

RECOMMENDATIONS FOR ACTION

- Libya should accede to the Convention on Cluster Munitions (CCM) as a matter of priority.
- Libya should comply with its obligations under international human rights law to clear cluster munition remnants (CMR) on territory under its jurisdiction or control as soon as possible.
- All parties to the conflict in Libya should ensure that forces loyal to them do not use cluster munitions.
- As soon as political conditions permit, Libya should enact mine action legislation, establish an interministerial national mine action authority, and adopt a national mine action strategy.
- Libya should expedite the capacity building and accreditation of mine clearance operators.
- Libya should, at the earliest opportunity possible and as soon the security situation permits, conduct a baseline survey to identify the extent of contamination from CMR and begin systematic clearance.
- Libya should mainstream gender and diversity in its national mine action programme.

UNDERSTANDING OF CMR CONTAMINATION

CMR contamination in Libya is largely the consequence of armed conflict in 2011 and renewed conflict since 2014, but the extent of contamination is unknown. In 2011, armed forces used at least three types of cluster munition, including MAT-120 mortar projectiles, RBK-250 PTAB-2.5M cluster bombs, and DPICM-like submunitions delivered by 122mm cargo rockets.¹ In early 2015, fighting between Libya's rival armed groups saw reported use of cluster munitions, including RBK-250 PTAB-2.5M bombs, in attacks on Bin Jawad near the port of Es-Sidr in February, and in the vicinity of Sirte in March. The Libyan Air Force, controlled by the internationally recognised government of the time, had bombed both locations, though it denied using cluster bombs.²

In July 2019, the Libyan Mine Action Centre (LibMAC) reported that it had found evidence of RBK-250-275 cluster bomb use in three areas: Al-Hira Bridge (Al-Sawani); the Bir al-Ghanam area south-west of Tripoli (Nafusa Mountains); and Aziziya (south of Tripoli).³ The same year, Humanity and Inclusion (HI) reported three areas of CMR contamination on the basis of its own operations. One cluster munition-contaminated area was confirmed in 2017, through non-technical survey in the Nafusa mountains region, near the town of Kikla, in north-west Libya.

Then, in 2018–19, HI found further cluster munition strikes in Tawargha and Al Karareem.⁴ Additional contamination by CMR occurred as a result of kick-outs from ammunition storage areas bombed by North Atlantic Treaty Organization (NATO) forces in 2011.⁵

In May 2019, the self-styled Libyan National Army (LNA), led by commander Khalifa Haftar was accused of using cluster bombs in attacks in and around Tripoli.⁶ On 15 and 16 August 2019, aircraft of forces affiliated with the LNA and aligned to Khalifa Haftar used cluster munitions in an attack on Zuwarah International Airport, according to the UN Panel of Experts report of December 2019.⁷ According to reports by Human Rights Watch, forces aligned to Khalifa Haftar also used cluster munitions in an airstrike in a residential area in Tripoli on or around 2 December 2019. Human Rights Watch visited the site on 17 December 2019 and found remnants of two RBK-250 PTAB-2.5M cluster bombs, as well as evidence that high-explosive air-dropped bombs were also used in the attack. The area was not known to be contaminated by cluster munitions before the attack.⁸

No clearance of CMR occurred in 2020.

OTHER EXPLOSIVE REMNANTS OF WAR AND LANDMINES

Libya is also contaminated by other unexploded ordnance (UXO), anti-personnel mines including those of an improvised nature (see Mine Action Review's *Clearing the Mines* report on Libya for further information), and by other improvised explosive devices (IEDs).⁹ According to the United Nations Mine Action Service (UNMAS), ongoing conflict has resulted in significant explosive remnants of war (ERW) contamination in cities across Libya.¹⁰

NATIONAL OWNERSHIP AND PROGRAMME MANAGEMENT

Mine action exists in a fragmented and violent political context. Following years of armed conflict, a new UN-backed “unity” government, the GNA, was formally installed in a naval base in Tripoli in early 2016. It has subsequently faced opposition from the rival LNA government and a host of militia forces. The warring parties reached a ceasefire agreement to halt hostilities in October 2020, albeit with frequent interruptions. This culminated in the election of an interim government following the UN-sponsored five-day Geneva talks in February 2021 with a roadmap leading to National elections in December 2021.

