



Libya: Protect Civilians in Sirte Fighting ^[1]

Ensure Humane Treatment of Prisoners

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(New York) – Forces on both sides fighting in the Libyan city of Sirte should minimize harm to civilians and treat all prisoners humanely, Human Rights Watch said today. Fighters aligned with the National Transitional Council (NTC) have reached the center of the city, after attacking Sirte for more than three weeks.

NTC-aligned forces that capture pro-Gaddafi fighters and civilians suspected of actively supporting Gaddafi forces should promptly transfer their detainees to NTC facilities in Tripoli or Benghazi to minimize the danger of abuse from forces that were engaged in combat, Human Rights Watch said.

“Commanders on the ground in Sirte need to make sure that their forces protect civilians and allow them to flee the combat zone,” said [Fred Abrahams](#) ^[4], special advisor at Human Rights Watch. “All prisoners should be treated humanely and transferred to the NTC authorities who can better ensure their safety.”

The NTC political leadership has repeatedly called on fighters not to loot or commit revenge attacks, but forces on the ground do not always heed those calls, Human Rights Watch said.

Since mid-September 2011, various NTC-aligned forces have attacked Sirte, Muammar Gaddafi’s hometown and one of two places still held by pro-Gaddafi forces. NATO warplanes have repeatedly attacked targets inside the city, in apparent coordination with allied forces on the ground.

NTC field commanders said on October 9 that they had seized Sirte’s Ouagadougou conference center, Ibn Sina hospital, and Sirte University. But intense fighting continues in the city center.

Many of Sirte’s pre-war population of roughly 100,000 have fled, but an unknown number of civilians remain in the city’s center. According to the [International Committee of the Red Cross](#) ^[5], which evacuated 25 war-wounded and other patients from Ibn Sina Hospital on October 10 and 11, more than 20,000 people have left their homes so far, but “thousands” of civilians are still caught in the city. On October 11, hundreds of civilians fled the city during a lull in fighting, including residents and migrant workers, media reported.

All parties to the armed conflict in Libya are required to abide by the laws of war. People who commit serious laws-of-war violations deliberately or recklessly are subject to prosecution for war crimes, including by domestic courts or the International Criminal Court, which has jurisdiction for international crimes committed in Libya since February 15.

The laws of war require that all persons in custody be treated humanely, and be protected from torture or other ill-treatment. Looting and destruction of property not being used for military purposes is prohibited.

Human Rights Watch expressed particular concern that fighters and civilians from the town of Tawerga who are now in Sirte are especially vulnerable to abuse. The NTC-aligned forces attacking Sirte include people from Misrata, who allege that Tawerga residents were part of the Gaddafi forces who committed atrocities in Misrata. In early October, Human Rights Watch documented abuses, including torture, in and around Misrata by Misrata fighters against people from Tawerga.

Fighters from Misrata have also reportedly been looting private property in Abu Hadi, a suburb of Sirte. They have reportedly burned the homes of families suspected of supporting Gaddafi.

Between September 24 and October 8, 2011, Human Rights Watch interviewed 28 families who had recently fled Sirte. They described fierce fighting, a lack of electricity since late August, and dangerously low supplies of food and medicine.

Fleeing residents said that NTC-aligned forces had repeatedly shelled some residential neighborhoods over the past two weeks. The residents had mostly huddled in their homes for safety during the attacks and were unable to say where pro-Gaddafi forces were positioned at the time.

Three families said shells from NTC-aligned forces in the south and west had hit their homes. One family said its home was hit by a NATO airstrike. No civilian casualties resulted from these attacks, the families said. Without access to Sirte, Human Rights Watch could not verify the claims.

The laws of war require warring forces to attack only military targets. Attacks that do not discriminate between combatants and civilians, or that can be expected to cause harm to civilians disproportionate to the expected military gain, are unlawful. Forces must take all feasible steps to protect civilians under their control from attacks and avoid deploying in densely populated areas.

Two Sirte residents said they had seen Grad rockets strike the city from areas controlled by NTC-aligned fighters, but this could not be confirmed. News media outside Sirte have reported that Gaddafi forces also fired Grads from inside the city.

Grad rockets, with a range of 4 to 40 kilometers, have no guidance system and are inherently indiscriminate when fired into populated areas. When fired in groups, they have an impact over a wide area and can inflict extensive casualties in civilian-inhabited areas.

"Indiscriminate Grad rockets should not be fired into Sirte so long as civilians inhabit the city," Abrahams said.

While some families reported no problems leaving Sirte, others alleged that Gaddafi forces had tried to block their exit from the city by firing at them or above their vehicles. These families said they took circuitous routes to escape, sometimes through agricultural fields. Deliberate attacks on civilians are war crimes, Human Rights Watch said.

Several families said that NATO bombing had caused civilian casualties. One displaced resident said that around September 22 at 10 p.m., NATO struck the Imartameen building on Dubai Street, killing and wounding a large number of residents. At the time of the attack, about 10 pro-Gaddafi snipers were positioned on the roof, the resident said. The man said he was part of the crew who spent two days using heavy equipment to remove the bodies. Among the dead, he said, was Sadik Abuazoum, 43, a secondary school teacher, and Sadik's wife.

If snipers were deployed on the roof, that would have made the building a legitimate military target, Human Rights Watch said. It would raise concerns over whether pro-Gaddafi forces had taken all feasible steps to remove civilians from the building and whether NATO

conducted an attack that caused disproportionate civilian harm.

Several fleeing residents said that NATO bombs had struck schools. One resident identified those schools as Ibn Khaldoun, Al-Merkezia, Al-Bayan al-Awal, and Al-Majed. He and the others knew of no civilian casualties in those attacks. It is not known whether Gaddafi forces were using the schools at the time, which would have made them military targets.

In addition to Sirte, pro-Gaddafi forces still hold the desert town of Bani Walid, about 120 kilometers southeast of Tripoli.

"The forces fighting the last Gaddafi areas should protect civilians caught in the fighting, and avoid looting and revenge," Abrahams said.

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