortured again the same way like the first interrogation session – the chicken – till I told them I took it from someone (I mentioned a name). When they heard this, I was brought back to the cell in a bad physical and psychological state. Then they come back to take me again but this time they placed me behind a door and ordered me not to move. They left me standing for a long time and turned on a cassette tape of one of Al-Gaddafi's speeches in which he was vigorously threatening Islamists saying "we will cut their necks and uproot them". This was meant to be a psychological war and it succeeded as I was too frightened. Finally, they brought me back to my cell at night after Evening Prayers.

Another prisoner narrated his tragedy to HRS as following. *"After we were wildly tortured in the Military Police Prison in Bu Hedema District in Benghazi, an order was issued to transfer us to Abu Salem Prison in Tripoli just when we were told "you are released and you will go back to your families". We were over the moon. To our surprise, they told us "first you will go to Tripoli to finish the procedures of filling in forms!"*

We all felt that they were deceiving us. This became more obvious when the hand-cuffed youth were taken to a bus. The journey to Tripoli took 15 hours during which we were not offered any food or drink or even slept."

Then he resumes his narration regarding the collective reception at Abu Salem Prison:

"When we arrived at the citadel of the prison, a group of guards and soldiers headed by the prison's official received us. They made us stand in one row beside the wall then they started beating us using iron bars, sticks and whips in addition to their dictionary of impolite words.

Torture continued till we were badly injured and unable to stand, not to mention walk. We were hurled into one partition starting from room no. 2 till room no. 8. These rooms had nothing except

blood and little insects which made sleeping a mission impossible. In fact, we slept on the ground without any covers.

At morning, we were released for the purposes of filling in forms and documents and they kept beating, whipping and insulting us. Then they gave each one of us a blanket. A week later, they brought us our bags which represented a great help for us in that terrible prison. We were ordered to have our hairs cut and beards shaved so each group helped the other one doing so. During this process we were beaten till our heads and faces bled. After that they took photos of us, and then torture started again.

After some days, we were interrogated again by five interrogators or rather tormentors. No one of us dared to raise his head; else he would pay a heavy price. Beating with whips and sticks accompanied every question. This was the case with all young men who was brought from Benghazi".

Chapter Three

The Abu- Saleem Massacre

Section One:-

The Developments Leading to the Abu-Saleem Massacre

In the aftermath of the Ajdabia Events June 10, 1994, known as the Weapons' Disappearance Events, the regime spread rumours alleging that some weapons were stolen from Al-Heniah Camp in Ajdabia. As a result, lots of forces were sent to the place; the Armed Forces, Civil Police, Internal Security Service, Commandos, Air Force, Deterrence Forces affiliated to Al-Gaddafi Guards, and squads of the Military Police Battalion. More than 50 persons were arrested and transported to the Military Police Prison in Benghazi, where they were psychologically and physically tortured. After interrogation, they were sent to Abu-Saleem Prison, where they were subjected to more humiliation, torture and maltreatment. Therefore, a group of prisoners, who were detained during Ajdabia Events, planned for escaping from Abu-Saleem prison. The main reasons behind such step were as following:

- They were desperate of being ever released, especially when they hear Colonel Gaddafi's repeated warnings to their families, in his speeches to the Libyan people, saying: "*You should forget your imprisoned sons because they suffer from infectious diseases...! They carry HIV AIDS..!*"

“This issue (of Islamist-oriented detainees) shall be submitted to the People's Committees and an anti-atheism law shall be issued. All such movements are considered atheism threatening Islam and the Arab Nation. Those who embrace such ideologies must be killed. Every Libyan family should understand that if it is told that one of its sons has joined this movement, then the family must disown him as if he is gets cancer or Aids. Then, it is over. No one can mediate for him. He is an atheist and must be crushed⁷.”

Muammar Gaddafi: October 7, 1990

- The continuous unendurable physical and psychological oppression.
- The continuous arbitrary detention campaigns without releasing any of the prisoners.
- Isolation from the outside world.
- Unjust interrogations.
- Detention without trail.
- Treating prisoners as if they were criminals without discrimination.
- The prisoners' realization that they would never be released as those imprisoned before them were never released.

At the dawn of Saturday 4 am, November 25, 1995, 13 prisoners managed to escape from Abu Saleem Prison⁸. The regime considered such operation a challenge to the capabilities of its security system. After the news of the escape was revealed, the Internal and External Security Services, Emergency Police, Deterrence Forces, National Service, and Central Security Forces were summoned to surround Tripoli and impose a strict siege on the Abu Saleem District. Houses were searched using trained dogs which terrified people and spread fear into their hearts. During searches, the streets, and crossroads were full of soldiers, who were checking the identity cards of the passer-by. All hotels, restaurants, old areas and squares were searched as they knew that all fugitives were not from Tripoli. Therefore, the search included all the other areas, particularly the cities of fugitives such as Ajdabia, Benghazi, Al-Biyda and Darna.

Two of the fugitives were able to reach the family of one of them in Ajdabia, 800 km to the east of Tripoli. The father of one of them was the chief of one of Zaweah tribes centred in Ajdabia. After some communications with the affected authorities, they agreed on handing the two fugitives over, provided that they should be given all guarantees ensuring that neither the fugitives nor those who helped them during their escape till they reached Ajdabia would be harmed.

Another two young men managed to flee Libya. They sought political asylum in another country. The others were arrested in Tripoli and imprisoned in the Military Prison where they were brutally tortured till they became remains of men.

The names of those rearrested are as following:-

No.	Name	Year of birth	City
1.	Abdel Jalel Al-Sea'ety	1967	Al-Biydaa
2.	Waleed Eswaisy	-----	Darna
3.	Fahim Al-Jadaimy	1974	Darna
4.	Yousef Zayed	1966	Darna

⁷ - Human Rights Violation Under Gaddafi's Regime (September 1969 – December 1998) – the Issues of the National Front for the Salvation of Libya.

⁸- See HRS report "Ajdabia Siege". Part I and II, the Testimony of An Eyewitness..

5.	Abdel Salam Al-Sha'ary	1963	Darna
6.	Mohammed Boshmo	1968	Ajdabia
7.	Mohammed Al-ReJaily	1972	Ajdabia
8.	Abdel-Mon'em Al-Darattya	1972	Ajdabia
9.	Abdullah Khames	1974	Benghazi

The names of those killed after their escape during their armed clash with the guards of the prison are as following:

No.	Name	Year of birth	City
1.	Anwar Abdel- Hamid Al-Jama'y	1966	Darna
2.	Salem Mohammed Al-Sharrany	1970	Al-Biydaa

The names of those who escaped safely outside the country are as following:

No.	Name	Year of birth	City
1.	Salama Ali Melad Al-Akkoky Al-Maghraby	1965	Ajdabia
2.	Mahmoud Mohammed Hassen Al-Qask Al-Fakherey ⁹	1972	Ajdabia

As a reaction to such escape, the prison administration took several measures aiming at asserting its control over the conditions in the prison, taking vengeance on the prisoners by collective punishment for the escape and terrorizing them so that they do not attempt escape once again. Such measures included the following:

- Cancelling all the visits which were only allowed to **Group C** and the **100 Group** and depriving prisoners of all means of communication with the outside world, such as mails or phone calls. Hence, prisoners were totally isolated from the outside world.
- Confiscating all the prisoners' stuffs which were only allowed to reach **Group C**, including all their possessions such as books, TVs, radios, personal clothes, bed sheets, blankets, etc. However, they left them their underwear, except for **Partition no. 1** where escape had taken place, as prisoners were stripped of even of their underwear, subjected to all kinds of humiliation and torture.