LibMAC was mandated by the Minister of Defense to coordinate mine action in December 2011.¹¹ Operating under the UN-backed Government of National Accord, LibMAC’s headquarters are in Tripoli, in the west of the country, and it also has offices in Benghazi¹² and Misrata.¹³

ITF Enhancing Human Security (ITF) regularly executed salary payments for 22 LibMAC staff in 2020 and covers all costs related with LibMAC’s daily functioning. Funded by the United States Department of State, ITF provided US\$797,767 of capacity support to the LibMAC in 2020.¹⁴

According to the UN Humanitarian Response Plan (HRP) of 2020, Libyan national capacity to mitigate the threat of explosive hazards is insufficient to address the growing threat. With the existing managerial and coordination capacity in place, governmental and non-governmental actors have a solid base for growth, yet are lacking sufficient numbers of qualified personnel, equipment, and technical expertise to scale up to meet demand.¹⁵ The UN raised US\$7.5 million for the mine action sector in Libya in 2020.¹⁶

UNMAS has largely been operating from Tunis since November 2014, from where it provides institutional and operational capacity-building, training, including in explosive ordnance disposal (EOD), and coordinates with national authorities and implementing partners to carry out mine action activities to mitigate the threat posed by ERW and provide technical advice and advisory support on arms and

ammunition management. The UNMAS Libya Programme is an integral part of the UN Support Mission in Libya (UNSMIL).¹⁷ As of early 2021, UNMAS was in the process of returning to Libya.¹⁸

UNMAS prioritises the capacity enhancement of Libyan mine action actors, supports the LibMAC in accreditation processes for mine action organizations and facilitates coordination with international stakeholders and implementing partners. Since 2015, UNMAS has trained more than 70 National Safety Authority (NSA) operators and military engineers in advanced EOD; trained 30 officers from eastern Libya in non-technical survey; and trained several operators to address explosive ordnance threats in Sirte. UNMAS also increased capacity through the provision of EOD equipment to national actors and assisted LibMAC in developing the Libyan Mine Action Standards (LibMAS) that are now being implemented.¹⁹

In 2020, HALO Trust delivered non-technical survey training to eight members of LibMAC and three of the Free Fields Foundation (3F) staff in June. In addition, one member of LibMAC staff attended a three-day course of Information Management (IM) in Tunis in January 2020.²⁰ The Danish Refugee Council’s (DRC’s) Humanitarian Disarmament and Peacebuilding sector (formally known as Danish Demining Group (DDG)), planned to provide capacity development in gender and diversity mainstreaming in mine action to LibMAC in 2021.²¹

UNMAS chairs a Mine Action Working Group that coordinates mine action in Libya. The group has two main objectives, the first of which is the protection of individuals and communities from risk and impacts of explosive hazards. This is done by clearance, EOD tasks, battle area clearance (BAC), rubble removal, explosive ordnance risk education (EORE) and victim assistance. The second main objective is to enhance the national mine action operational capacity through building of technical skills and physical capacity of established local actors.²²

GENDER AND DIVERSITY

LibMAC does not have a gender and diversity policy for mine action in place. As at April 2021, 13% of the LibMAC employees were women and 50% of managerial/supervisory positions were filled by women. No women were employed in operational positions. LibMAC disaggregates mine action data by sex and age.²³

