



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.
- 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 conduct a baseline survey to identify the extent of cluster munition remnant (CMR) contamination, at the earliest opportunity possible and as soon the security situation permits.
- Libya should initiate survey and clearance of CMR-contaminated area as soon as possible.
- Libya should develop national capacity to conduct CMR survey and clearance, with the support of international actors.

CONTAMINATION

Contamination in Libya is the consequence of armed conflict in 2011 and renewed conflict since 2014 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 North Atlantic Treaty Organization (NATO) forces in 2011.

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 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 and 2017. For example, an aviation-focused blog has published various photographs and videos which reportedly show cluster bombs being mounted on aircraft or helicopter, or else on the tarmac of Libyan airbases, indicating that cluster munitions have been

used on multiple occasions in 2016 and 2017.⁴ According to the Monitor, further evidence of cluster munition use may have gone unrecorded due to a lack of media and independent reporting from the ground, and the Monitor was unable to independently verify and confirm this evidence of possible use.⁵

The impact of CMR contamination is unknown, but according to the United Nations Support Mission in Libya (UNSMIL), the presence of landmines, improvised explosive devices (IEDs), and other unexploded ordnance (UXO) poses a persistent threat to the Libyan population. It also hinders the safe return of internally displaced people and restricting access for humanitarian workers.⁶

Other Explosive Remnants of War and Landmines

Libya is also contaminated by other UXO and by anti-personnel mines (see Mine Action Review's *Clearing the Mines* report on Libya for further information). According to the United Nations Mine Action Service (UNMAS), ongoing conflict has resulted in significant explosive remnants of war (ERW) contamination in numerous cities across Libya, impacting on public infrastructure such as schools, universities, and hospitals. Vast amounts of unsecured weapons and ammunition contaminate Libya. In addition, the ERW threat is exacerbated by the mines and ERW left from previous conflicts.⁷

PROGRAMME MANAGEMENT

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.

The Libyan Mine Action Centre (LibMAC) was mandated by the Minister of Defense to coordinate mine action in December 2011.⁸ As at March 2017, it was 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 Benghazi⁹ and Misrata.¹⁰ In April 2016, a regional Operations Manager was appointed for the east.¹¹ In July 2016, LibMAC also established a small office in Misrata.¹² 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).¹³

Strategic Planning

There is no national mine action strategy for Libya.

LibMAC do, however, prioritise survey and clearance operations and are responsible for issuing task orders. Prioritisation is, in part, informed by data collected and reported to LibMAC by operators such as Danish Demining Group (DDG), during non-technical survey or to explosive ordnance disposal (EOD), and by reports from the local community.¹⁴

Legislation and Standards

There is no national mine action legislation in Libya, but National Mine Action Standards (NMAS), in Arabic and English, have been elaborated with the support of the Geneva International Centre for Humanitarian Demining (GICHD) and UNMAS, and were approved by the Government of National Accord in August 2017. Libya's NMAS are available on the LibMAC website.¹⁵

As at April 2018, HI was reviewing and updating its standing operating procedures (SOPs) for Libya following the release of the new NMAS, which are aligned with International Mine Action Standards (IMAS).¹⁶ DDG was also in the final stages of updating its SOPs, as at June 2018.¹⁷

Quality Management

UNMAS provides remote training and assistance to LibMAC in quality management (QM), from Tunis.¹⁸

Information Management

LibMAC receives technical support for the Information Management System for Mine Action (IMSMA) from the GICHD and UNMAS.

Operators

Mine action operations have been conducted by the army engineers, a police unit, and the Ministry of Interior's National Safety Authority (NSA), also known as Civil Defense.¹⁹ The NSA is mandated to conduct EOD in civilian areas.²⁰ 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 provides institutional and operational capacity-building, training, including in EOD, and support and advice to LibMAC, including in establishing processes for the accreditation and activities of mine action actors in Libya.²¹ Despite the relocation of the programme to Tunisia due to poor security in 2014, UNMAS Libya continues to coordinate with national authorities and implementing partners and to carry out mine action activities and provide technical advice and advisory support on arms and ammunition management. The UNMAS Libya Programme is an integral part of the UNSMIL.²²

Since 2015, UNMAS has trained more than 70 NSA operators and Military Engineers in advanced EOD, 30 officers from eastern Libya in non-technical survey, and provided advanced medical first-responder training to 72 EOD operators from Benghazi and several operators addressing the threat from explosive ordnance in Sirte.²³

DanChurchAid (DCA) is operational in Libya, clearing ERW, and providing risk education, psychosocial support, armed violence reduction, and training of national authorities. Now in its seventh year of working in Libya, DCA reportedly has offices in Tripoli, Misrata and Benghazi.²⁴

DDG set up its Libya mine action programme remotely from Tunisia in 2014, but in early 2017 it relocated to Libya. DDG is operational in three areas of Libya: Benghazi, in the east of the country; Sabha, in the south-west; and Tripoli, in the west.²⁵

DDG set up in Benghazi in December 2017 and spent the first quarter of 2018 obtaining accreditation and putting in place necessary policies and procedures before becoming operational. DDG hoped to expand non-technical survey and EOD capacity in Benghazi from the late summer of 2018. In Sabha, DDG has one non-technical survey team and one EOD team, which it manages remotely. Security issues in the south continue to disrupt mine action operations and prevent continuous operations. In Tripoli, DDG works through its implementing partner, National NGO Free Fields Foundation (3F).