After such confiscation, prisoners had nothing but prison suits!! All clothes were carried into one of the yards and burned to ashes. Guards stored sets in a room and declared them as stuffs in the custody of the prison safe!! Prison Commander, **Amer Al-Massalaty**, tampered with such sets and deprived prisoners from the iron beds in their cells. Thereafter, prisoners were forced to sleep on floor without blankets to protect them from the cold weather!! However, some cells had only 2 blankets per cell. Prisoners were also tortured and beaten twice a day for one month.

⁹ Died on 2006 in UK

Among the guards who were keen on causing the greatest harm to prisoners:

- Khalifa Al-Magtouf
- Thabet Al-Ossaib'y
- Mostafa Al-Hayran
- Al-Mirghany Al-Hayran
- Faraj Al-Ojaili
- Abdel Qader Al-Taworghy

Cell windows were closed with armed concrete. A 3-finger wide hole was left for ventilation purposes (see Figure 7). Vicious torture and vengeance acts were in full motion again!! The prison's administration closed all the windows of the Military and Central Prison's cells, despite the fact that escape had occurred in one of the cells of the Central Prison!! This led to poor ventilation and increase in moistness in the cells (see Figure 8).

Further measures were taken by the administration after the escape. Such measures included the wilful provision of poor food free of any substances of nutritional importance that could provide prisoners with energy, and a horrible starvation campaign started. As a result, many prisoners suffered from many diseases such as tuberculosis and many died of the negligence of Al-Hareth Abdullah, the person in charge of the prison's clinic, and who was treating prisoners with contempt, disdain according to his mood .Abdullah used to deny some of the prisoners access to medical treatment such as the prisoner Soliman Al-Maghraby who died out of negligence. Sometimes, he might allow some patients to be transferred to hospitals and bring them back to their cells before the completion of treatment, causing their death. This happened to the prisoner AbdulAziz Al-Tarhouny), who was kicked by the guard Abdul Qader Al-Taroughy in the stomach, as a consequence his intestines were torn up. He was transferred to the hospital but was suddenly brought back to the prison by Abdullah!! Al-Maghraby died later as a result of his injury.

Malnutrition, poor ventilation and over-crowdedness in the cells led to the spread of epidemics and infectious diseases among prisoners. Chief among such diseases have been tuberculosis, asthma, ulcer, contagious skin diseases, in addition to haemorrhoids and other diseases!!

However, tuberculosis was the most decimating disease among prisoners. Arbitrary detention has turned into a sentence of slow death as the authorities of detention centers do not comply with the basic human rights requirements!

The number of prisoners with tuberculosis reached 180 persons at that time, and the disease took its toll on 25 prisoners.

Among the victims of tuberculosis were the following:

1- **Abdel Hamid Al-Fazany**, born in 1971 in Al-Baydaa, was detained in the summer of 1995. During his detention in Abu Saleem Prison, he felt severe pain in the chest and was sweating heavily. Later, he was transferred from Abu Saleem Prison to Al-Jadida Prison in order to be released along with a group of 115 detainees.

In Al Jadida Prison, his pain grew so severe that his mates had to yell for the guards – an act prohibited in detention centres and the doer of such action pays heavily for that. After several attempts with the guards, Abdel Hamid was transferred to the hospital. He did not receive treatment for his case required staying in the hospital for a while which is prohibited for detainees. Hence, he was brought back to the detention center in the same day without receiving any treatment at all!! After few hours, he asked one of his mates to help him go to the bathroom as he could not walk

independently. After some moments his mate yelled "Abdel Hamid" Abdel Hamid!!! Abdel Hamid died at that moment, after 9 months of suffering in Al-Jadida Prison. However, his body was never handed over to his family.

2. **Emsa'ed Al-Obiedi**, born in 1964 in Al-Marj City, was a married young man who had two daughters. He was detained in the summer of 1996. Al-Obaiedi showed symptoms of Tuberculosis after being transferred from Abu Saleem Prison to Al-Jadida Prison in preparation for his release. Neither was he transferred to a hospital, seen by a doctor, nor provided with any kind of medical care!! One day, a guard entered the cell asking "Where's the sick prisoner?" After seeing him, he pretended that they had no idea about his illness saying "Oh my God! Why haven't we been informed of his illness?" He ordered that the patient be moved near the cell door to wait for the ambulance. Delighted Al-Obiedi waited for the ambulance, but in vain!! Days passed and no ambulance arrived. His illness grew worse and due to his fragile health, he was decimated by the disease. He spent a week burbling and died later in the early morning of one of the days of June 1997 in partition no 5 in Al-Jadida Prison. Guards were informed of his death, but did not come to take his body until 1 am. By then, some of his mates were suffering from severe nervous breakdown, some were crying and yelling. His body was also never delivered to his family!

3. **Zahran Al-Manfi**, born in 1966 in Tobruk City was a married man who had a daughter and a son. He caught tuberculosis. After being transferred from Abu Saleem Prison to Al-Jadida Prison to be released, his illness got worse as he was vomiting a lot of blood. Due to the severe pain he was experiencing, he kept knocking the cell door to be taken to hospital, yelling "Oh people! Have mercy on me", but in vain. His pain got worse as he was witnessing a number of his mates dying in front of him due to this chronic illness. Al-Manfi died in August 1997, after he had been neglected and left to suffer the scourge of his disease without any treatment!! His body was not delivered to his family.

4. **Mohammad Ali Al-Bakkoush**, born in 1958 in Benghazi City, was held prisoner in February 1989. The Intelligence Service (the Internal Security Service) called his family on 12/8/1999 asking them to come to take their son. The family thought that their son had been released (they haven't seen him since June 1995). Surprisingly, when they arrived to the intelligence centre, they were handed the closed coffin of their son's body!! Even they were not allowed to have a final look on him. The body was handed over to the family in August, 12 1999.

As result of the above-mentioned inhumane conditions experienced by prisoners and the spread of epidemics, infectious diseases such as tuberculosis and other decimating diseases, death is now a daily frequent event for the prisoners to whom life equals death.

Due to the oppressive practices for years; the continuous practice of torture; the precarious conditions such as malnutrition, ill-treatment and disdain; the prevailing despair, frustration; disappointment due to what prisoners have been listening to, in the speeches of Colonel Gaddafi while comparing them to people with incurable HIV-AIDS, or those with cancer where only amputation and elimination can do good, saying to the their families: "you should forget your imprisoned sons, they have infectious diseases"; failure of the several attempts to address the affected authorities, on top of the list was Colonel Gaddafi; the murder of a number of prisoners under torture such as Sheikh Saleh Ma'afa, and Al-Seddik Adbel Fattah and others; prisoners wanted to do something that can put an end to such Turmoil.

All these circumstances led to the spread of epidemics, infectious diseases, and low morale that pushed the prisoners into committing whatever they can do to get rid of such life-in-death existence.

Section Two:-

The Mass Murder Event "The Abu Saleem Massacre"

Section One above has provided a description of the conditions of the prison before the mass murder of prisoners. "As a result of the poor conditions, prisoners wanted to do anything to end their misery and torture they were bound to go through", said A.D, an ex-prisoners. A group of prisoners decided that they should start a civil disobedience aiming at making their voices reach those responsible for their current miserable state. Friday (the weekend holiday in Libya) was chosen because the number of guards is less than other days and the administration is off. The usual way of distributing meals has been that one of the guards stays by the door of the partition, whereas another two enter the partition so that one can push the handcart of food and the other open the door of the cell and orders one of the prisoners to come and take the plates. The sole armed guard is the one who stands by the door of the partition. On Friday, June 28, 1996, during dinner distribution at 4 pm, a group of prisoners from partition no. 4, cell no. 9 attacked the two guards, locked up one of them and chased the other guard. Having taken the keys of the cells from the guards, they opened the rest of cells in partition no. 4 and went to the other partitions to open the doors for all prisoners locked in partitions no. 3, 5, and 6.