DCA’s Libya programme has an active policy of employing females into programme roles to increase their financial independence and teach them transferable skills that they may use beyond their current employment with DCA. Gender mainstreaming and mainstreaming of marginalised groups are written in the programme’s core policies. DCA has a gender mainstreaming built-in each all its projects, including its target groups, and ensures that female adults and children constitute at least 50% of beneficiaries. DCA also employs all-female teams to be able to engage with female-headed

households. In 2020, 25% of DCA employees in Libya were women, but as at April 2021, the rate was increased to 29% by recruiting all-female non-technical survey teams. Seven of the fifteen managerial/supervisory positions were filled by women.²⁴

DRC has a gender and diversity policy in place, but, as at April 2021, its implementation plan was still under development. DRC consults women and children during survey and community liaison activities. This is achieved by composing all-female survey teams to reach women in community settings where this cannot be done by mixed-gender teams, which is specifically the case in Sabha. In 2020, 13 of the total 77 employees of DRC Libya programme were women. Of these, 5% of survey and 6% of managerial/supervisory positions were filled by women.²⁵

The HALO Trust reported that its Libya programme seeks to comply with HALO's general gender and diversity policy. However, due to rigid gender norms that largely impede women's free movement and ability to work in a mixed-gender office setting, particularly reinforced in areas with strong Islamist influence such as Sirte, HALO has reported that the recruitment of women, including for non-operational roles, has proved difficult. In 2020, six of HALO's ninety-four Libyan employees and five of the fifteen senior management team members were women (two of five were internationals, while three of the remaining ten were national staff). No women were employed in operational roles.²⁶ The HALO Trust disaggregates relevant mine action data by gender and age.²⁷

INFORMATION MANAGEMENT AND REPORTING

LibMAC receives technical support for the Information Management System for Mine Action (IMSMA) from the Geneva Centre for Humanitarian Demining (GICHD) and UNMAS. With support from the GICHD, LibMAC planned to transition from IMSMA to IMSMA Core in mid 2020.²⁸ As at April 2021, the transition had not yet been completed.²⁹

IMSMA is accessible to clearance organisations and data collection forms are reported to be consistent and enable collection of necessary data.³⁰ Operators have internal quality control systems prior to submitting of data to LibMAC for further quality control. The HALO Trust reported that the LibMAC regularly updates the IMSMA database to a high standard.³¹

Since early 2019, The HALO Trust has been working closely with LibMAC to cover mechanical clearance in the Libyan IMSMA database. The planned transition to IMSMA Core will allow data entry for mechanical clearance.³²

PLANNING AND TASKING

There is no mine action strategy currently for Libya.³³

LibMAC does, however, have a national short-term operational plan.³⁴ LibMAC prioritises survey and clearance operations based on humanitarian, security and development indicators,³⁵ and is responsible for issuing task orders.

According to DCA, mine action operators liaise with the municipal councils, community leaders and security providers to build a picture of priority areas for survey and follow-on clearance. Operators then apply for task orders through the LibMAC. Due to the small number of clearance teams and personnel in Libya, the priority is responding to call-outs, particularly from returning internally displaced persons (IDPs). Therefore, much of the clearance is reactive EOD spot tasks in order to minimise the immediate threat to human life.³⁶

HALO Trust's prioritisation criteria for non-technical survey are: number of conflict events, population density, critical infrastructure, duration of active fighting in a given area, recorded mines removed and explosive ordnance accidents. For technical survey and clearance, HALO's criteria are: access, land use, number of beneficiaries, and direct evidence of contamination.³⁷

The Tripoli ERW Hazard Mapping and IM Project uses open-source data collation and geolocation techniques to map potential ERW contamination along the Tripoli frontlines by collecting information on active fighting incidents, weapons systems, and ammunition used, and ERW-related accidents and displacement. The online data collection portal, linking to a live database that is shared with LibMAC and other stakeholders, is used to track historical data starting from 4 April 2019 up to the present. Mapping ERW contamination along the frontlines enables LibMAC to coordinate and direct specialist clearance capacity as well as risk education teams to the most highly contaminated areas.³⁸

LAND RELEASE SYSTEM

STANDARDS AND LAND RELEASE EFFICIENCY

There is no national mine action legislation in Libya, but National Mine Action Standards (LibMAS), in Arabic and English, have been elaborated with the support of the GICHD and UNMAS, and were approved by the GNA in August 2017. The LibMAS are available on the LibMAC website.³⁹ According to international clearance operators, the national mine action standards are aligned to the International Mine Action Standards (IMAS), reproducing it word-for-word in many parts.⁴⁰ As at April 2021, the LibMAS have not been updated since their approval in 2017.

