

LIBYA

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RECOMMENDATIONS FOR ACTION

- Libya should accede to the Anti-Personnel Mine Ban Convention (APMBC) as a matter of priority.
- Libya's new Government of National Accord should seek assistance to develop a functioning civilian mine action programme.
- Libya should enact legislation and assign one institution a clear mandate to manage mine action.
- Libya should initiate survey and clearance of mines as soon as possible and take other measures to protect civilians.

CONTAMINATION

Libya is contaminated with mines but no survey has been conducted to determine the extent. Contamination dates back to the desert battles of World War II and conflicts with Egypt in 1977 and Chad in 1980–87, which resulted in mines being laid on those borders. Its border with Tunisia is also affected. During Colonel Muammar Qaddafi's four decades in power, mines were emplaced around a number of sensitive locations, including military facilities and key infrastructure.¹

Mines were used by both sides in the 2011 conflict leading to Colonel Qaddafi's overthrow. The only confirmed instance of landmine use by rebels occurred in Ajdabiya, but other locations where pro-government elements laid mines included Brega, Khusha, Misrata, and the Nafusa Mountains.² The escalation of conflict in Libya in 2014 brought new reports of mine use by armed groups fighting around Tripoli airport.³

1 Human Rights Watch, "Landmines in Libya: Technical Briefing Note", 19 July 2011, at: <http://www.hrw.org/news/2011/07/19/landmines-libyatechnical-briefing-note>.

2 Ibid; and email from Jenny Reeves, Weapons Contamination Coordinator, ICRC, Tripoli, 22 February 2012.

3 Human Rights Watch, "Libya: New evidence of landmine use", 5 November 2014.

PROGRAMME MANAGEMENT

After the downfall of the Gaddafi regime, mine action came under the jurisdiction of competing authorities located in the Office of the Army Chief of the General Staff and the Libyan Mine Action Centre (LibMAC), which was mandated by the Ministry of Defence and became active after opening an office in Tripoli in 2012, but possessed little authority outside the city. A new director, Colonel Mohammad Turjoman, was appointed in December 2013 and took up his post early in 2014.

UNMAS is part of the UN Support Mission to Libya (UNSMIL). Known as the Arms and Ammunition Advisory Section (AAAS), UNMAS is the UN lead on management of weapons and ammunition in Libya. Since November 2014, it has been operating from Tunisia.⁴

Operators

Mines Advisory Group (MAG) had been planning a major expansion of its clearance work in 2015 but was forced to close down its programme.

LAND RELEASE

Libya does not have an active programme for survey or clearance of mines as a result of generalised violence and ongoing armed conflict. Libya has not reported with any credibility on its release of mined areas in recent years.

ARTICLE 5 COMPLIANCE

Libya is not a state party or signatory to the APMBC but nonetheless has obligations under international human rights law to protect life, which requires clearance of mines as soon as possible.⁵

⁴ Ibid.

⁵ Libya is a state party to the 1966 International Covenant on Civil and Political Rights, Article 6(1) of which stipulates that: "Every human being has the inherent right to life".