As a consequence, the authorities of the prison resorted to armed intervention. Soldiers towered over the rooftop of the prison and started opening fire at random in all directions though no one of the prisoners got out of the partition. Even they did not go beyond the corridors of the partitions. The soldiers fired at all those who were in the corridors. At once, 6 prisoners were shot dead. Their names were as following:

- 1- Jalal Al-Jama'y
- 2- Abdel Wahed Sweary
- 3- Khaled Al-OQeely
- 4- Ahmed Al-Kata'any
- 5- Ali Al-Sha'ary
- 6- Younis Al-Zewi

Following are the names of those who were injured:

1- Mohammed Saleh Al-Faleh Al-Majbary from **Jalo** - shot in the shoulder- life imprisonment- still in Abu Saleem Prison.

2- Jomm'a Al-Shalmany Al-Darsy from Benghazi - shot in leg- released in 2004 after 15 years in prison.

3- Ahmed Al-Omami- from Al-Marj- shot in the head- released in 2004 after 10 years in prison.

4- Ezzeldeen Merwas, from Al-Keesh, Benghazi, life imprisonment.

5- Mossa Aza'et Al-Manfi Tobrouk, life imprisonment.

6- Reda Al-Tounisi, Tunisia, released in 2003.

7- Another Tunisian prisoner who was imprisoned in 1994 and released in 2003.

Seven other prisoners were injured. Among such prisoners was Ashour Bomezora Al-Derassi, who was ill and received treating at hospital. When Al-Derassi was brought back, he was detained in the same cell with the other injured prisoners and negotiators.

Guards stopped the distribution of dinner on the remaining partitions in the Central Prison. The same was applied on the Military Prison which was closed till the following day and was not opened throughout the whole day either for food or otherwise.

Meanwhile, a security delegation arrived. It consisted of the following:

- **Colonel Abdullah Al-Senoussi**, the delegation's head and Colonel Gaddafi's brother-in-law and who was convicted in the French UT Plane Case.
- **Faraj Abu Ghalia.**
- **Abdulallah Mansour**
- **Moussa Koussa**
- **Khairy Khaled**
- **Nasser Al-Mabrouk (the ex-justice minister)**

Negotiations with the prisoners took place through a committee chosen by the prisoners. The committee consisted of the following representatives:

1. **Mohamed Jomma'a – partition no. 3**
2. **Mohamed Ghlio - partition no. 4**
3. **Mohamed Abu Sedra - partition no. 5**
4. **Abdel Wahab Al-Shamakhi - partition no. 6**
5. **Moftah Al-Zawadi - partition no. 6**

During negotiations, the prisoners stressed that, for them, life and death are equal. Moreover, they had no political agenda and that they only desired to make their voice reach the officials. After that, the representatives submitted their demands. Chief among such demands were the following:

- **Providing medical care for sick and injured prisoners.**
- **Improving living conditions in the prison (improving the kind of food, etc)**
- **Reviewing the legal condition of prisoners.**
- **Allowing visits by families.**
- **Changing the staff responsible for the oppression to which the prisoners have been subjected.**

Human Rights Solidarity, here, stresses that these demands are lawful according to all the agreements on human rights and protection of prisoners. Thus, the Libyan authorities breached their commitments regarding providing appropriate medical care for detainees. **Article (1) of the Basic Principles for the Treatment of Prisoners** stipulates that "all prisoners shall be treated with the respect due to their inherent dignity and value as human beings". Moreover, **Article (9)** states that "prisoners shall have access to the health services available in the country without discrimination on the grounds of their legal situation".

After the prisoners submitted their demands, Abdullah Al-Senoussi, head of the security delegation, assured them that he, personally, would guarantee that their conditions would be improved and the sick and injured prisoners would be treated. As for changing the official staff and reviewing, the prisoners' cases, he said that he could not make decisions in that respect, but he promised that he would exert his utmost effort to achieve this!! Meanwhile, Al-Senoussi demanded that the cell responsible for disturbance be held accountable in a fair trial.

Some prisoners were not satisfied with that solution and asked for guarantees. For example, their families or public figures should supervise the agreement or any other guarantees might be provided. Al-

Senoussi replied: *"First of all, you have to know well that there is nothing called human rights!! Now we can bring one or two tanks and level you to the ground (and no one will know at all) and no one will ever dare ask us for that. In addition, this is not negotiation because you are nothing!! In the end, we'll imprison you. Whoever gets out (of his cell) will be shot dead and whoever remains will die!! For no food and no drink will be provided... You'd better surrender"*.

Negotiations lasted till the dawn of Saturday, June 29, 1996. At the end, prisoners accepted to return to their cells after Al-Senoussi provided them with guarantees that they would never be harmed and the delegation promised that it would fulfil their demands.

After all prisoners returned to their places, the prison's administration brought new locks and the doors were closed at 3 am. At the same time, 150 prisoners, including those who were injured during the firing on prisoners, were brought out to be sent to hospitals.

As soon as all prisoners returned to their cells, an army officer told the negotiators that the officials want to talk to them. The negotiators were locked up into the cells located on top of the command of military police supervising the prison. Besides, sick and injured detainees were suddenly taken from the hospitals and were imprisoned hand-cuffed and blindfolded in other cells!! For three months and half, they were subjected to all forms of torture and humiliation. Some of them remained in these cells till August 2000.

On Saturday, June 29, 1996, the administration of the prison brought the lists of prisoners who were significantly re-distributed. The following changes were reported:

Some prisoners were transferred from the Central Prison to the Military Prison. They belong to the group which survived the massacre including:

- **The so-called Group C, about 250 prisoners, was transferred to the Military Prison after the Dawn Prayer on Saturday, June 29, 1996.**
- **Four of a group of ex-army officers, known as the Navy Officers' Case Group, were transferred to the Military Prison. They included Awad Al-Majreesi and Bu Khshim Salem Wakashish; while the rest, including Mohamed Ali Mamash, Mahmoud Hamad and Salem Al-Za'edi, remained in the Central Prison.**
- **A group of prisoners, known as Al-Burkan Group, reportedly affiliated to the opposition were released. Among those who were transferred to the Military Prison and survived the massacre were Salem Haroun, Nour El-Din Al-Sherif and Salah Al-Sadek.**

Some prisoners, believed to be among those killed in the massacre, were transferred from the Military Prison to the Central Prison. They included the following names:

- **According to a testimony, Ahmed Al-Tholathi was transferred at 7 am to the political opposition section or what is known as the 100 Group in the Military Prison to the Central Prison.**
- **Kersa Group, the group arrested following the confrontation with the security forces in Wadi Kersa few months before the massacre, was also transferred. They included Ibrahim Al-**

Omami, Faraj Mickael – who was known as Faraj Kamboot, who was called after his hometown Komboot area, eastern Libya near Tobruk City.

- **Ajdabia Group, which included some of those who were detained in the aftermath of Ajdabia Events in June 10, 1994, known as Weapon Disappearance Incident, was among those transferred. Noteworthy, some of the group members attempted to escape from Abu Saleem Prison On Saturday, November 25, 1995. However, most of the fugitives were arrested. The group, except for Mohamed Saad Shambo and Mohamed Al-Rejaili who were handed over by their families, was transferred from the Military Prison to the Central Prison on Saturday morning.**
- **The patients who were transferred to hospitals were suddenly taken from the hospitals and most of them were detained in the Central Prison. The rest were imprisoned in the solitary confinement cells in the prison administration building. Worthy mentioning is that the information obtained by HRS reveals that only 14 of the patients who were taken from the hospitals survived. Two of such survivors, Al-Mahdi Homor and Younis Abu Al-Khana, died later out of tuberculosis.**
- **Eyewitnesses said that some prisoners were transferred from places other than Abu Saleem Prison to the Central Prison.**

To conclude, the redistribution of prisoners and the above events indicate that the authorities and security bodies were preparing for something against those who remained in the Central Prison.

At 10 am, all prisoners were brought out of the Central Prison to the yards of partitions no. **1, 3, 4, 5, and 6**. Many prisoners believed that their release to the yards was a kind of response on the part of the prison's administration to their demands regarding the improvement of the prison conditions.

