

Shattered lives

Civilians suffer from the use
of explosive weapons in Libya



Colophon

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Foreword

Every day, in many different contexts around the world, the use of explosive weapons in populated areas causes immense harm to civilians. Their use in towns and cities including Afghanistan, Iraq, Libya, the occupied Palestinian territory, Sudan, Syria, Ukraine and Yemen has resulted in countless civilian casualties, widespread displacement and the destruction of vital infrastructure upon which civilians depend.

Too often, civilian casualties and the destruction of civilian homes and livelihoods are accepted as 'collateral damage' – a sad but inevitable side effect of war. We must challenge this narrative: the humanitarian impact of the use of bombs, rockets, mortars and other explosive weapons in towns and cities is predictable and can often be avoided.

Sometimes it is difficult to relate to people in need, especially when they are far away and their stories are reduced to numbers and statistics. But behind each and every statistic, headline, article or report on the use of explosive weapons in populated areas, there are dozens, hundreds and sometimes thousands of individual stories. Sometimes we need to be confronted on a more personal level to remind ourselves that there is a person's life behind every single number. The individual stories give a human voice to the numbers, offering a rare snapshot of the lives of ordinary people who are caught up in a tragic situation.

It is our sincere hope that these stories will move people from spectators to actors. The humanitarian harm caused by explosive weapons in populated areas, in Libya and elsewhere in the world, needs to be addressed as a matter of urgency. It is time for States to work with United Nations agencies and civil society towards a political commitment that will set stronger standards and ultimately strengthen the protection of civilians from the use of explosive weapons in populated areas.



Stephen O'Brien

United Nations Emergency Relief Coordinator and
Under-Secretary-General for Humanitarian Affairs



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1. Introduction

Violence and conflict in Libya since February 2011 have had a grave impact on the civilian population. In particular, the widespread use of explosive weapons by Government forces and armed groups in cities, towns and villages has resulted in the death and injury of thousands of civilians, destroyed livelihoods and essential infrastructure, and forced tens of thousands of people to flee their homes.

This briefing paper illustrates the heavy price that civilians have paid for the explosive violence in Libya through personal accounts of victims and their families. This paper is not intended to provide a detailed or systematic analysis of explosive violence in Libya. Rather, it seeks to show general trends in the use of explosive weapons in Libya since 2011, and to highlight the devastating impact that such use has had on the civilian population. The intensity of armed violence in Libya and limited access on the ground make it particularly challenging to capture the full scale of ongoing explosive weapon use in the country. Further research is recommended to assess the full extent and impact of explosive violence in Libya, particularly during 2014 and 2015. This paper concludes by making general recommendations aimed at strengthening the protection of civilians from the use of explosive weapons in populated areas, in Libya and elsewhere in the world.

Explosive weapons in populated areas: a global problem

The tragic situation in Libya is not unique. Similar patterns of death and destruction resulting from explosive weapons are apparent in Afghanistan, Iraq, Libya, the occupied Palestinian territory, Sudan, Syria, Ukraine, Yemen and elsewhere. This urgent humanitarian problem is now recognized as a major challenge to the protection of civilians. According to global data collected in 2014 by

the British NGO Action on Armed Violence (AOAV), when explosive weapons were used in populated areas, 92 per cent of the reported casualties (people killed or physically injured) were civilians.¹ This compares with just 34 per cent in other areas. AOAV found that more than 32,662 civilians worldwide were reported as killed or injured by explosive weapons in 2014 – a 52 per cent increase compared with 2011. Incidents involving the use of explosive weapons were recorded in 58 countries, with Iraq seeing the highest numbers of civilian casualties, followed by Syria, Gaza, Nigeria and Pakistan respectively.