3F operates under DDG's accreditation and SOPs, and has an operational capacity of 37 people, comprising three EOD teams and one non-technical survey team.²⁶

HI's mine action programme in 2017 continued to be remotely managed from Tunis.²⁷ In 2017, HI had three Risk Education teams, but no survey or clearance capacity in Libya. HI hoped to be able to deploy a roving survey and EOD capacity in 2018, in the Sirte and Misrata regions, in addition to Risk Education.²⁸

HI trained two local partners in non-technical survey in 2016: Peace Organization 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.²⁹ Another of HI's implementing partners, AMACC, conducted non-technical survey in one CMR-suspected area in 2017.³⁰

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

Military engineers reportedly lack mine detectors and are working with basic tools. According to a military source quoted in Reuters, 50 have been killed and 60 wounded, over an unspecified time period.³¹

LAND RELEASE

There were no reports of planned CMR clearance during 2017 although a number of operators engaged in EOD operations. No CMR-contaminated area was reported to have been released by survey in 2017 either, although AMACC confirmed an area as CMR-contaminated through survey.

Survey in 2017

In 2017, HI's implementing partner, AMACC, reported undertaking non-technical survey of one suspected hazardous area (SHA) in the Kikla area, south-west of Tripoli, during which 50,400m² was confirmed as CMR-contaminated.³²

Clearance in 2017

There was no reported planned clearance of CMR-contaminated area in 2017.

CMR were reportedly destroyed during EOD spot tasks in 2017, but information on the number of submunitions destroyed has not been reported by LibMAC.³³

ARTICLE 4 COMPLIANCE

Libya is not a state party 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.

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 IED disposal capacity in Libya; the vast geographical area; and the shortfall

in governmental and international support.³⁴ Security conditions continued to pose a challenge to mine action in Libya, and as at June 2018, non-governmental organisations were frequently forced to suspend operations in the south-west due to poor security.³⁵

In his February 2018 report on the work of UNSMIL, the UN Secretary-General stated that explosive ordnance "continue to pose a significant, indiscriminate threat to the civilian population" and urged "Member States to expand their funding to activities in priority areas through the provision of training and equipment."³⁶

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 - 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 2 August 2017, at: <http://www.the-monitor.org/en-gb/reports/2016/libya/cluster-munition-ban-policy.aspx>.
 - 5 Ibid.
 - 6 "Lives and Limbs Shattered by Libya Mines", Asharq Al-Awsat, 5 April 2018.
 - 7 UNMAS, "Libya: Humanitarian Mine Action", Last updated February 2016, at: <http://www.mineaction.org/programmes/libya>.
 - 8 LibMAC website, accessed 25 June 2018, at: <http://www.lmac.gov.ly/EN/about.html>.
 - 9 Email from Jakob Donatz, Associate Programme Officer, UNMAS, 21 June 2018.
 - 10 Email from Roman Turšič, Head of Implementation Office Libya/ Afghanistan, ITF, 26 February 2017.
 - 11 Skype interview with Ezzedine Ata Alia, Administration Manager, LibMAC, 20 March 2017.
 - 12 Interview with Col. Turjoman, Director, LibMAC, in Geneva, 10 January 2017.
 - 13 Email from Roman Turšič, Head of Implementation Office Libya/ Afghanistan, ITF, 26 February 2017.
 - 14 Telephone interview with Darren Devlin, Programme Manager Libya, DDG, 20 June 2018; and email, 4 July 2018.
 - 15 Libyan Mine Action Centre (LibMAC) website, accessed 25 June 2018, at <http://www.lmac.gov.ly/>; and Report of the Secretary-General on the United Nations Support Mission in Libya, UN Doc. S/2018/140, 12 February 2018, p.12.; and UNMAS, "Programmes: Libya", March 2018, at: <http://www.mineaction.org/programmes/libya>.
 - 16 Email from Catherine Smith, Head of Mission, HI, 30 April 2018.
 - 17 Telephone interview with Darren Devlin, DDG, 20 June 2018.
 - 18 UNMAS, "Programmes: Libya", March 2018, at: <http://www.mineaction.org/programmes/>.
 - 19 Interview with Col. Turjoman, LibMAC, in Geneva, 10 January 2017.
 - 20 Email from Diek Engelbrecht, UNMAS Libya, 20 July 2013.
 - 21 UNMAS, "Programmes: Libya", March 2018, at: <http://www.mineaction.org/programmes/libya>; and emails from Lyuba Guerassimova, Programme Officer, UNMAS, 28 February 2017 and Dandan Xu, Associate Programme Management Officer, UNMAS, 12 July 2017; and Report of the Secretary-General on the United Nations Support Mission in Libya, UN Doc. S/2018/140, 12 February 2018, p.12.
 - 22 Email from Jakob Donatz, UNMAS, 21 June 2018.
 - 23 UNMAS, "Programmes: Libya", June 2018, at: <http://www.mineaction.org/programmes/libya>.
 - 24 DCA website, accessed 18 June 2018, at: <https://www.danchurchaid.org/where-we-work/libya>.
 - 25 Telephone interview with Darren Devlin, DDG, 20 June 2018; and email, 4 July 2018.
 - 26 Ibid.
 - 27 Email from Catherine Smith, HI, 30 April 2018.
 - 28 Ibid.
 - 29 Email from Catherine Smith, HI, 22 February 2017.
 - 30 Email from Catherine Smith, HI, 30 April 2018.
 - 31 "Mine still claim legs and lives in Libya's Benghazi, months after war ceased", *Reuters*, 21 January 2018.
 - 32 Email from Catherine Smith, HI, 30 April 2018.
 - 33 Email from Jakob Donatz, UNMAS, 21 June 2018.
 - 34 PowerPoint presentation by Mohammad Turjoman, LibMAC, at the National Programme Director's Meeting, Geneva, 8 February 2017.
 - 35 Telephone interview with Darren Devlin, DDG, 20 June 2018.
 - 36 Report of the Secretary-General on the United Nations Support Mission in Libya, UN doc. S/2018/140, 12 February 2018, p. 16.