At 11:20 am, the sound of a reverberating explosion was heard, followed by the sound of heavy firing, "reportedly of Kalashnikovs and general purposes". Shooting continued for two or three hours. Then the sound of single and discontinued bullets was heard as the guards were shooting all those who were alive to make sure that all of them were killed. Reportedly, sounds of prison cleaning operations continued till Sunday morning.

- **According to the testimony of an ex-political prisoner to LHRS, in August 1998, the prison commander, Amer Al-Messalati, said to the prisoners when they started to demand for their rights, "if you are not going spare yourself the troubles, we'll take you out to the yard and kill you as we did to those before you".**
- **Massoud Al-Mashai, one of the guards, said to some of the prisoners about the massacre "may Merciful God bless their souls. They were in Truth abode while we are in the Vanity abode. Indeed, they included real men".**
- **According to one of the guards, after they had brought out and killed the prisoners, they buried corpses in a mass grave within the prison then the mortal remains were transferred to an unknown place in 1999!! Indeed, it was an unforgettable day as the strong smell of the human remains spread all over the prison.**
- **Warfla Group, which was detained in the solitary confinement partitions in the Central Prison in cells overlooking the yards of partitions no. 5 and 6, heard what was said in the**

two yards, the calls for help and firing. Through one of the cell's cracks overlooking partition no. 6, some of them saw the guard, Khalil Hamza, ordering one of the prisoners to look at the direction of the wall. They saw the prisoner falling dead after being shot. Some of them said that they saw the guards stained with blood.

Section Three:-

An outline of the Victims and Missing Persons in the Abu Saleem Massacre

1- Dr. Jamal Tawfik Massoud Al-Warfaly



Al-Warfaly was born in 1965 in Benghazi. He was a married man who had 3 daughters (**Asma'a, Somaya and Lubna**) and two sons (**Tawfik and Omar**). **Al- Warfaly** was the son-in-law of late historian and writer **Ali Al-Sahely**. In 1979, he obtained his Bachelor of Science from Chemistry Department, **Gar-Younis University** before conducting his postgraduate studies in Canada where he obtained MA and later PhD between 1986 and 1990.

Having returned to Libya, he joined the teaching staff of Gar-Younis University. Meanwhile, he assumed many jobs and positions including the following:

- **Board of director's member and founder of Al-Fateh Centre for Brilliant Students.**
- **Permanent Secretary General of the Water Conference.**
- **A member of the Committee of Laboratory Evaluation in Libya.**
- **Assistant of the Executive Department and Administration of the Artificial River Project.**
- **Founder of the Centre of Chemical Quality.**

Arrested on Monday June 19, 1995, at 5 pm, from his father's home in Bin Isa Street, he was charged with being a member of a secret organization arrested following the escalation of the 1995 Events. The chemistry professor was known for his decency and passion for science. Indeed, he was one of the distinguished figures in Gar-Younis University.

2- Ahmed Abdel Kader Al-Tholathy¹⁰:



Ahmed Al Tholthy was born in 1955 in Benghazi, to a well known family in Darna, Libya. Studying at Ali Warith Secondary School in Tripoli, **Al-Tholathy** became active in the Student Union which he presided later on.

In 1975, he travelled to Britain for study and was one of the founders of the Student Union in Britain parallel to the Jamahiriya Student Union. Only few months after his return to Libya, he was arrested.

Neither was **Al-Tholathy** accused of a specific charge before a court nor was he given a sentence. His whereabouts were unknown since his meeting with Amnesty International during its first visit to Libya in 1988 following the General Amnesty.

In jail, **Al-Tholathy** defended his own opinion in converting Libya into a country enjoying free press and political pluralism. As a result, he was subjected to singular and collective punishment many times!! According to some ex-prisoners of conscience who witnessed the last days in the Central Prison before the massacre, Al Tholathy was a member of the group that addressed Colonel Gaddafi calling for radical changes in the Libyan policy.

3- Mustafa Ali Al-Jehani:

Mustafa Ali Al-Jehani was born in 1933, Benghazi. He is the grandchild of Haj Mohammad Al-Jehany (graduate of **Al Azhar University** and Sheikh of **Selooq** area towards the end of the Ottoman period).

Al-Jehani received his pre-university studies in Benghazi from 1940 till 1952. Due to his poor living conditions at that time, he quitted his studies to help his father with the burdens of life. However, he resumed his university studies in 1962 at Faculty of Arts's Arabic Language Department and graduated in 1966.

In 1965, Arabic teacher married one of his relatives, **Haja Fatima Ali Al-Jehani** who borne him four sons (**Abdel Rahman, Mohamed, Yousef, and Ali**) and four daughters (**Zeinab, Asmaa, Mariam, and Somaya**). In 1988, he took a second woman, **Haja Fatima Al-Obeidi** from **Al-Marj** City, but she borne him no children. As aforementioned, he started his professional life as early as 1940. His first administrative job was at the Post, Telegraph and Telephone Authority, moving between Benghazi and Tripoli. In 1966, following his graduation, he was appointed an employee in the House of Representatives in Al-Baydaa .

Al-Jehani was a friend to people of all ages without discrimination. Keen on attending all occasions, maintaining blood relationships, paying visits to relatives, he enjoyed a wide scope of social relationships. Moreover, he was devoted Muslim who was keen on performing all religious rituals and

¹⁰- <http://www.akhbar-libya.com> website- Libya News- from an article by Mr. Jomma'a Al-Gamaty

duties and advising his family and relatives to do the same. On the day he was arrested, he knew they will come to take him so he was ready and left his will to his family.

4- Ibrahim Khalifa Muhammad AL-'Alwani

Born in 1970, **Al-Elwani** obtained his License of Arts from **Omar Al-Mokhtar University** in Al-Baydaa. He was arrested on the age of 25. On July 25, 1995, at 3 am, he was among those arrested by the Security Agency, Al-Baydaa branch, where he was detained for some days. Then he was transferred to Benghazi then Tripoli, and finally was settled at Abu Saleem Central Prison.

Al-Elwany's family never knew the charge posed against him or his whereabouts except at a later time. An ex-prisoner said he saw him in Abu Saleem Prison. Early in 2002, the Libyan authorities began informing some families of relatives who died in prisons. **Al-Elwany** was one of the dead.

5- Ali Abdel Rahman Natfah Al-Oshaiby

Dr. Natfah used to live in **Sidi Hussien district**, in particular in **Sa'adoon district** or what was known as Al-Emarat. Then he moved to Al-Majoory, Benghazi. Born in 1967, **Dr. Natfah** obtained his secondary School from **Shuhadaa Yanayer (or Jnauary Martyrs) School** in 1984. He enrolled in the **Jama'at Al-Arab Al-Tibiya (Arab Medical University)** where he studied medicine from 1985 till 1991. His grades during his study ranged from Very Good and Excellent. He graduated as an internist. Following his graduation, he carried out his one year public service then started worked at the 7th of October Hospital and in the **Disabled Rehabilitation Centre** as an additional work. Meanwhile, he completed his post graduate studies in the field of drugs. In 1995, he got engaged to a colleague doctor and was later arrested in the detention campaign of summer of 1995.

Even in jail, **Dr. Natfah** tried to cure prisoners who were almost dead in that dreadful place by raising their spirits. He even went further telling his fellow prisoners that he forgave all those who had caused his imprisonment or was forced to mention his name during interrogations.

The imprisoned doctor was a brilliant professional. Due to his love for his country and career, he became so distinguished in his medical field, curing hearts and bodies alike. Therefore, he was loved by both his medical staff and patients.