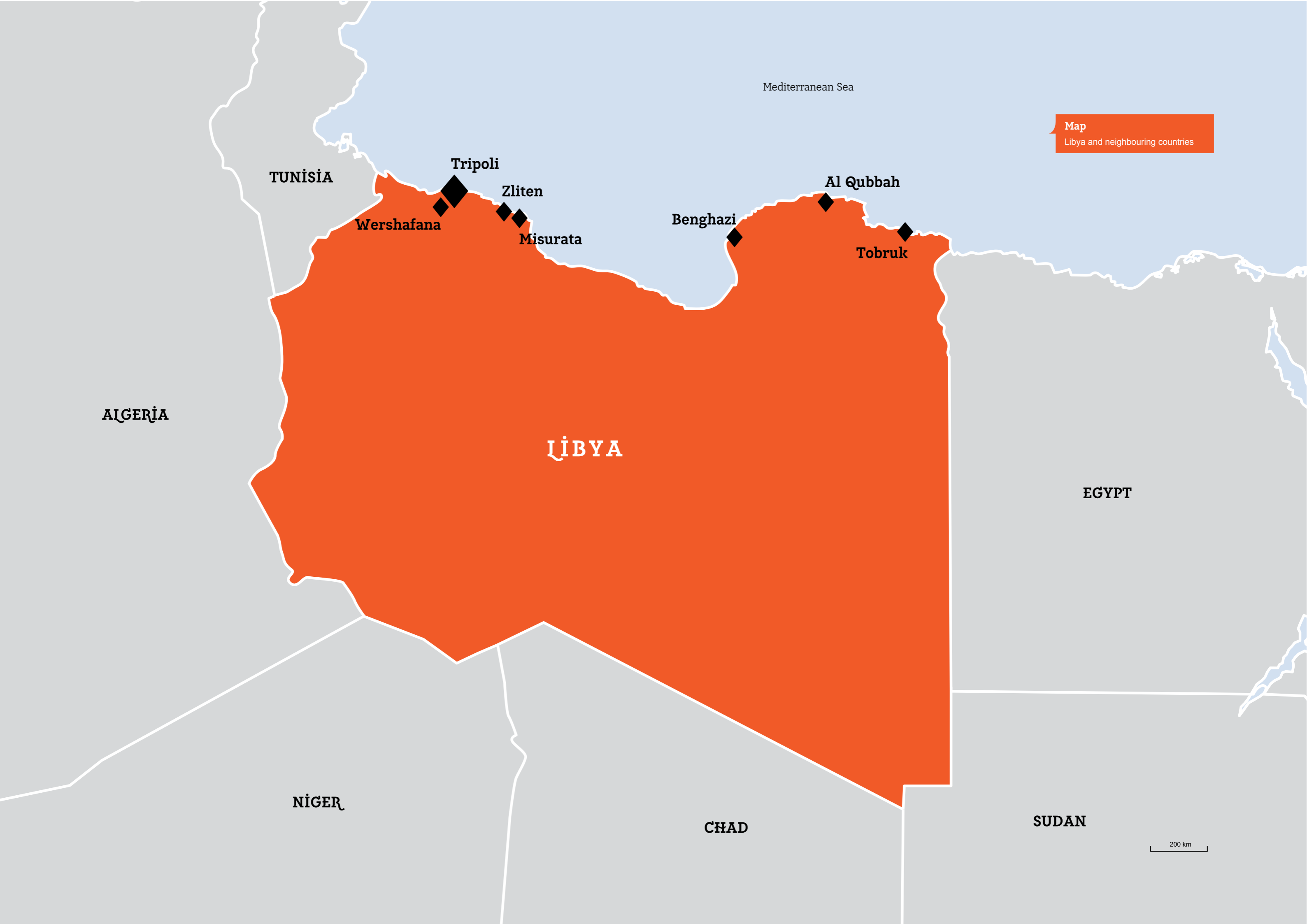
Explosive weapons include improvised explosive devices (IEDs), and explosive ordnance such as mortar bombs, rockets, tank shells, and aircraft bombs and missiles. These weapons differ in their design and method of delivery, but they all use blast and fragmentation, and they have the potential to kill, injure or destroy anyone or anything around the detonation point. When these weapons are used in populated areas, such as cities, towns, markets and refugee camps, civilians are often severely affected, both directly from the blast and fragmentation, and indirectly through the partial or complete destruction of their homes, livelihoods and essential infrastructure, such as hospitals, as well as water and sanitation and electrical supply systems.

The need to strengthen the protection of civilians from the humanitarian impact of explosive weapons in populated areas has emerged as a key concern for international policymakers in recent years. Since 2009, the United Nations Secretary-General has repeatedly called upon Member States to recognize and address this critical humanitarian issue.² He has called upon all parties to conflict – national armed forces and non-state armed groups – to refrain from the use of explosive weapons with wide-area effects in populated areas, and he has recommended that the Security Council, whenever relevant, expressly call upon parties to conflict to refrain from such use.

Forty countries have so far publicly expressed concern about this pressing humanitarian issue.³ The International Committee of the Red Cross (ICRC) and several United Nations actors including the United Nations Children's Fund (UNICEF), the Special Representative of the Secretary-General for Children in Armed Conflict, United Nations Mine Action Service (UNMAS) and OCHA have also expressed public concern. The International Network on Explosive Weapons (INEW), of which PAX is a founding member, is an NGO partnership calling for immediate action to prevent human suffering caused by the use of explosive weapons in populated areas.⁴

Explosive weapons and international humanitarian law

In situations of armed conflict, international humanitarian law (IHL) contains important rules for the protection of civilians, including from the effects of explosive weapons. Through the principles of proportionality, distinction and precaution, parties to conflict (national armed forces and non-state armed groups) are obliged to limit loss of civilian life, injury to civilians and damage to civilian objects as far as possible. Full compliance with IHL by all parties to conflict would significantly enhance the protection of civilians from the effects of explosive weapons. However, given the effects of explosive weapons in populated areas being witnessed today in Libya and elsewhere, there are serious questions regarding how parties to conflict are interpreting and applying the relevant rules of IHL. It is increasingly recognized that the development of policy standards and practice that limit or curb the use of explosive weapons in populated areas, particularly those weapons with wide-area effects, could significantly strengthen the protection of civilians. Steps are being taken to this end.⁵ ♦



Mediterranean Sea

Map
Libya and neighbouring countries

TUNISIA

Tripoli

Zliten

Al Qubbah

Wershafana

Misurata

Benghazi

Tobruk

ALGERIA

LIBYA

EGYPT

NIGER

CHAD

SUDAN

200 km

2. Background to the Libyan conflict

Chronology of events

On 15 February 2011, the Libya uprising began with peaceful protests in the east of the country demanding an end to leader Colonel Muammar Qadhafi's 41-year rule. The uprising spread rapidly throughout the country as "Qadhafi forces engaged in excessive use of force against demonstrators in the early days of the protests, leading to significant deaths and injuries".⁶

On 26 February 2011, the United Nations Security Council adopted resolution 1970 referring the situation in Libya since 15 February 2011 to the International Criminal Court. The Court's Chief Prosecutor opened an official investigation into the situation on 3 March 2011.⁷

On 17 March 2011, the Security Council adopted resolution 1973 authorising "all necessary measures" to "protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya", short of a "foreign occupying force." On 19 March, military forces from France, the United Kingdom and the United States began attacks to implement the no-fly zone over Libya mandated by resolution 1973. The North Atlantic Treaty Organization (NATO) assumed command of all offensive operations from 31 March.⁸

