



Special Rapporteur on freedom of religion and belief, Mr. Heiner Bielefeldt  
Special Rapporteur on the rights to freedom of peaceful assembly of association, Mr. Maina Kiai  
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Mr. Frank La Rue  
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mr. Juan E. Méndez  
Independent Expert on minority issues, Ms. Rita Izsák  
Special Rapporteur in the field of cultural rights, Ms Farida Shaheed  
Special Rapporteur on the situation of human rights defenders, Ms Margaret Sekaggya

C/o United Nations Officer of the High Commissioner for Human Rights  
Palais Wilson  
52 rue des Pâquis  
CH-1201 Geneva, Switzerland  
Email: [freedomofreligion@ohchr.org](mailto:freedomofreligion@ohchr.org) ; [freeassembly@ohchr.org](mailto:freeassembly@ohchr.org) ; [urgent-action@ohchr.org](mailto:urgent-action@ohchr.org);  
[minorityissues@ohchr.org](mailto:minorityissues@ohchr.org) ; [rculturalrights@ohchr.org](mailto:rculturalrights@ohchr.org) ;

Dear Sirs and Madam,

**Libya:**

**Violations of Freedom of Religion, Expression and Assembly and Alleged Acts of Torture in the Context of Attacks against Places of Worship of a Minority Religious Group**

Lawyers for Justice in Libya (LFJL)<sup>1</sup> and the Cairo Institute for Human Rights Studies (CIHRS) would like to bring to your attention the recent and continuing destruction of religious and historic sites, and the desecration of graves, in Libya. We further bring to your attention the serious allegations of intimidation and the use of excessive force against unarmed civilians demonstrating peacefully against the destruction of cultural sites, as well as the arbitrary detention of a number of protesters,

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<sup>1</sup> LFJL is an independent non-governmental organisation dedicated to defending and promoting justice in Libya through the promotion of human rights, the rule of law and democracy. Through its work on transitional justice, impunity and human rights, constitutional and legal reform, governance and the rule of law and international advocacy, LFJL seeks to become a catalyst, during the transitional period and beyond, for the establishment of a state based on the rule of law and democracy.

including journalists covering these events, the obstruction of access to a number of religious sites, and the alleged implication of the Supreme Security Council of the Libyan government (the “SSC”) in these acts.

The following urgent appeal for action from your mandates highlights a highly dangerous increase in what appears to be official state sanctioned discrimination and repression of religious minorities, and violations of freedom of religion, expression and assembly, as well as the alleged carrying out of torture, within this context. During this critical transitional period, it is imperative that the Libyan government take immediate concrete steps to halt these developments and ensure accountability for human rights violations in the context of the destruction of religious and historical sites, including among state affiliated security forces. We strongly urge your mandates to take swift, public action to ensure the Libyan government adheres to its human rights obligations in this instance, including its responsibility to protect.

### **Overview of Events and Human Rights Violations in Libya Concerning Destruction of Places of Worship:**

On **24 August 2012**, , Sidi Abdul- Salam al-Asmar al-Fituri, one of Libya’s most important Sufi shrines and part of the Asmariya Islamic University complex in Zliten dating to the 15<sup>th</sup> Century, was attacked using explosives and then demolished with a bulldozer and jackhammers. The library and the mosque, which formed part of the complex, were also destroyed with the library burnt, allegedly using grenades.

On **25 August 2012**, a number of armed militias carrying medium and heavy weapons arrived at the al-Sha’ab Mosque in central Tripoli and proceeded to bulldoze the mosque which contains Sufi Muslim graves. Whilst the demolition was taking place, SSC vehicles surrounded the site and cordoned off the streets surrounding the mosques preventing people from approaching it or intervening to stop the destruction. One of those taking part in the demolition told reporters that the Ministry of the Interior had “authorised” the operation following allegations that people had been worshipping at the tomb buried beneath the shrine and practicing “black magic.”<sup>2</sup> The Ministry of the Interior maintained that the SSC forces did not seek to stop the demolition in order to “maintain order” and to avoid violence. Sana Abdussalam, one of the protesters, described that “there were armed men, who were trying to prevent us from coming near the mosque. They started cursing at us and shouting ‘go home you secular infidels.’” She also added that “the police were present, but they didn’t do anything to stop the demolition.”<sup>3</sup>

A journalist from the Libyan television station, Alassema, **Nabil Shebani**, was detained by the SSC whilst attempting to report on the destruction of the Al-Sha’ab mosque, even though he was unarmed and was covering the events in an apparently peaceful manner. Nabil confirmed to LFJL that a big group of members of the SSC took him into custody and held him for interrogation for 10 hours.