He was kind enough to talk to his patients about all what they like. A big number of patients in the Handicapped Rehabilitation Centre liked to talk about the Football World Cup. He did not follow the competition for being busy with his studies. Therefore, he used to know the details of the football matches from his colleagues at work at the morning, and then go in the afternoon to the centre to talk to the centre's inmates, who were mostly wheel chaired, about such matches to cheer them up. He worked in the centre till he was arrested in the of 1995 Summer Events. His family was never officially notified of his death and was never allowed to visit him. The authorities have never disclosed any information about him till this moment.

6- Khaled Ali Khalifa Al-Azraq



Born in 1968 in **Al-Sina'ey Al-Deribi district**, Tripoli, **Al-Azraq** worked as an employee in the Libyan News Agency. He was suffering from asthma. In 4 August 1995, the Internal Security Service arrested him and since that time nothing was ever heard of him and his family received no notifications from the Libyan authorities.

7- Abu Bakr Abdel Ghany Al-Hassy:

Al-Hassy was born in 1967 in Al-Baydaa to one of the prominent old families there. He worked for some time in trade and succeeded in that field and became the main breadwinner of his family. Concerned with the problems and cases of his society, he was always asked for advice and help in spite of his young age. In the early 1990s, security services began bothering him and ordered him not to leave Al-Baydaa without prior permission. Later on, they ordered him to come every week to the Internal Security Service centre where they used to keep him for hours or even days without reason. After the escalation of 1995 Events, Al-Hassy was arrested and transported to Tripoli in August 1995, but was never back this time. He was detained in Abu Saleem Prison and was reportedly classified under Group A or B in the Central prison. The attempts of his family to know his destiny were all in vain.

Section Four:-

An Outline of Some Persons Believed to be involved in the Massacre of Abu Saleem Prison

According to the information obtained by HRS and the testimonies of ex-prisoners, the names of a number of security officers, known for their loyalty to Colonel Gaddafi, were repeated. Chief among these names are the following:

- **Colonel Abdullah Al-Senoussi Al-Maqrahi**
- **Colonel Khairy Khaled (deceased)**
- **Nasser Al-Mabrouk (Ex-minister of public Security)**
- **Amer Al-Messallaty (deceased)**
- **Faraj Abou Ghalia**
- **Abdulallah Mansour**
- **Mousa Kousa**

1- Colonel Khairy Khaled¹¹

Khairy Khaled was a member of the so-called the Free Officers who participated in the coup d'etat lead by **Colonel Gaddafi** to out throw King Idrees Al-Senoussi.

Khaled is the brother of **Colonel Gaddafi's wife**. He occupied many posts, one of which was the command of **Al-Azzizia** Camp which is the Command Centre and **Gaddafi's house**. One of the tasks entrusted to him was interrogating the detainees accused of the Gaddafi' Assassination Attempt in Bab Al-Azzizia. He was also in charge of interrogating the accused in Islamist groups' cases in mid 1995. The colonel was entrusted with supervising the Abu Saleem Central Prison affiliated to the Interior Security Service rather than the Prison's Department. Khaled was well-known for his brutality in torturing prisoners, particularly his love of torturing the detainees in his luxurious office in the administration building in Abu Saleem Prison's. Khaled was witnessed accompanied by Abdulallah Al-Senoussi during the massacre events.

2- Colonel Abdulallah Mohamed Al-Senoussi Al-Maqrahi¹²

Colonel Abdullah Al-Senoussi was born in “**Qiira**”, **Wadi Al-Shate'** in 1951. Having completed his pre-university studies, he joined the General Department in the Teacher's Institute to study for two years. However, he failed in finishing his studies at the institute and hence joined the army upon the advice of his cousins who were army officers!! Thanks to the intervention of Lieutenant Abdel Salaam Ajlood Al-Maqrahi, who was a member of the Revolutionary Command Council at that time, he joined the Military Academy in November 1969.

¹¹ - The site of Libya for Justice, <http://www.justice4libya.com>

¹²- The site of Libya for Justice, <http://www.justice4libya.com>

In 1971, he graduated from the Officers' Academy in Egypt, Class no. 14, as Second Lieutenant in the Armoured Corps where he first met Lieutenant Ahmed **Gaddafeldam**, Colonel's Gaddafi's cousin.

After his graduation, Al-Senoussi was appointed in the Republican Guard Forces. From the very first day, the young officer showed great loyalty and admiration towards Colonel Gaddafi, an attitude that impressed his superiors. As a result, Colonel Gaddafi chose him to be among his personal guards.

In a short period and through exceptional promotions, Al-Senoussi became a Captain!! Towards the end 1975, soon after the attempted Coup d'Etat headed by Lieutenant Omar Al-Mahishi, **Al-Senoussi** was transferred to the Military Intelligence Service which was headed at that time by Ebeid Abdul -Atty.

He then controlled the Military Intelligence Service in cooperation with Lieutenant **Abdulallah Hejazy**. Both were heading the Special Operations Office in the Military Intelligence Service.

In 1976, **Al-Senoussi** took part in suppressing the Student's Uprising and practiced the most vicious kinds of torture against detained students in the Military Prison in Benghazi. At that time, he was supervising the Military Hospital in Benghazi where a number of the detainees were treated from the effects of torturing. He even interrogated injured detainees in special rooms inside the hospital.

Al-Senoussi, along with **Ibrahim Al-Bashary**, **Ammar Al-Taif Al-Ojaili**, and **Said Rashed Khesha**, was chosen as a member of the Higher Committee for Security which was formed by **Gaddafi** in April 1985.

Following the American raid, the total supervision over the Security issues related to Colonel Gaddafi's was assigned to Al-Senoussi. At that time, he sought the help of some experts from Eastern Germany.

He was entrusted with supervising the Operations' Room of the Higher Central Committee for Security, formed by **Al-Gaddafi** following the American raid. Among the committee members were Lieutenant Al-Khuwailedy Al-Hamidi, Lieutenant Khalifa Ahneesh, Colonel **Al-Hady Ambersh**, **Major Mesbah Al-Aroosy**, and **Major Abdulallah Al Senoussi**.

In addition, **Al-Senoussi** tortured Mohamed **Al-Tayeb Ben Saud**, **Amr Daboub**, and **Mohamed Faraj Houmey**.

The attack on Al-Kasr Mosque, detention and execution of **Sheikh Al-Beshty**, in November 1980, was supervised by **Colonel Al-Senoussi**.

Moreover, he supervised the operations of liquidating the Petroleum Sector in 1983 as he was a member of the committee that took the arbitrary measures against the employees of such sector.

He headed the Security Committee which handled the mutiny events in June 1996, which led to the Abu Saleem Prison's Massacre in which 1200 prisoners of conscience and political prisoners were killed.

Abdullah Al-Senoussi occupied many posts, among which was heading the Special Operations' Bureau affiliated to the Military Intelligence Service, the Operations' Bureau of the Revolutionary Committees, the Jamahiriya Security Service and the Operation's Bureau of External Security Services. In the past, he was chosen as the commander of a security battalion.

Recent reports say that Al-Senoussi is suffering from a malignant disease and that he is currently receiving special treatment in private clinics in the Arab Republic of Egypt under direct guarantees from the Egyptian Presidency.

2- Mousa Mohamed Abdel Salam Kousa Al-Tajory¹³

Born in Tajoraa in 1950, **Kousa** studied at **Souq Al-Gomaa** School then completed his secondary studies at Tripoli Secondary School. A graduate of the Faculty of Education, Tripoli University in 1974, he is considered one of the founders of the Nasserites Organization in Tripoli. He obtained his MA in social sciences from East Lansing University, Michigan, USA. During his stay there, he succeeded in finding himself a special place among the revolutionaries of Colonel Gaddafi. This was apparent in the large amounts of money which were at his disposal. It is believed that he was the first founder of the first core of the Revolutionary Committees in the USA.