Simultaneously, *thumar* (anti-Qadhafi forces) launched a major offensive against Government forces and captured the capital, Tripoli, in August 2011. On 20 October 2011, Qadhafi was captured and killed.⁹ Libya's transitional Government, the National Transitional Council (NTC), declared the country independent from the previous Government. It sought to continue democratic transition and establish security.¹⁰

In addition to citing extensive violations of international humanitarian and human rights law by Qadhafi forces, the report of the United Nations International Commission of Inquiry (CoI) on Libya concluded that the *thumar* "committed serious violations, including war crimes and breaches of international human rights law".¹¹ The CoI further stated its concerns around the failure to hold perpetrators within the *thumar* accountable.¹² Despite concerns about such violations and the lack of accountability for perpetrators, armed groups formed as part of the *thumar* during the uprising were seen by many as the only functional alternative to a national army that was largely debilitated. In an effort to establish some security before the army could become operational, the NTC paid armed groups for services and sought to organize them under the State.¹³

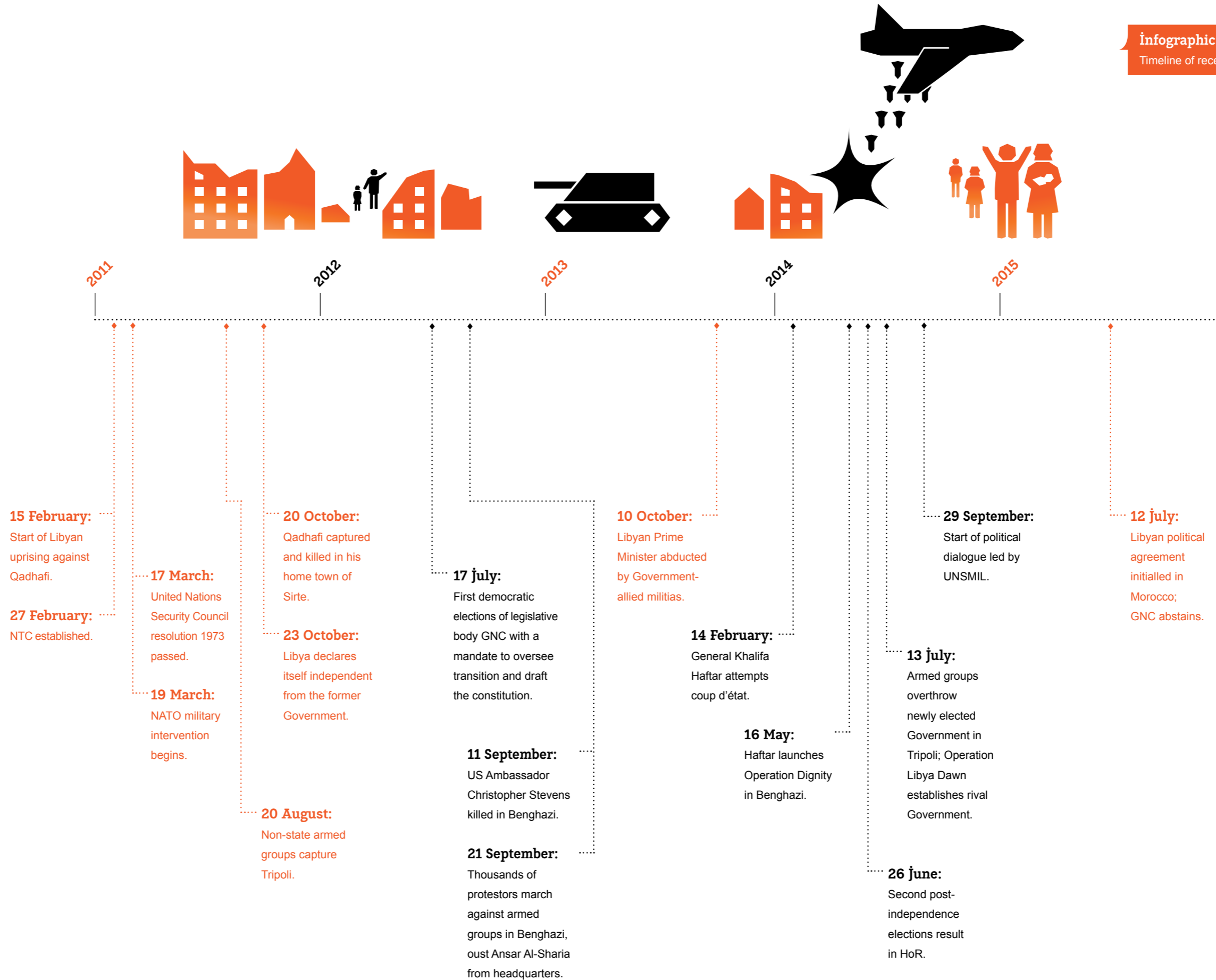
The NTC prepared an interim constitution for Libya and organized the first elections for 7 July 2012. These elections resulted in the formation of the General National Congress (GNC) and brought to power an array of political parties that coalesced around political objectives and the allegiance of armed groups.¹⁴ The safety of elected representatives and their ability to influence the political process became dependent on the existence and cooperation of these groups, thus compromising a central objective of the transition: building a national army, and the disarmament, demobilization and reintegration of former fighters.¹⁵