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<sup>2</sup><http://af.reuters.com/article/libyaNews/idAFL6E8JP1F720120825?pageNumber=2&virtualBrandChannel=0&sp=true>

<sup>3</sup> As reported to LFJL

There are indications that the SSC was either involved in the events or, at the least, acquiesced for a period of nearly 48 hours whilst they took place, the state is responsible for its lack of action to prevent or protect this religious site and the freedom of religion of those wishing to practice their faith in that mosque. Further, the detention and intimidation of the journalist, a professional in the field of information, is of grave concern and of high priority. His treatment not only amounts to a violation of the right to freedom of expression of the journalist concerned but was intended to intimidate those present as well as obstruct the access of information to others.

On **26 August 2012**, a peaceful protest against the demolition of the Al-Sha'ab mosque took place. Protesters were obstructed from protesting by armed men who intended to continue the demolition of the mosque. Several demonstrators were physically threatened and intimidated, with a man in SSC uniform allegedly verbally intimidating protesters and at one point threatening to get his gun and "kill them".<sup>4</sup> Two eye witnesses separately confirmed that the driver of one of the bulldozers demolishing the mosque drove towards the protesters, and came "within inches" of running over at least two people.

**Ashraf Jerbi**, an imam of a Tripoli mosque, who took part in the protest, was physically intimidated by people involved in the destruction of the shrine when he tried to address them, and allegedly subjected to torture by Libyan security forces after being detained. A witness at the scene described that "the protesters tried to protect the Imam, which triggered a broader conflagration. People were running down the street; it was extremely dangerous."<sup>5</sup> A female protester, who attempted to assist the imam, was also assaulted, with her brother, and, together with the imam, were forcibly removed in a police car, where it was reported that they were beaten. In an account,<sup>6</sup> Jerbi described how he had been "blindfolded" by the Crime Prevention Unit ("CPU") of the Ministry of the Interior and removed from the scene. He was then allegedly subjected to torture. On arrival at a CPU building, he was tied up and left in a bathroom for hours with no drink or food, and subjected to verbal abuse. Jerbi stated that he had been detained and ill-treated because of his criticism of Sadeq Al-Ghiriani, the Grand Mufti of Libya. Hassan Gnewa, another protester confirmed to LFJL that a man who was supporting the demolition tried to prevent him from coming closer to the site and used force with him that resulted in his shirt being torn. These attacks on, and intimidation of, unarmed protesters, including a female protester, with the apparent involvement of the SSC and the CPU, is an alarming violation of the rights to freedom of peaceful assembly and of association and to the freedom of expression.

Over six other Sufi religious sites have been targeted in the last four days, including the shrine of Sheik Ahmad Zaruq in Misrata, Gurgi Mosque in Tripoli and, on the night of 28 August 2012, the Uthman Pasha Madrassa in Tripoli, where armed men forcibly entered the Madrassa, dug up 30 graves using electric drills and confiscated books from the library. In the process, staff at the school and passers-by were intimidated. One staff member expressed that the insults were targeted at their faith and stated that "if you argued with them, you would be over".<sup>7</sup> One eye-witness stated that a known SSC member took part in the destruction of the Madrassa and that those involved

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<sup>4</sup> As reported to LFJL by an eyewitness who asked to remain anonymous.

