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Libya: Release Detained Journalists

At Least 15 Missing or in Government Custody

April 15, 2011

(New York) - Libyan authorities should immediately provide information on the whereabouts of nine foreign and six Libyan journalists detained or missing in Libya, Human Rights Watch said today. All journalists arbitrarily detained should be immediately released, Human Rights Watch said.

"Libyan and foreign journalists are facing unlawful restrictions from the government, including incommunicado detention in Tripoli," said Peter Bouckaert, emergencies director at Human Rights Watch. "If the government has nothing to hide, then it should let the media do its work."

At least three of the foreign journalists - Clare Morgan Gillis, Manu Brabo, and James Foley - have been held incommunicado in the capital, Tripoli, since April 8, 2011, Human Rights Watch said. They have not been allowed to contact their families or receive visiting diplomats.

In addition, the government is holding two journalists and a driver from the Saudi-owned television station Middle East Broadcasting (MBC) and one journalist from the Iranian-owned television station al-Alam, according to the Committee to Protect Journalists. One cameraman from Al Jazeera television was released on April 14, but another remains in custody.

Gillis, 34, an American freelance journalist working for *The Atlantic*, *Die Welt*, and *USA Today*; Foley, 37, an American correspondent for the internet publication *Global Post*; and Manuel Varela, 30, a Spanish photographer on assignment for the European Press Agency who works under the name Manu Brabo, were detained by government security forces on April 5 in Brega, Human Rights Watch said.

C.J. Chivers, a *New York Times* journalist at the scene, learned from witnesses that a group of three journalists in a red Mercedes van had been forced to stop on the coastal highway near the turnoff to New Brega when their vehicle came under artillery fire from government forces. After the van stopped government forces approached in two Mitsubishi pickup trucks, the witnesses told Chivers, and ordered the journalists into the trucks. The government fighters then destroyed the Mercedes van with rocket-propelled grenades and drove off.

Two other foreign journalists have been reported missing near Brega. A South African freelance photographer, Anton Hammerl, 41, who is based in London, was last seen near the town on April 5. An American freelance writer, Matthew VanDyke, 31, was last seen near Brega on March 13. The circumstances in both cases remain unclear.

On April 14 Al Jazeera announced that Libyan authorities had released one of their cameramen, Ammar al-Hamdan, who had been detained since March 6. Al-Hamdan told the media that he had been held in solitary confinement for 14 days. The other Al Jazeera cameraman, Ammar Al-Tallou, who holds UK citizenship, remains in custody. The two cameramen were detained with their Al Jazeera colleagues Lutfi Al Massoudi and Ahmad Val Wald-Eddin. Al Massoudi was released on April 3 and Wald-Eddin on April 11. Human Rights Watch had previously called on the Libyan government to release all four men.

According to the Committee to Protect Journalists (CPJ), the journalists from Middle East Broadcasting, Magdi Hilali and Mohamad al-Shuwayhadi, have been in government custody since April 6, together with their driver, Yahya (last name unknown). A fourth colleague was detained and released on April 8. A journalist with al-Alam, Lotfi Ghars, has been in custody since March 16, CPJ said.

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Peter Bouckaert, emergencies director at
Human Rights Watch

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At least six Libyan journalists critical of the government have also been arrested and their whereabouts remain unknown. Those missing include Atif el-Atrash, Idris al-Mismari, and Mohamed al-Sahim, all arrested in Benghazi during the first protests in mid-February, Human Rights Watch said.

One Libyan media worker, Mohamed Shaglouf, who worked as a driver for the *New York Times*, has been missing since he and four foreign journalists for the paper were detained on March 15. The four foreigners were released on March 21, but Shaglouf's whereabouts remain unknown.

Human Rights Watch learned that Gillis, Foley, Brabo, and Hammerl went missing on April 7 and proceeded to contact their families and news organizations.

Several foreign journalists in Tripoli contacted Libyan government officials about the four journalists, including the personal assistant to the Libyan leader, Muammar Gaddafi, and those of his sons Seif-al-Islam and Saadi Gaddafi, as well as government spokesman Musa Ibrahim. By the evening of April 7 government officials confirmed to CNN's senior international correspondent Nic Robertson that the four journalists were safe and in government custody. All four were being transferred to Tripoli, where they would be released "soon," the officials said. Former US congressman Curtis Weldon, on a private visit to Tripoli for discussions with the Gaddafi family, also raised the case of the detained journalists with Libyan officials, making their speedy release a priority during his visit.

Since then Libyan authorities have provided no further information about the whereabouts of the four. The journalists have not been allowed to contact their families, and no diplomatic representatives have been allowed to visit, including Turkish officials who have played a vital role in the release of previously detained journalists.

According to reliable information obtained in cooperation with *The Atlantic*, Gillis, Foley, and Brabo - but not Hammerl - were held in the government stronghold of Sirte on April 6, and were transferred to a detention facility in Tripoli on April 7, Human Rights Watch said. The three detained journalists appeared healthy and were not mistreated during the time they were seen in custody. But they did not mention the South African journalist, leading to speculation that Hammerl, father of a month-old baby, may have been taken into custody in a separate incident.

"It's now over a week since Clare Gillis, James Foley, and Manu Brabo were sent to Tripoli, and they still haven't been allowed contact with the outside world," Bouckaert said. "Their isolation is compounding the suffering of their families." Media reports said that President Jacob Zuma of South Africa failed to raise Hammerl's whereabouts with Libyan authorities during a visit to Tripoli on April 10 and 11 as a member of the African Union mediation team. South African authorities have been aware that Hammerl was missing since April 7, and it has been front-page news in South Africa.

"It's shocking if President Zuma didn't mention a South African citizen who is missing," said Bouckaert. "A direct appeal could have made a difference in finding Hammerl. There is no excuse for Zuma to ignore the matter."

In addition to the four detained or missing journalists, Human Rights Watch expressed grave concern for the safety of another journalist, the freelancer Mathew VanDyke, who was reported missing around Brega on March 13. There has been no word about him, despite the efforts of his family and the US State Department to locate him.

Human Rights Watch has previously documented the arbitrary arrests and detention and in some cases enforced disappearances of hundreds of Libyans, including at least four doctors, from eastern Libya in the past month. Some of them were last seen in the custody of government forces, or their families were able to confirm they were in the government custody when phone calls to their missing relatives were answered by government security forces.

"The cases of foreign journalists held incommunicado are deeply troubling, but we have received even less information about the hundreds of Libyans who are being held in the black hole of Gaddafi's detention facilities," Bouckaert said.



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