However, the GNC's inability to establish security and control over armed groups led to wide protests, and elections for a new legislative body to replace the GNC, known as the House of Representatives (HoR), took place on 26 June 2014. The HoR has faced opposition on multiple fronts and struggled to consolidate legitimacy as the main authoritative power in Libya. In July 2014, the HoR was relocated to Tobruk, and violence escalated in Tripoli and Benghazi. Groups in opposition to the HoR established a rival Government in Tripoli, effectively creating two governing bodies in the country, each with a distinct legislature and executive and each aligned with a bloc of armed groups.¹⁶

The United Nations Support Mission in Libya (UNSMIL) has been leading a political dialogue since September 2014 in the hope of reaching a political agreement and creating a unified Government.¹⁷ On 11 July 2015, a new political agreement between various Libyan parties was initialled in Skhir, Morocco. The United Nations Security Council welcomed the agreement as a step towards resolving the country's political crisis, and it "called on all parties to engage with the Libyan political dialogue and unite in support of this agreement which will move the political transition process forward, through the formation of a Government of National Accord."¹⁸

Main parties to the conflict

The two main Libyan political factions that emerged post-revolution, the GNC and the HoR, are often described as "islamists" and "liberals" respectively. The former is largely represented today by the so-called Tripoli Government, based in the west of the country, while the latter is largely represented by the internationally recognized Tobruk Government led by the HoR, based in the east. The conflict is mainly between two fighting blocs: the GNC-aligned Libya Dawn and the HoR-aligned Dignity. However, much of the conflict, and Libya itself, is fragmented into localized battles and power dynamics, driven by loyalties along often-overlapping ideological, regional, local, tribal and ethnic lines. An estimated 1,700 armed groups and militias are active in Libya, some of which were formed as brigades during the 2011 uprising, while others were



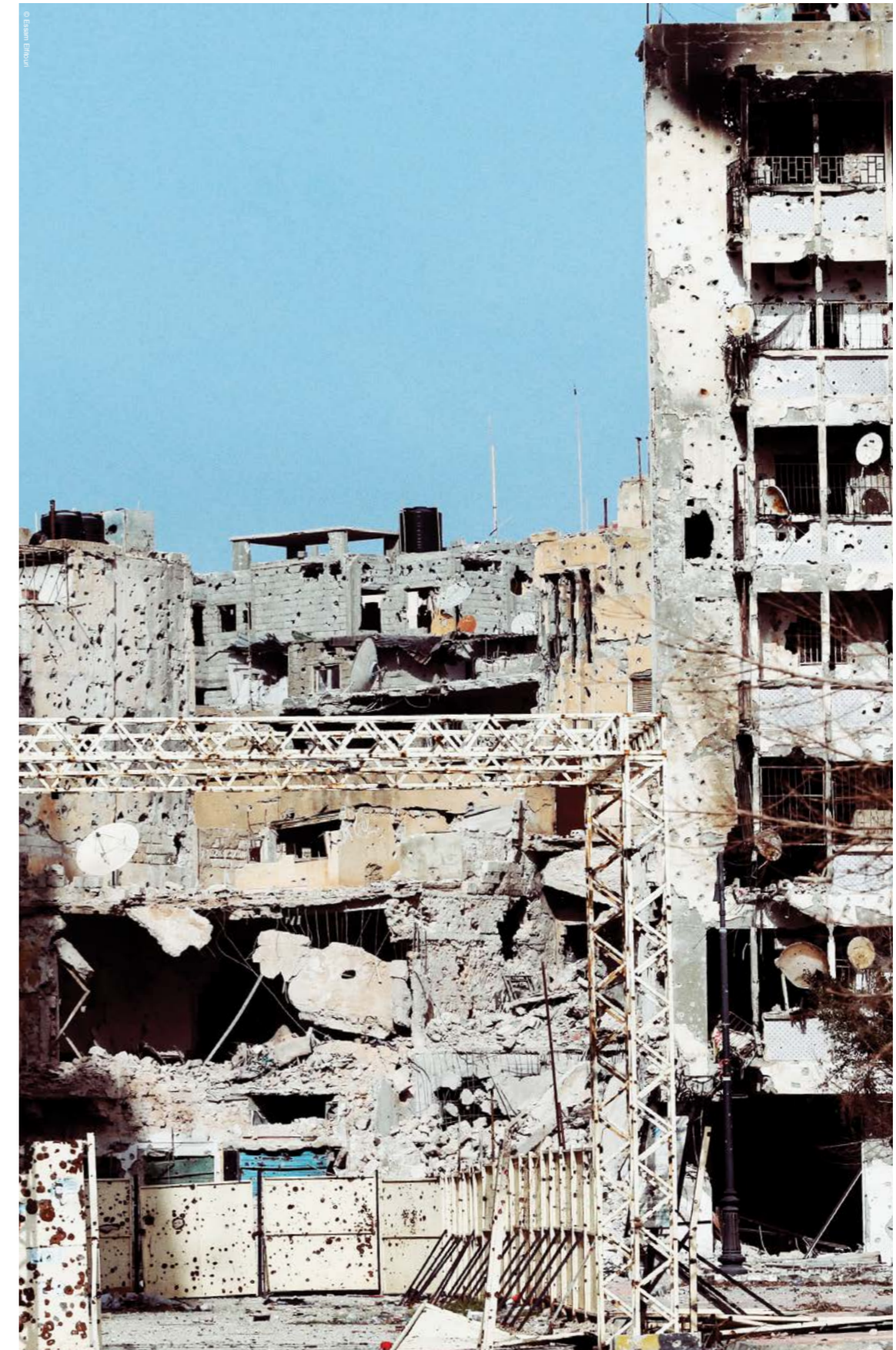
formed in the later stages or aftermath of the 2011 conflict. This fragmentation challenges the formation of a national consensus or shared vision among Libyans on how to address the legacy of their history, manage the transition or share power thereafter.