Having left the US, **Kousa** went to Britain where he supervised the march towards the Libyan Embassy in London. In addition, he was the first Secretary General of the People's Committees affiliated to the People's Office in London in 1975. In June 1980, Kousa was kicked out by the British authorities for his involvement in the assassination of the journalist Mohamed Moustafa Ramadan, and lawyer Mahmoud Nafea'. As a result, he left London after holding a press conference in which he threatened the Libyan opponents that they would be physically liquidated. Analysts and observers of the Libyan scene consider Kousa one of five persons who run the country's affairs and believe that he has a great influence. Recently, he was assigned the tasks of settling the international pending files, most importantly, the issue of Libyan weapons of mass destruction.

Kousa is believed to be involved in the massacre of Abu Saleem Prison as he was a member of the committee headed by Colonel Abdullah Al-Senoussi.

3- Amer Al Messallaty

Amer Al-Messallaty was the commander of the prison for long time. Known for his cruelty, he used to incite soldiers and guards against prisoners and detainees. He was also known for his recklessness towards the prisoners' lives. According to the testimony of an ex-political prisoner's to **HRS**, **Al-Messallaty** once said to the prisoners, when they started to ask for their rights, "*if you are not going spare yourself the troubles, we'll take you out to the yard and kill you as we did to those before you*"

Section Five:-

The Developments That Followed the Abu Saleem Massacre

It seems that the Libyan authorities mistakenly thought that they could cast a veil on the massacre so that it could not be disclosed to the outside world. However, on **July 25, 1996**, only one month after the events, **Amnesty International** issued an urgent appeal to the Libyan authorities to uncover the events that accompanied the mutiny in Abu Saleem Prison.

¹³ - The site of Libya for Justice, <http://www.justice4libya.com>

In February 1997, the **Arab Organization for Human Rights** issued, as part of its annual report on Libya, a report on the mutiny.

News spread inside the country and people began to hear about the massacre. However, nobody dared utter a word. Meanwhile, families and relatives of the prisoners became worried about their sons. Consequently, they rushed to security centres and sought the help of their friends and relatives to know the fate of their sons? Security bodies replied that nothing happened at all in Abu Saleem Prison. Though visits were denied, families kept sending clothes and food on a continuous basis to their detained sons until the Libyan authorities began notifying some families of the death of their prisoners. For example, the family of **Milad Qamar** kept sending clothes and food until it was informed of **Milad's** death.

As for the outside world, Libyans have tried to let the whole world know about the massacre through media. Some media outlets began adopting the case and many sit-ins took place before the Libyan Peoples' Bureaus in Europe. By the end of 2002, the Libyan authorities began notifying some families that their sons were believed to be killed in the mass murder.

News reached Libyan groups working abroad. Libya News website began collecting and publishing data about victims. More sites followed the same path.

LHRS adopted a campaign aiming at collecting information about those who were announced dead and those who were missing. In the conference it held in **Geneva in 2003**, **HRS** submitted a paper on those who were announced to be dead. It further submitted a second paper in the conference supervised by the **Libya -Watch "Al-Raqeeb"**. In collaboration with the **OMCT**, **HRS** adopted the case of the Abu Saleem Massacre before the Human Rights Committee affiliated to the Higher Commission on Human Rights concerned with reviewing the cases of violating the CCPR and the First Optional Protocol to the CCPR, ratified by Libya, regarding submitting complaints by individuals.

Amnesty International adopted the case and issued many statements in that respect. During its visit to Libya in February 2004, Colonel Gaddafi spoke to the delegation of the organization about the events of Abu Saleem Prison. This was the first time ever in which the organization has heard an official admission of such events. Colonel Gaddafi described the events as a tragedy. He further elaborated that one of the prison's guards was distributing food on the prisoners in their cells when the prisoners of the first cell attacked and killed him. They used the guard's keys to open all other cells of the same building and started attacking guards, taking their weapons and killing some guards. Police forces from outside the prison interfered. Both sides exchanged fire, which resulted in injuries and some fall dead on both sides. Prisoners who survived were taken back to their cells. Colonel Gaddafi clarified that some prisoners managed to escape during the events and that some even reached Afghani

This was the first official statement by the Libyan authorities admitting the occurrence of the events and other statements started to be issued to confirm what Colonel Gaddafi said.

Following such visit, Amnesty International issued its lengthy report¹⁴ on Libya. The report stated that *"Amnesty International's calls for investigations into deaths in custody have recently been echoed within Libya. For example, the Human Rights Society of the Gaddafi International Foundation for Charitable Associations called for investigations into cases of several prisoners who had died in custody in unclear circumstances. In recent years, several Libyan human rights organizations operating outside the country - including Human Rights Solidarity, the Libyan League for Human Rights and Libya Watch for Human Rights - have made similar calls"*.

¹⁴- Libya Time to make human rights a reality, April 2004

In its last report issued after its delegation's visit to Libya, Human Rights watch called for the following:

- **Forming the investigation committee announced by Colonel Khaled Al-Tohamy.**
- **Announcing the names of the committee's members, the method it is going to follow in order to achieve its work, the period needed for achieving such work and declaring the results of the investigation.**
- **Holding all the officials who were proved to have used excessive force in Abu Saleem Prison, or those who, in any way, breached the Libyan law accountable before law.**
- **Informing the families of the dead prisoners of the causes of their death and handing them the corpses whenever possible.**
- **Compensating the families of the prisoners who are proved to have been dead as a result of the illegal use of force by the security forces.**

In spite of the failure of the Libyan government in assuming its duty for investigating the events to find out its circumstances, causes, and those responsible for it, such pressures are considered successful, at least partially, in that they shed light on the case, and make the Libyan authorities admit the occurrence of the massacre.

Chapter Four

Section one:-

Abu-Saleem Massacre between local law and international agreements and conventions.

First: International Laws and Conventions

The Libyan authorities have arrested and arbitrarily detained a number of citizens for long and variant periods of time. A big number of detainees were killed in different ways without judicial sentences to that effect and without any legal permission allowing the disposal of them without bringing them before court. In addition, the authorities resorted to using firearms against unarmed prisoners.

Thus the governing authorities have flagrantly violated the CCPR which explicitly provides for a body of civil and political rights approved by civilized society and ratified by the member states of the U.N, including Libya.

The Libyan authorities' violation of the human rights provisions appears in its most obvious form in breaching the provisions of guaranteeing the right to get a fair trial provided for in many of the articles of the afore mentioned Covenant, in particular Articles 2(3), 6(1), 7, 9(1), 9(2), 9(3), 9(4), 9(5), 10(1).

- **According to Article 2, Paragraph 3: "the States Parties to the present Covenant undertake:**

(a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;

(b) To ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;

(c) To ensure that the competent authorities shall enforce such remedies when granted.

Libya's Stance Regarding the Covenant

- Libya has ratified the Optional Protocol authorizing the Human Rights Committee, formed under the provisions for this Protocol, to receive and review the letters provided by the persons under the jurisdiction of any of the states parties to the Covenant. The said committee wrote in its General Comment (6), Paragraph 4:

"...the state shall provide the mechanism and proper and appropriate way to investigate the cases of missing persons and forced disappearance, particularly when the right to life is believed to be violated...."

The Practical Stance of the Libyan Authorities Regarding the Implementation of the Covenant

- The observers of the events and circumstances of the Abu Saleem Prison can easily find that the Libyan authorities procrastinate and blackout events since the occurrence of such incident, known as "Zat As-Sawaqem Events"¹⁵ (the Ladles Events) inside prison. Such blackout is best reflected in the lack of investigation and recording the events of the mass murder, the measures taken by authorities in that respect and lack of transparency and authenticity in dealing with the aftermath of the events. No full and correct notification was given to any of the families notified of the death of a family member in detention. The common cause of death told to families was diseases, particularly tuberculosis¹⁶. To ensure more blackout, no corpses of dead (killed) prisoners are handed to the families who are notified that their sons were buried. Even many families have not been notified with the death of their members and they can by no means know the fate of their detained sons. The prison's administration has failed in providing a justification for their disappearance. All what it keeps saying is that "the prisoner is not here ... He may be in another place" and fail to locate their places. However, many prisoners who witnessed the events

¹⁵ - As-Saqem in the Libyan version of Arabic is a big ladle or spoon used in moving and distributing food. It was named so because prisoners at that day had nothing but two ladles that they took from guards who left them inside the partition at the break of the crisis in the prison. One of such ladles was used in hitting one of the guards while the other guard ran away.