<sup>5</sup> <http://www.saudigazette.com.sa/index.cfm?method=home.regcon&contentid=20120828134220>

<sup>6</sup> <http://www.youtube.com/watch?v=aypy1Re7pq4>

<sup>7</sup> <http://youtu.be/4rxq1BmXpyw>

were able to act with impunity. Another eye-witness confirmed that she was stopped at a check point operated by the SSC near the Madrassa and asked whether she had any camera equipment before being allowed to proceed. This systematic attack on Sufi shrines and verbal abuse of those adhering to Sufism with the involvement, or acquiescence, of the SSC is a serious violation of the right to freedom of religion and the cultural heritage of a minority group.

These acts have been condemned by the head of the Tripoli Local Council, who admitted that the Council was “unable to protect the heritage of Libya,”<sup>8</sup> key members of Libyan civil society<sup>9</sup>, the General National Congress<sup>10</sup>, the Grand Mufti of Libya<sup>11</sup> and, internationally, the director-general of the United Nations Educational, Scientific and Cultural Organization (UNESCO).<sup>12</sup>

LFJL and CIHRS are concerned about the continuing and escalating persecution of the Sufi minority in Libya and the violation of their right to freedom of religion, the violations of protesters rights to freedom of assembly and association, freedom of expression, as well as censorship, intimidation and arbitrary detention of journalists in this context. We are also highly concerned that torture appears to have been used by government security to intimidate minority religious figures.

LFJL and CIHRS are particularly alarmed by the government’s inaction to secure vulnerable religious sites, protect the Sufi religious minority from attacks, ensure the security of those seeking to protest peacefully or hold accountable those committing the crimes, and is especially concerned at the evidence implicating the SSC in these recent events.

Therefore we urge the Special Rapporteurs to:

1. Call on the government of Libya immediately to secure all Sufi shrines in Libya and any other vulnerable religious or cultural sites;
2. Call on the government of Libya promptly to investigate all allegations of intimidation of religious minorities;
3. Call on the government of Libya to provide the necessary security for protesters to enable them to exercise their right to assemble without fear of intimidation or reprisal;
4. Call on the government of Libya actively to protect the freedom of expression, especially of journalists and professionals of information, to ensure that they are able to carry out their work without fear of intimidation or abduction;
5. Call on the government of Libya promptly and fully to investigate the SSC in relation to all allegations of its involvement in the destruction of religious sites and the obstruction and intimidation of protesters;
6. In particular, call on the government of Libya promptly to investigate all allegation of torture or ill-treatment committed by security or law enforcement officials of any rank, including

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<sup>8</sup> <http://www.libyaherald.com/?p=13333>

<sup>9</sup> [http://www.libyanjustice.org/Letter2GNC\\_English-1.pdf](http://www.libyanjustice.org/Letter2GNC_English-1.pdf)

<sup>10</sup> <http://www.aljazeera.com/video/africa/2012/08/201282665348545366.html>

<sup>11</sup> <http://www.libyaherald.com/?p=13289>

<sup>12</sup> <http://whc.unesco.org/en/news/875/>

members of the SSC or the CPU, and prosecute officials to the fullest extent of the law, in a court that meets international standards of fair trial; and

7. Call on the government of Libya to secure immediate remedies for those who have been tortured or ill-treated by security or law enforcement officials.

Our organizations remain at the disposal of your mandates should you require any further information on these events.