Chaos across the country has also provided fertile ground for the development of the Islamic State in Iraq and the Levant (ISIL) and affiliated groups. ISIL's territorial influence has grown considerably in 2015.¹⁹

Humanitarian situation

Since mid-2014, fighting has spread and intensified across Libya. Ongoing conflict in populated areas is believed to be affecting an estimated 2.8 million Libyans. Over 2,380 fatalities were reported in the 12 months to June 2015.²⁰ As of early August 2015, there were at least 435,000 internally displaced persons (IDPs) in Libya, although the total number of IDPs is likely to be considerably higher.²¹ Protection of civilians remains a serious concern, with the proliferation of armed groups and weapons and the breakdown of Government institutions and rule of law leading to increased abductions and targeted killings, decreased access to legal documentation, increased displacement and forced recruitment of children.²² Many locations are heavily contaminated by landmines, unexploded ordnance (UXO) and explosive remnants of war (ERW).²³ Living conditions have deteriorated as shortages of food, fuel, water and medical supplies increase and the provision of health care and public services declines. Education has been interrupted in Benghazi and eastern Libya, with reports indicating that most children in those areas have not attended school this year.²⁴

The humanitarian response has been hindered by ongoing hostilities, widespread insecurity and a lack of resources. In July 2014, the United Nations, most international NGOs and diplomatic missions relocated from Libya to Tunisia, from where they have continued to manage humanitarian programmes remotely. The humanitarian situation is expected to deteriorate further, particularly if political stalemates continue. United Nations humanitarian agencies and NGOs are seeking to scale up their interventions in Libya, but additional funding and global attention to this humanitarian crisis are urgently needed.²⁵ ♦



Destruction in the centre of Benghazi as a result of the battle to gain control of the city.

3. Explosive weapons in Libya

The use of explosive weapons in Libya has been widespread, particularly in populated areas. Explosive weapons were used extensively during the conflict in 2011. After a period of relative calm in 2012 and 2013, their use became prevalent in 2014 and has continued unabated.²⁶ The Commission of Inquiry on Libya (CoI) found that Qadhafi forces and *thumar* used explosive weapons in populated areas throughout the Libyan conflict in 2011. The CoI also found that in some instances, Qadhafi forces and *thumar* directly targeted civilians or conducted indiscriminate attacks in clear violation of IHL.²⁷ Based on the CoI's work, this chapter provides an overview of the most common types of explosive weapons used during the 2011 conflict.²⁸ Many of these weapons have also been used in more recent battles between warring factions in Libya, as illustrated in chapter 5.