¹⁶ - Among the examples of those who were killed by the regime and were said to have died as a result of tuberculosis is Mr. Idrees Maddi who died at the time of the massacre.

confirm the death of such prisoners. Thus, this represents sufficient evidence on the Libyan authorities' violation of the provisions of the Covenant stipulating the provision of a fair solution to the illegal violations and mechanism for remedy.

- One of the causes of hampering, and refraining from seeking, the right to remedy is the fear on the part of the prisoners' relatives from the brutality of security bodies. The actions of such bodies are not restricted and they can arrest whoever they want with or without reason. The whereabouts of those arrested can not be known¹⁷. Strangely enough, arrest can easily be conducted, whereas the release of those arrested is carried out by specific orders from specific persons. Some people, rightfully, say "*arrest may be conducted by anyone, but release is not ordered by anyone*". Thus, people are so terrified that they can not complain from the measures of security bodies, particularly Internal Security Service. Many of those interviewed by **LHRS** have shown such fears.
- According to Article 6, "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life". In addition, the provisions of the basic principles organizing the use of force and firearms by law enforcement officers approved by the Eighth UN Congress on Prevention of Crime and Treatment of Offenders, Havana, states that " Law enforcement officials shall not use firearms against persons except in self-defence or defence of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious crime involving grave threat to life, to arrest a person presenting such a danger and resisting their authority, to prevent his or her escape..."
- **In the case of such massacre, the following facts were reportedly proven:**
 - All prisoners returned to their cells.
 - A number of prisoners were transferred between the Central Prison and the Military prison.
 - Up to 1200 or more prisoners were killed.
 - This number can not be verified due the blackout imposed by the authorities for they have never conducted any investigation to disclose the names of all those who were killed in such horrific incident.
 - The blackout and covering of what happened at that day Abu Salem Prison attempted by the Libyan authorities and preventing any local or international bodies from carrying out any investigation clearly indicate the involvement of the Libyan authorities, particularly the security services in a mass murder crime.
 - The number of those killed in the massacre (which is most probably estimated at 1200) indicates that it was carried out by the security bodies not for protecting the detainees or fearing them. On the contrary, it was a means to get rid of those whom they wanted to dispose of. This could not be made though courts for lack of evidences that can convict them. The massacre constitutes a flagrant violation of the right to life confirmed by the Article 6 of the CCPR.

¹⁷ - An ex-detainee said that he once found the statement "whoever enters will be lost and whoever goes out will born again" written on one of the walls of the cells of what is known as the Military Prison, which was dedicated for military detainees and then turned into a detention centre for prisoners of conscience. A prisoner who was detained in 1973 and released in 2003 clarified the reason behind his mastering English and German. He was detained with a German prisoner for four years and accordingly he was forced to deal with him as he was his sole mate in the cell. When such German prisoner was released, he stayed alone for aw while. Then an English prisoner was brought to stay with him for about four years and he learned English from him.

According to Article 9:

1. Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.
2. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.
3. Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgment.
4. Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful.
5. Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation.

After studying the Libyan human rights case, LHRS announce the following:

- The violation of the most basic rights of detainees start from the moment they are arrested without an arrest warrant in addition to his ignorance of the causes of arrest.
- Isolating the detainee from the outside world and refraining from informing him of his legal rights.

The repeated reports from the human rights organizations as well as the testimonies of several ex-detainees and prisoners to LHRS confirm the occurrence of these breaches and violations.

Second: The Libyan Penal Law.

The Libyan authorities and security bodies violated many criminal provisions of the Libyan law which criminalize this incident. Authorities have not taken any measures for applying such provisions on those responsible for committing crimes against the victims. Such crimes are as following:

- Wilful murder according to Articles 368, 369, Article 369 Paragraph 3 of the Penal Law. The elements of crime are complete against those officials who fired at the prisoners in Abu Salem Prison, whereas prisoners were helpless because they were trapped between high fences and closed doors which prevent anyone from climbing them without means. In addition, the roofs were towered by heavily armed soldiers. Thus no one could claim that there was any chance for escape or going out taking into consideration that the building in which the prisoners were detained is surrounded by three successive external fences on top of each a big number of heavily armed soldiers stand.

- Intimidation according to Article 430 of the Penal Law. Intimidation occurred as a result of the threatening of using weapons then the actual use of such weapons. Though the authorities tried to cover up the events by removing the bullets' marks from walls, many evidences of such threat and massacre still exist.
- Unjustified Arrest according to Article 433 of the Libyan Penal Law and Penal Procedures Law. Law does not allow arrest without an arrest warrant issued by a judge except in flagrante delicto cases. Regarding the detention cases of those who were killed in the massacre, all of them – without exception – were detained in exceptional ways. Most of them were detained late at night thus contravening the sanctity of homes, breaking the doors, taking many of them away from their bedrooms where some were accompanied by their wives. This is considered a flagrant breach of the most basic human rights which do not allow the violation of private life of humans or their being sexually harassed. Worse, they break into bedrooms in a case other than a flagrante delicto case¹⁸. In addition, those who live with the persons to be detained get terrorized very late at night.
- Serious, Significant, or Simple Harming or Beating according to Articles 378, 379, 380, 381, 382, 383, 384, 385 of the Penal Law. Several prisoners got deformed as a consequence of torture and beating. The crimes range from striking with hand, using assisting manual means such as falakah (a local word for tool used for beating hard on feet using a stick) and what is called grill and hanging to the windows through iron manacles (what is locally known as klebshah (literally, handcuffs)) and mechanical means such as winches. The matter exceeded that limit to sexual harassing and using sharp tools in the sensitive parts of the body.
- Accepting the Lodgement of the Prisoners in prison without a Written Note by a Competent Judicial Body according to Article 93, 5 Zaa 1372 of the Regulations of the Institutions of Reformation and Rehabilitation. According to the aforementioned Article, no prisoners may be accepted in prison without an imprisonment note issued by competent judicial bodies including the term of imprisonment. Any prison commander who accepts any prisoners without the said note shall be imprisoned..

The names of the accused:

1. The managers of the affected prisons and detention centres.
2. Executive officials such as Moussa Kousa, Abdullah Al-Senoussi, Ammar Al-Taif, Khairy Khaled, Al-Touhami Khaled and Nasser Al-Mabruk.
3. Those who issued the orders including whoever ordered, permitted, facilitated or approved the killing of prisoners including, according to the published events and testimonies, Abdullah Al-Senoussi. Colonel Gaddafi might have issued the higher order of killing the prisoners and consequently he might be shouldered full criminal liability. The Libyan Law considers all of them liable for these crimes according to the principle of the "criminal contribution in the Libyan Penal Law on the bases of incitement, assistance and participation in addition to what is known as the "abstract perpetrator" such as the person(s) ordering murder, torture, or arrest ...

¹⁸ - Detention operations at night became the norm in Libya. Most of raids were carried out late at the night so people called them night visits

Section Two:-

What happened in June 29, 1996, is a Crime against Humanity

The Massacre of Abu Salem Prison.....A Crime against Humanity

Wilful murder is considered one of the crimes defined by Article 7 of the Statute of the International Criminal Court¹⁹ as crimes against humanity if it is committed in the form of a wide scale or systematic attack against any group of civilians. There are similar definitions of that notion in the Statute of the International Criminal Courts of Ex-Yugoslavia and that of Rwanda²⁰. Besides, the Statute of the International Criminal Court considers also the forced disappearance of any person a crime against humanity. Forced disappearance of persons, as defined in the Statute of the International Criminal Court, includes arresting or detaining any person by the state and its refusal to provide any information about their destiny or even their places. What makes a crime be included in those committed against humanity is its wide scale and systematic nature. The international law, which is based on custom, calls for the universality of the jurisdiction of the crimes committed against humanity. It is worth mentioning that neither has Libya defined the crimes against humanity nor it included them in the provisions of its national legislations.