While the LibMAS are broad and not overly restrictive, some additional guidance on how implementing organisations should adapt to local circumstances and conditions may be beneficial. For example, what they should consider as direct versus indirect evidence in the context of clearance in urban areas. This could in turn help standardise the consideration of evidence by various stakeholders.⁴¹

OPERATORS AND OPERATIONAL TOOLS

Table 1: Operational survey capacities deployed in 2020⁴²

Operator	NTS teams	Total personnel	TS teams
3F	2	6	0
Libya Peace Organization	2	6	0
HALO Trust ⁴³	5	12	0
DCA ⁴⁴	4	44	0
DRC	2	6	0
Totals	15	74	0

NTS = Non-technical survey

TS = Technical survey

Table 2: Operational clearance capacities deployed in 2020⁴⁵

Operator	Manual clearance teams	Total deminers*	Dog teams (dogs and handlers)	Mechanical assets/machines
DCA	7	77	0	0
HALO Trust	0	0	0	3
Totals	7	77	0	3

* Excluding team leaders, medics, and drivers.

Mine action operations have been conducted by the army engineers, a police unit, and the Ministry of Interior's NSA, also known as Civil Defence.⁴⁶ Military engineers reportedly lack mine detectors and are working with basic tools.⁴⁷ The NSA is mandated to conduct EOD in civilian areas.⁴⁸ These institutions liaise with LibMAC but are not tasked or accredited by them, nor do they provide clearance reports to the Centre.

The National non-governmental organisation (NGO) operator, 3F, continued to be operational. Another national operator, the Libyan Demining Group (LDG), was in the process of becoming established as at February 2019,⁴⁹ but, as at April 2021, had not been accredited by LibMAC.⁵⁰ Local organisations Peace Organization from Zintan and World Without War (3W), from Misrata, which had been trained by HI in 2016 and received accreditation for non-technical survey,⁵¹ subsequently had their operations suspended for not complying with standards and, in addition, neither organisation had secured funding.⁵² In 2020, LibMAC reported having accredited two additional local operators: The Safe Trust NGO (*Al-Thiqa al-Amna*) and the Communication NGO (*Al-Tawasol*).⁵³

DCA is operational in Libya clearing residential, commercial, education, medical, and agricultural sites of mines and ERW, and providing training in clearance, search, and EOD, to help strengthen the capacity of national authorities. DCA also conducts risk education.⁵⁴ Now in its eleventh year of working in Libya, DCA currently has offices Benghazi, Misrata, Sirte, and Tripoli. Its office in Al-Bayda was closed since the end of its programme in Derna. In 2020, DCA deployed manual clearance teams in Benghazi, Derna, Sirte, and Tripoli. DCA increased both survey and clearance capacity in 2020 as it expanded to address the ERW contamination in the south of Tripoli and expected to increase its clearance teams from two to four in Tripoli in 2021 under additional funding.⁵⁵

DRC set up in Libya since 2017 and has three offices in Benghazi, Sabha and Tripoli. Its offices in Misrata and Zwara were closed at the end of 2020. DRC was operational in both Benghazi and Sabha in 2020.⁵⁶ In Sabha, DRC had two non-technical survey teams and two EOD teams, which it was managing remotely. Security issues in the south continue to disrupt mine action and prevent continuous operations. In Tripoli, DRC works through its national implementing partner, 3F. 3F operates under DRC's accreditation and standing operating procedures (SOPs), and has an operational contingent of 37, composed in two EOD teams and two non-technical survey teams.⁵⁷ In 2020, DRC conducted two non-technical surveys in Benghazi and one in Sabha. DRC also conducted one EOD task in Benghazi and another in Al-Shati.⁵⁸