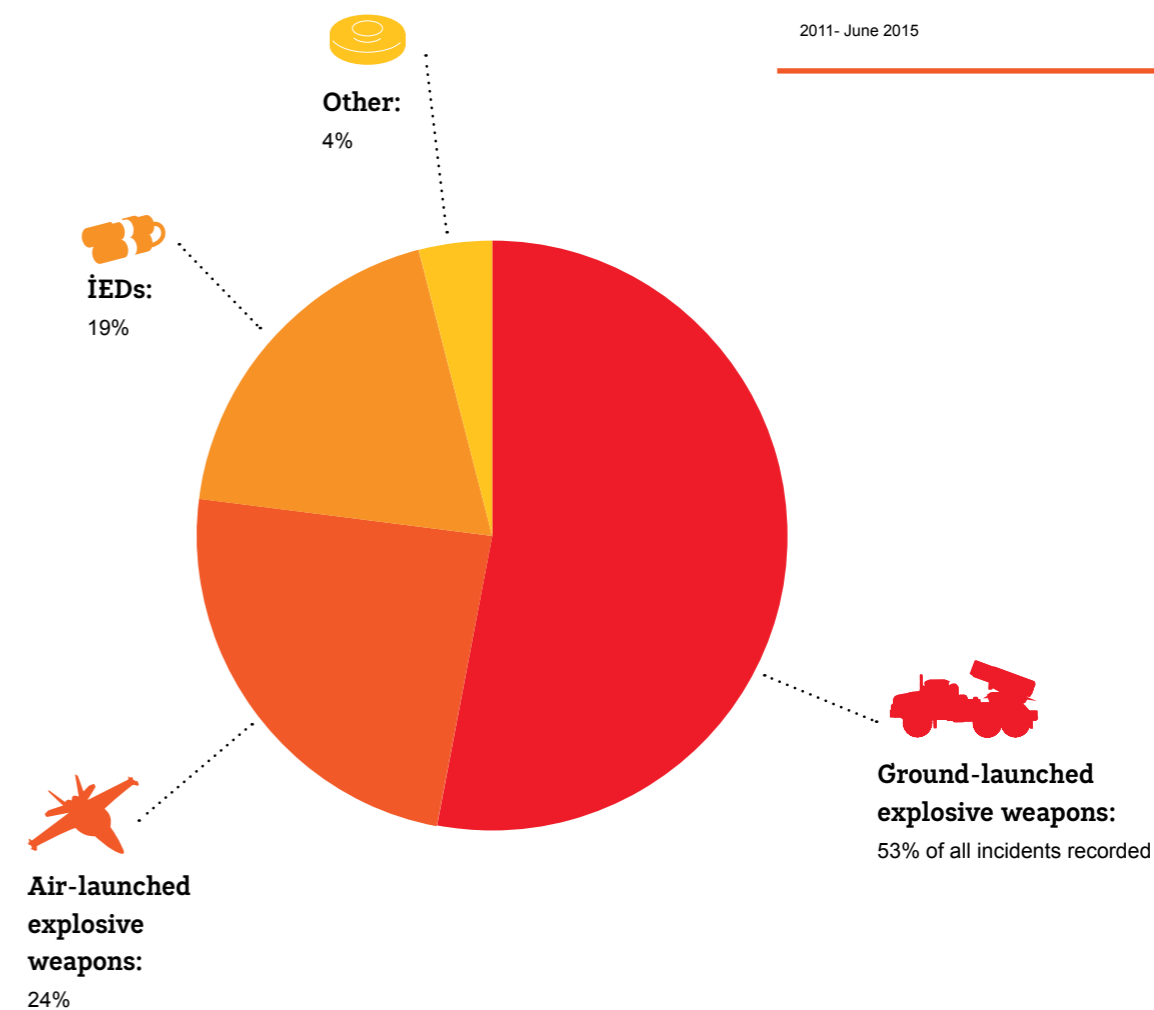
Artillery rockets

These were among the most widespread explosive weapons used in populated areas during the Libyan conflict in 2011. Artillery rockets are generally barrage weapons that fire salvos of rockets rapidly. Even relatively small warheads may have wide-area effects when fired in salvos. The CoI found that Qadhafi forces and *thumar* used artillery rockets extensively throughout the conflict, with particularly devastating consequences in major cities such as Misurata, which was under siege between March and May 2011.²⁹

BM-21 Grad rocket artillery was the weapon of choice of Qadhafi forces and *thumar* during bombardments of cities in Libya. Bani Walid, Misurata, Sirte and other cities bore the marks of the BM-21, and the CoI found dozens of remnants of these rockets throughout these cities. The

Infographic 2
Types of explosive weapons and civilian casualties in Libya

2011- June 2015



On average there were **14 civilian casualties (people killed or physically injured) per attack with explosive weapons**



Source: AOAV.org.uk

weapons were used extensively for area effect, blanketing whole neighbourhoods.³⁰ Each BM-21 can fire forty 122 mm unguided rockets in 20 seconds before reloading. Each rocket creates 3,150 fragments lethal to 28 metres from impact point.³¹

The Type 63 107 mm rocket artillery system was often used in populated areas during the 2011 conflict, primarily by *thumar* but also by Qadhafi forces.³² These are barrage weapons designed to saturate an area with blast and fragmentation effects from 1,600 6.35 mm steel spheres packed around the high-explosive warhead.³³ The CoI documented numerous uses of these weapons from makeshift launchers. In some cases, these weapons were fired with no aiming device other than to point them in the general direction of a target. The effects of the Type 63 were devastating, particularly in the cities of Misurata and Sirte, which suffered from the use of these rockets during siege warfare. The CoI noted widespread physical destruction caused by Type 63 rocket fire during 2011. For example, the CoI observed that the streets of Misurata were littered with debris from Type 63 rockets, while houses along Tripoli Street, the axis of fighting in Misurata, bore damage clearly caused by these weapons.³⁴

This category of weapons also includes air-delivered rockets, such as the S-5, which were used by *thumar* as makeshift artillery rockets.³⁵ The CoI found that *thumar* used S-5 rockets in attacks on populated areas throughout Libya in 2011, notably in attacks on the city of Tawergha, during which numerous civilians were killed.³⁶

Other ground-launched explosive weapons

Numerous Libyan homes, particularly in Tawergha, were damaged or destroyed by M-40 recoilless rifle fire. Qadhafi forces and *thumar* used these direct fire anti-tank weapons in towns and cities across Libya. However, the most widespread use of these weapons in populated areas was by *thumar*, who used them in the defence of Misurata, during the siege of Sirte and in reprisal attacks in Tawergha. The CoI found particularly troubling evidence of widespread use of these weapons in Tawergha, where many homes bore the holes of M-40 weapon fire and dozens of spent M-40 canisters littered streets across the city.³⁷

In addition, hundreds of 122 mm and 152 mm shells were fired from field artillery into Libyan towns during 2011. Field artillery is tube-launched, indirect-fire gun artillery. Based on witness interviews and the widespread damage, it was clear to the CoI that the use of spotters for guiding attacks was sporadic during the conflict, further increasing risks to civilians due to inaccuracy.³⁸

Mortars were also widely used in populated areas by Qadhafi forces and *thumar* during the conflict. Mortar projectiles are portable, tube-launched unguided artillery projectiles. They are fired in volleys against a target due to their relative inaccuracy. Mortars contributed to civilian harm throughout the conflict even though their blast and fragmentation radius, at approximately 20 metres, has a smaller area of effect than that of larger weapons. Due to the mass effect of these barrage weapons, numerous mortars were fired simultaneously on population centres.