The information obtained by HRS and the testimonies of many of the ex-prisoners confirm the following:

- **Prisoners returned to their cells and locked themselves up after reaching an agreement with the negotiating committee. Therefore, they did not pose any threat to the prison's administration or its guards.**
- **On Saturday June 29, 1996, the prison administration significantly re-distributed prisoners as many of them were transferred from the Central Prison to the Military Prison. Those transferred were among the group which survived the massacre. Moreover, the administration transferred some other prisoners from the Military Prison to the Central Prison. Those prisoners are among the group believed to have been killed later in the massacre.**
- **Undoubtedly, these measures show that the prison's administration was planning systematically and deliberately to kill the unarmed prisoners.**
- **The systematic and wide scale nature of the Massacre of Abu Salem Prison makes it a crime against humanity.**

Prisoners had not posed any threat to the existing regime. Some sources reported that they carried no weapons at all. To sum up, the prisoners were desperate as a result of the cruel treatment, hunger, diseases and many of them perished because of extremely poor conditions. Thus, they wanted to express their discontent with their tragic situation. Whereas two of them were sent out of the room to bring the food, the others were lashed by electricity cables and the belt of military suits. When the prisoners were sure that there was no way out, two of them agreed to take the ladle to hit the guard as a kind of protest, while the other one would take hold of the cell's door. At that time, they possessed nothing but two big spoons (it was never reported that they had any weapons). Naturally, having

¹⁹- Rome's Statute the International Criminal Court

²⁰ The International Criminal Court of Rwanda.

[http://www.un.org/law/icc/statute/arabic/rome_statute\(a\).pdf](http://www.un.org/law/icc/statute/arabic/rome_statute(a).pdf)

<http://69.94.11.53/default.htm>

weapons is a matter beyond imagination due to the fact that the cells were searched periodically. In addition, all stuffs which came from outside to the prisoners were thoroughly searched before they are handed to prisoners, if delivered in the first place.

Sources which witnessed the events said that "the protest" was over and the prisoners returned to their cells after the arrival of Abdullah Al-Senoussi who promised to change the prison's conditions. This emphasizes the fact that the prisoners had not intended to conduct a mutiny or escape. It was just a kind of protest aiming at preserving their lives. All the dust had settled completely after they brought an ambulance to let prisoners believe that the sick and injured prisoners would be taken to hospital as an indication of improving treatment. However, it was discovered later that those prisoners were transferred to another prison and many of them died later on.

On the same day, some prisoners were transferred from the Central Prison to the Military prison²¹. The prisoners of the partition that witnessed the Sawaqem Events (Ladles Events) remained in the prison, while some other prisoners were transferred to it. After few hours, heavy gunfire started and lasted for a while and then it stopped. There was no need to the excessive use of force against unarmed prisoners. In fact, the prisoners of the Military Prison wondered about the reasons behind the use of weapons after everything settled down. They never imagined that the prisoners who were at the Central Prison were physically liquidated at that time. Neither have the authorities mentioned anything about that event till today, nor has any official body admitted it. Head of the Gaddafi International Foundation for Charitable Associations admitted the occurrence of the event during an interview with Al-Arabia satellite channel²².

Thus, according to the aforementioned, HRS concludes that:

- **The Libyan Authorities have committed significant violations against the rights of the citizens they arrested.**
- **Random detentions were conducted without specific charges.**
- **In most arrest cases, the authorities used force and terrorism.**
- **Victims were detained and tortured in cruel conditions totally isolated from the outside world.**
- **They kept detainees under arrest for long periods of times without trial (some victims were imprisoned for more than thirteen years in the prison, while others spent more than two decades in detention centres at the time of the events).**

Nearly 11 years after these inhumane tragic events, the Libyan authorities still insist on the following:

- **Refusing to hand the corpses of victims over to their families to bury them in known graves.**

²¹ The Central Prison lies in the east from the Military Prison, nothing between them except a building used as a clinic. Noting that the Central Prison can be entered through the clinic as they are considered as one building, the clinic is only meters away from the Central Prison. This means that the distance between both buildings is nearly 50 meters at maximum.

- **Preventing the families of the victims from knowing the circumstances of their death when they were under arrest.**
- **No serious investigation has ever been conducted to punish the predators according to law. Some mock trials were held in 2003 for some persons who had participated in the massacre, like: Hamza, the corporal commander, and Al-Reih who received mock penalties to satisfy some international demands.**

Accordingly, HRS calls the Libyan Authorities to take the following measures:

1. **Conduct an independent investigation by an independent judicial committee, provided that no security bodies will interfere in the investigation for being an accused party and directly responsible for the conditions that led to that horrible event and for the event itself.**
2. **Interrogating the administration of Abu Salem Prison at the date of the event since it was affiliated to the Military Police at that time²³.**
3. **Interrogating previous investigation committees which were affiliated to the Internal Security Service, the Military Police and other security services, including the Revolutionary Committees' Communication Bureau.**

In order to clarify the following:

- **The conditions of detention in Abu Salem Prison that led to that horrific event.**
- **The events of June 28-29, 1996.**
- **The names of victims who died in June 28-29, 1996.**
- **The predators responsible and bringing them before justice.**
- **Notifying the relatives of detainees of the latter's destiny and providing them with all appropriate financial and moral compensation.**

Ironically, the Libyan Authorities paid huge compensations to the victims of the bombing of the Pan-Am plane though there was no conclusive evidence on the involvement of Libyan security services in that accident. Thus, logically speaking, priority should be given to compensating the families of those killed in the massacre planned and perpetrated by security services after the green light of the ruling authorities. Victims were Libyan citizens in a detention centre run directly by the Libyan security bodies. Undoubtedly, the Libyan security services shoulder the responsibility for the victims' death.

In fact, the moral compensation is much more important than the financial one. It can be only achieved by an official apology from the head of the Libyan authorities. The said apology shall be translated into a review of the policies of Libyan security bodies; to turn from authorities that suppress freedoms, silence tongues, and carry a stick in the right hand for beating and torture and a gun in the left for summary execution into that which carry in the right hand justice and in the other hand goodness and help for those who need help or rescue for the purposes of preserving the lives and properties of the

²³ The prison's affiliation was then transferred to the Internal Security Service in 2002.

Libyan people. To conclude, they should do what most security services do in most of the civilized states worldwide.

HRS calls upon the Libyan authorities to change their policies toward citizens treat them with the transparency many countries speak of today, grant them their rights and compensate whoever has been harmed due to the grave breaches committed by the security services during the past years.

Therefore, they have to immediately release all prisoners of conscience, bringing other political prisoners before a fair trial before independent judicial authorities and ensuring all their rights stated in international conventions, especially the CCPR.

All unjust laws that contradict with the commitments of the Libyan authorities toward the international conventions and agreements, ratified by Libya, must be abolished. Among such unjust laws are Criminalization of Parties Law and Collective Punishment Law. In addition, the People's Court must be abolished in reality not officially. Officially, the People's Court and the People's Prosecution were cancelled. However, the functions of these two bodies have been transferred to other special departments in the ordinary judicial system. Such departments are still practicing the same functions of the People's Court and the People's Prosecution. Even they are still holding their sessions in the same places (Police Academy) where the People's Court used to hold their sessions.

Limiting the Powers of the Security Services

Transparency and clarity in dealing with such cases are the only way to guarantee the rights of all parties. Ambiguity and blackout increase complexity and do not lead to any good result.

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