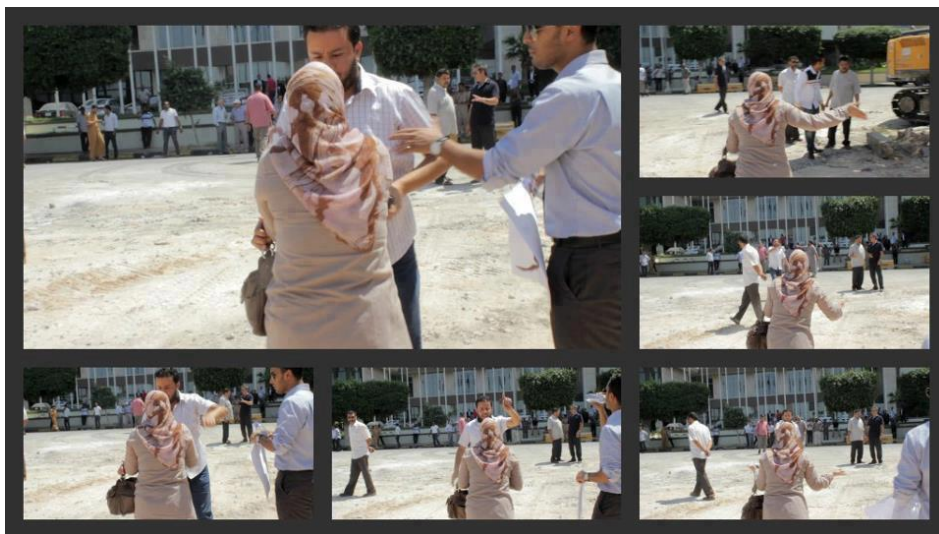
Annex  
Pictures







Zlitan residents protest against the destruction of tombs in front of the shrine of 15th-century Sufi scholar Abdel Salam al-Asmar in Zlitan city





Sidi abdu salam elasmar

## Sha'ab Shrine & Mosque in Tripoli, Libya







OthmanPashaMadrassa (<http://www.libyaherald.com/?p=13436> )



**Source: Martyrs square media. UthmanPashaMadrassa 29<sup>th</sup> Aug**





All books were stolen by the attackers



Uttoman Pasha Madrasa. Inside view of the destruction.



Destruction of the Ottoman Pasha Graves and his family





Destruction of historic piece at the ottoman Pasha Madrassa



Sabotage school Osman Pasha in Tripoli and stealing books from the library that were there all as shown on the picture, which has empty shelves. The grave of Osman Pasha and his family in the school garden have been desecrated, knowing that the grave is not inside the mosque. This grave

was there for more than 300 years. The Image of old man lying on the floor, is one of the workers crying because of what happened of destruction in the place"

Quoting "Media Martyrs' Square"



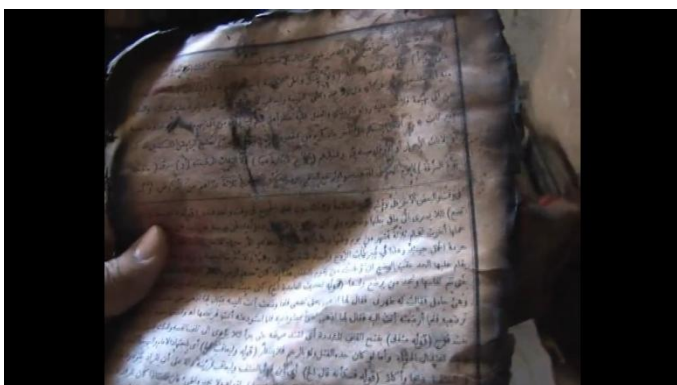
26<sup>th</sup> June Popularized in some media that there are those who want to sabotage the tomb of Andalusia and Murad Agha mosque after witnessing the destructions that happened in the capital.

Facebook Page زاوية الشيخ الداعية المرابي عبد السلام الأسمر الفيتوري





Video snap shots of burnt library:







Picture of external damage to the library building



Picture of external damage to the library building

Pictures below: Destruction of graves belonging to Alqurmanlih family's wives in Tripoli at Zawya Dehmani 25/08/2012 what is known graves (Lat)





**Destruction of the Al Sha'ab Mosque - Tripoli, Libya**







Photos from protest

<https://plus.google.com/photos/115679029965276032125/albums/5781482447589175185#photos/115679029965276032125/albums/5781482447589175185>

<http://akhbar.alaan.tv/video/world-news/UNESCO-calls-immediate-stop-destruction-shrines-Libya/>  
[http://www.youtube.com/watch?v=8O93l1dSJPI&feature=player\\_embedded#!](http://www.youtube.com/watch?v=8O93l1dSJPI&feature=player_embedded#!)

Fighters bulldoze Sufi mosque in central Tripoli

<http://uk.reuters.com/article/slideshow/idUKBRE8700C620120825#a=2>