Ammunition storage site bombed by NATO, near Misurata airport (August 2011)

Air-launched explosive weapons

NATO aircraft flew 17,939 armed sorties in Libya during the 2011 conflict.³⁹ Every NATO airstrike employed so-called precision-guided munitions (PGMs) – the first time in history that a party to conflict had used only PGMs. However, the use of PGMs alone does not remove the danger to civilians, particularly if the weapons are used in populated areas. Heavy bombs, for example, may still have wide-area effects, and NATO employed 802 weapons with warheads greater than 1,000 lb.⁴⁰ The GBU-12 laser-guided bomb and the GBU-38 GPS-guided bomb, both 500 lb, were the most common explosive weapons used by NATO in its air strikes in 2011.⁴¹ For example, during NATO strikes in Zliten,⁴² a 500-lb bomb was used.⁴³ During NATO strikes in Tripoli and Surman, the fragmentation effects of BLU-109 earth-penetrating bombs killed civilians. In Tripoli, a NATO strike hit a bunker, but fragmentation effects from the explosion destroyed an adjacent dwelling, killing two people.⁴⁴

The CoI found that the vast majority of NATO's aerial bombs were not used in population centres. For the few targets that struck within populated areas, NATO took extensive precautions to avoid civilian casualties.⁴⁵ Nonetheless, the CoI confirmed incidents of civilian casualties and damage to civilian infrastructure from NATO attacks, and on a few occasions the CoI found targets that "showed no evidence of military utility".⁴⁶ Among the 20 NATO airstrikes investigated, the CoI documented five airstrikes where 60 civilians were killed and 55 injured. The CoI also investigated two NATO airstrikes that damaged civilian infrastructure where no military target could be identified.⁴⁷

The single largest case of civilian casualties from a NATO airstrike in Libya took place on 8 August 2011 in the town of Majer, where 34 civilians were killed and 38 injured.⁴⁸ There were a number of NATO strikes resulting in civilian deaths that the Col was unable to investigate fully due to a lack of sufficient information. The Col stated that it “was unable to draw conclusions in such instances on the basis of the information provided by NATO and recommends further investigation.”⁴⁹

Improvised explosive devices

Soon after the Libyan conflict began in 2011, huge volumes of ammunition became widely available. Journalists and NGOs reported unsecured stockpiles and explosives and munitions scattered around various areas in the country.⁵⁰ NATO’s bombings of ammunition bunkers, while lawful under IHL, spread abandoned ordnance across open fields, thus creating a more dangerous and difficult problem.⁵¹ Such explosive material can easily be transformed into IEDs.⁵²

The use of IEDs, including car bombs, has since become common in Libya, often with terrible loss of civilian life. Since 2011, AOV has recorded 47 IED attacks, or 19 per cent of all reported incidents with explosive weapons in Libya. IEDs have become the weapon of choice for radical Islamist groups, including ISIL, as described in the Al Qubba case in chapter 5. The size and sophistication of these weapons also appear to be increasing, with IEDs of up to 6 tons in explosive weight reportedly being used in some parts of Libya.⁵³

Landmines and cluster munitions

Cluster munitions were also of serious concern during the 2011 conflict, particularly Qadhafi forces’ use of Spanish MAT-120 and Russian PTAB 2.5M cluster munitions.⁵⁴ In addition, there was widespread use of landmines during the conflict. For example, Qadhafi forces used Chinese Type-84 scatterable anti-tank mines in Misurata, placing civilians at grave risk of death or injury.⁵⁵ Anti-personnel landmines and cluster bombs are banned by the Mine Ban Treaty⁵⁶ and the Convention on Cluster Munitions⁵⁷ respectively. Libya is not a party to either of these instruments. ♦



Memorial for three children killed by random missile strike in Barkah, outside Benghazi.

4. The human cost of explosive violence in Libya

The cost in civilian casualties

Every year since 2011, Libyan civilians have paid the highest price for the use of explosive weapons, particularly in populated areas. Data collected by AOA V indicate that between January 2011 and June 2015, civilians comprised about 79 per cent of all reported casualties (people killed or physically injured) from explosive weapon attacks in populated areas in Libya. This compares with 34 per cent when explosive weapons were used in other areas in Libya.⁵⁸

The use of explosive weapons in populated areas was a major cause of civilian deaths and injuries across Libya in 2014 and the first half of 2015, including in the three most populous cities (Tripoli, Benghazi and Misurata) and in Derna, Wershafana and Al Qubba h. In 2014, AOA V recorded 36 incidents of explosive weapons use in Libya resulting in 549 people killed or injured, including 306 civilians.⁵⁹ When explosive weapons were used in populated areas in 2014, civilians comprised 86 per cent of the resulting casualties, compared with just 19 per cent in other areas. In addition, between January and June 2015, AOA V recorded 38 incidents of explosive weapons use in Libya, with 419 civilian casualties. When explosive weapons were used in populated areas during this period, civilians comprised 81 per cent of the casualties, compared with 45 per cent in other areas.⁶⁰

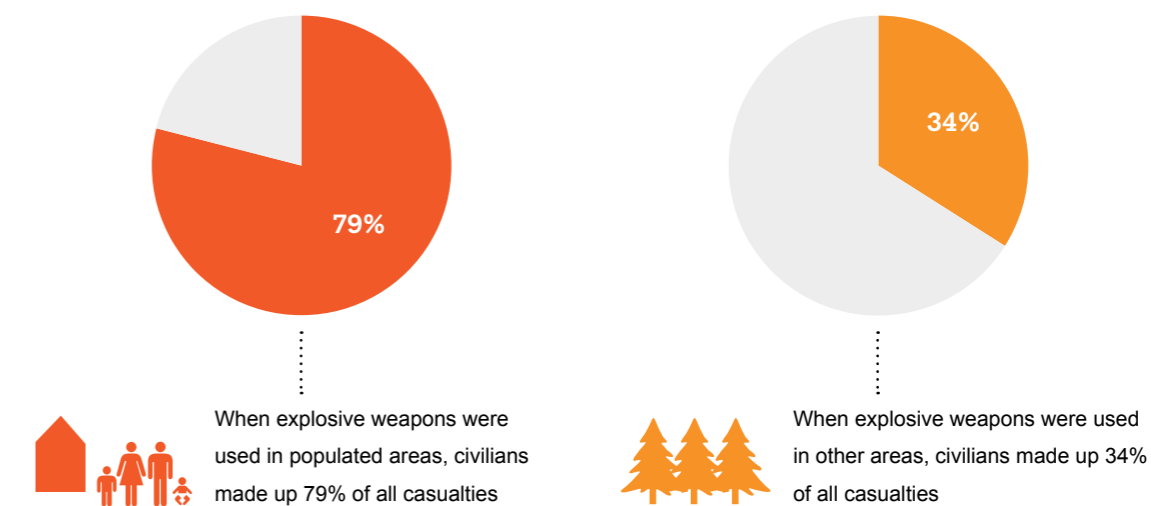
2012 and 2013 were marked by more stability relative to 2011 and 2014-15, but there were still a large number of civilian casualties due to explosive weapons use. AOA V counted 299 civilian casualties from explosive weapons use in 2012⁶¹ and 306 civilian casualties from explosive weapons use in 2013.⁶² When explosive weapons were used in populated areas, civilians comprised 81 per cent of the casualties in 2012 and 97 per cent of the casualties in 2013.⁶³

