

LIBYA



RECOMMENDATIONS FOR ACTION

- Libya's Government of National Accord should ensure that forces loyal to it do not use cluster munitions.
- Libya should accede to the Convention on Cluster Munitions (CCM) as a matter of priority.
- Libya should initiate survey and clearance of cluster munition remnants (CMR) as soon as possible.

CONTAMINATION

Contamination in Libya is the consequence of armed conflict in 2011 and since 2015 but the extent of the CMR hazard is unknown. In 2011, armed forces used at least three types of cluster munition, including the Chinese dual-purpose Type 84, which also functions as an anti-vehicle mine, and the Spanish MAT-120, which holds 21 submunitions. In 2012, Mines Advisory Group (MAG) reported tackling Russian PTAB cluster bombs,¹ while international media reported the presence of a fourth type of cluster munition that has remained unidentified.² Additional contamination by CMR occurred as a result of kick-outs from ammunition storage areas bombed by NATO forces in 2011.

In early 2015, fighting between Libya's rival governments 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 but denied using cluster bombs.³ According to Cluster Munition Monitor, while the last confirmed use of cluster munitions in Libya was in January 2015, there are indications that additional attacks may have occurred since that time, including in 2016. For example, in March 2016, a defence blog

published photographs that it credited to the Libyan National Army that suggested its forces may have used cluster munitions at least twice that month.⁴

The impact of CMR contamination is unknown.

Other Explosive Remnants of War and Landmines

According to the United Nations Mine Action Service (UNMAS), ongoing conflict has resulted in significant ERW contamination in numerous cities across Libya, impacting on public infrastructure such as schools, universities, and hospitals. The ERW threat is exacerbated by the mines and ERW left from previous conflicts.⁵

PROGRAMME MANAGEMENT

There is no national mine action authority, policy, or strategy for Libya. Mine action exists in a fragmented and violent political context. Following years of armed conflict, a new United Nations-backed "unity" government, the Government of National Accord, was formally installed in a naval base in Tripoli in early

2016. Through early 2017, however, it continued to face opposition from two rival governments and a host of militia forces.

LibMAC was mandated by the Minister of Defense to coordinate mine action in December 2011. As at March 2017, it was operating under the UN-backed Government of National Accord. Its headquarters are in Tripoli, in the west of the country. In 2015 and 2016, it did not have an office in the east, though it coordinated with institutions in Benghazi, and in April 2016, a regional Operations Manager was appointed for the east.⁶ In July 2016, LibMAC also established a small office in Misrata.⁷ The operating costs and salaries for the LibMAC are funded by the United States Department of State and administered by ITF Enhancing Human Security (ITF).⁸

Standards

National standards in English and Arabic, developed with the support of UNMAS, were expected to be finalised by the end of March 2017.⁹ As of late June 2017, the standards had been completed and were awaiting approval for publication by the Prime Minister.¹⁰

Operators

Mine action operations have been conducted by the army engineers, police units, and the Ministry of Interior's National Safety Authority (NSA), also known as Civil Protection.¹¹ These institutions liaise with LibMAC but are not tasked or accredited by them, nor do they provide clearance reports to the Centre. The deteriorating security situation resulted in the withdrawal of UNMAS and international mine action operators from Libya in mid-2014. UNMAS has been operating from Tunis since November 2014, from where it carries out capacity enhancement training courses, support, and advice to LibMAC and coordination of the international mine action response in Libya.¹²

In 2016, DDG was newly accredited for non-technical survey, explosive ordnance disposal (EOD), and risk education, and went on to conduct operations in the south of Libya. By the end of 2016, it had three non-technical survey teams and one EOD team, mainly operating in Sabha, in the south-west of the country.¹³

National NGO Free Fields Foundation (3F) has a formal partnership with DDG for organisational development and technical capacity building but has not yet attained

the requisite standard to carry out non-technical survey and EOD independently. It has, however, been granted permission to operate under DDG's accreditation and under its supervision. 3F, which is mentored and monitored by technical advisors remotely via Skype from Tunis, is operational in the west of Libya, with two EOD teams and two non-technical survey teams.¹⁴

Handicap International (HI) trained two local partners in non-technical survey in 2016: Peace Organisation from Zintan, and World Without War (3W) from Misrata. Both organisations received accreditation for non-technical survey from LibMAC after the training. Following the training, Peace Organization conducted non-technical survey under remote management by HI from Tunis.¹⁵

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

Information management

LibMAC received technical support for IMSMA from the Geneva International Centre for Humanitarian Demining (GICHD) and UNMAS in 2016.¹⁶

LAND RELEASE

Libya does not have an active programme for survey or clearance of CMR and there are no reports of CMR clearance during 2016 although a number of operators engaged in small-scale explosive ordnance disposal (EOD) operations. This included DDG and 3F, both of which started EOD operations in late 2016.¹⁷

In addition, battle area clearance (BAC) was reportedly conducted in 2016 by the national authorities and volunteer groups in several locations across the country. However, this clearance was not coordinated with LibMAC, and no land release certificates were issued.

ARTICLE 4 COMPLIANCE

Libya is neither a state party nor a signatory to the CCM and therefore does not have a specific clearance deadline under Article 4. Nonetheless, it has obligations under international human rights law to clear CMR as soon as possible.

1 Email from Nina Secharan, Desk Officer for Iraq, Lebanon and Libya, MAG, 5 March 2012.

2 C. J. Chivers, "Name the Cluster Bomb, an Update", *New York Times*, 2 February 2012.

3 Human Rights Watch, "Libya: Evidence of new cluster bomb use", 15 March 2015, at: <http://www.hrw.org/news/2015/03/14/libya-evidence-new-clusterbomb-use>.

4 Cluster Munition Monitor, "Libya: Cluster Munition Ban Policy", Last updated 3 August 2016, at: <http://www.the-monitor.org/en-gb/reports/2016/libya/cluster-munition-ban-policy.aspx>.

5 UNMAS, "Libya: Humanitarian Mine Action", Last updated February 2016, at: <http://www.mineaction.org/programmes/libya>.

6 Skype interview with Ezzedine Ata Alia, Administration Manager, LibMAC, 20 March 2017.

7 Interview with Col. Turjoman, Director, LibMAC, in Geneva, 10 January 2017.

8 Email from Roman Turšič, Head of Implementation Office Libya/Afghanistan, ITF, 26 February 2017.

9 Skype interview with Ezzedine Ata Alia, Administration Manager, LibMAC, 20 March 2017. See <http://www.lmac.gov.ly/>.

10 Email from Ezzedine Ata Alia, Administration Manager, LibMAC, 28 June 2017.

11 Interview with Col. Turjoman, LibMAC, in Geneva, 10 January 2017.

12 UNMAS, "Programmes: Libya", January 2017, at: <http://www.mineaction.org/programmes/libya>; and email from Dandan Xu, Associate Programme Management Officer, UNMAS, 12 July 2017.

13 Email from Lutz Kosewsky, DDG, 22 February 2017.

14 Ibid.

15 Email from Catherine Smith, Mine Action Desk Officer, HI, 22 February 2017.

16 Email from Lyuba Guerassimova, Programme Officer, UNMAS, 28 February 2017.

17 Email from Lutz Kosewsky, DDG, 22 February 2017.