The HALO Trust has been present in Libya since November 2018, and has offices in Misrata, Sirte, and Tripoli. HALO first deployed survey personnel in Tripoli in July 2020 following the cessation of fighting in southern Tripoli in the summer of that year. HALO was able to use data gathered during an information management project that mapped reports of conflict events, to prioritise areas for survey. In July 2020, HALO trained eight personnel in non-technical survey and deployed two non-technical survey teams. In November 2020, HALO trained and deployed three additional non-technical survey teams.⁵⁹ As at April 2021, HALO Trust was training and preparing to deploy two technical survey/clearance teams and three mechanical clearance teams. HALO intended to deploy 13 manual personnel and 16 mechanical personnel in 2021, subject to accreditation by LibMAC.⁶⁰ As of writing, HALO was not yet accredited to conduct clearance or EOD tasks.⁶¹

Humanitarian access to Libya for survey and clearance operations, remains challenging for all operators. HALO, for example, experienced delays in the granting of multiple-entry visas and limited movement between locations due to ongoing conflict and changing frontlines. In Libya, the provision of security is highly localised; tribe-affiliated armed groups, with oftentimes shifting allegiances, control cities and towns down to neighbourhood level. This in turn requires humanitarian actors to have a good knowledge of armed group dynamics on the one hand while liaising with many interlocutors on the other. The risk of arbitrary detention of national staff is high, either due to tribal background or due to suspected affiliation with opposing armed groups.⁶²

The level of insecurity in Libya have not significantly affected operations of DCA in 2020. DCA lost approximately four weeks of operations time in Sirte following the change in front lines in January 2020.⁶³ For DRC, the security situation in Libya has posed little to no challenges to the implementation of survey activities, and it continued to enjoy good access in its area of operations.⁶⁴

A number of other Libyan civil society organisations are also reported to carry out mine action operations, but they are not accredited by LibMAC.

LAND RELEASE OUTPUTS AND PROGRESS TOWARDS COMPLETION

LAND RELEASE OUTPUTS IN 2020

There were no known reports of CMR survey or clearance during 2020 or in 2019.

DCA did not engage in any survey or clearance of CMR in 2020 and reports that the only actor who might have is the National operator, 3F.⁶⁵ Data was not made available by the LibMAC on CMR clearance conducted in Libya in 2020.

SURVEY IN 2020

There were no known reports of CMR survey during 2020.

DCA did not engage in any survey of CMR in 2020 and reports that the only actor who might have is the National operator, 3F.⁶⁶

CLEARANCE IN 2020

There were no known reports of CMR clearance during 2020. Data were not made available by LibMAC on any CMR clearance in 2020.

PROGRESS TOWARDS COMPLETION

LibMAC describes the following challenges to implementation of mine action operations: the high level of contamination; ongoing conflict and the continued presence of Islamic State; the difficulty in convincing internally displaced persons to delay their return until the ERW threat is addressed; security and access to priority areas; the limited ERW and EOD capacity in Libya; the vast geographical area; and limited governmental and international support.⁶⁷ Security conditions continued to pose a challenge to mine action in Libya.

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- 22 OCHA, Libya Humanitarian Response Plan, February 2020, p. 45.
- 23 Email from Col. Adel Elatwi, LibMAC, 22 April 2021.
- 24 Email from Graeme Ogilvie, Country Director, DCA, 20 April 2021.
- 25 Email from Catherine Alice Smith, DRC, 20 April 2021.
- 26 Email from Lucy Reeve, HALO Trust, 23 April 2021.
- 27 Email from Nicholas Torbet, HALO Trust, 14 April 2020.
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