Infographic 3

Civilian casualties, 2011 - June 2015

People killed or physically injured from explosive violence in Libya

Source: AOA V.org.uk



In December 2013, Libya experienced its first suicide bombing, which killed seven people at a checkpoint in Benghazi.⁶⁴

The most violent of the past five years was 2011, the year of the popular uprising and NATO air campaign. AOA V counted 134 incidents of explosive weapons use in 2011, resulting in 2,108 civilian casualties.⁶⁵ Civilians comprised 75 per cent of casualties when explosive weapons were used in populated areas, compared with just 25 per cent in other areas.⁶⁶ The vast majority of recorded civilian casualties in 2011 were reported in the first few months of the conflict in Libya.⁶⁷

AOA V's data clearly illustrate the disproportionate loss of civilian life due to explosive weapons use in populated areas in Libya. However, these figures alone do not capture the devastation that explosive weapons have caused to civilian lives and communities across the country.

Broader impact on civilian life

In addition to the significant loss of civilian life, the use of explosive weapons in Libyan cities, towns and villages has damaged or destroyed civilian homes and infrastructure, interrupted essential services and destroyed livelihoods.

The destruction of civilian homes and infrastructure caused by explosive weapon attacks has been extensive throughout Libya.⁶⁸ For example, *thumar* attacks in Sirte in 2011 using explosive weapons, particularly rocket artillery, left whole sections of the city in rubble. The CoI found buildings damaged and destroyed deep within the city, not just along main roads and the axis of

Table 1
Civilian casualties, 2011 - June 2015

People killed or physically injured from explosive violence in Libya

Year	Recorded incidents of explosive violence	Number of civilian casualties	% civilian casualties of total number of casualties (civilians + combatants)	% civilian casualties in populated areas
2011	134	2,108	67%	75%
2012	19	299	87%	81%
2013	18	306	92%	97%
2014	36	306	56%	86%
2015 (Jan-June)	38	419	75%	81%

Source: AOA.V.org.uk

fighting.⁶⁹ Qadhafi's military similarly destroyed large sections of several Libyan cities in 2011. Misurata bore the brunt of the Qadhafi forces' strikes, with destroyed homes visible along the axis of fighting and damaged homes spread widely throughout the city.⁷⁰ According to the Senior Military Adviser to the Col, the destruction of houses and public buildings in the city of Tawergha was complete; virtually every structure in the city bore extensive damage from explosive weapons, making the buildings uninhabitable.⁷¹

The Col found that electricity, water supply and communications systems were repeatedly disrupted throughout the 2011 conflict. Only a few places, such as public hospitals, had reliable access to generators.⁷² In addition, Qadhafi forces damaged or destroyed several medical facilities, including by shelling with high-explosive weapons such as mortars, artillery rockets and field artillery.⁷³ These attacks made it difficult for civilians to receive adequate medical care during the conflict, creating a post-war situation where major repairs were needed to return facilities to operation.

More recent fighting in Libya has also seen extensive damage to civilian infrastructure due to the use of explosive weapons in populated areas. In June 2014, for example, a Libyan warplane under Haftar's command targeted an Islamist militia base in Benghazi but instead hit a university building. According to witnesses, the warplane fired three rockets that hit the university's engineering faculty, causing huge material damage.⁷⁴

In August 2014, Amnesty International highlighted the widespread impact of explosive weapons use at the onset of the second wave of conflict in Libya. Amnesty International reported that fighting in and around many Libyan towns had damaged or destroyed thousands of homes, businesses, factories and places of worship.⁷⁵ Fighting had also killed livestock, both directly



Scars of explosive weapons mark the face of downtown Benghazi.

and indirectly as families abandoned their homes and fled. In many cases, armed groups descended into an area during or immediately after fighting to pillage and vandalize vacated property. Damage to a power station in southern Benghazi and major transmission lines in Tripoli caused by shelling resulted in power cuts in both cities.⁷⁶

In February 2015, the United Nations Support Mission in Libya (UNSMIL) reported extensive damage to civilian property and infrastructure, including schools, hospitals and clinics, caused by shelling.⁷⁷ According to UNSMIL, "The continued indiscriminate shelling and use of air assets against targets in heavily populated areas and strategic installations across the country underscores the growing plight of the civilian population and the systematic destruction of much of the country's vital infrastructure."⁷⁸

Explosive weapon attacks have also led to the closure of Libya's two busiest international airports. Benghazi International Airport has been closed since May 2014 due to the proximity of ongoing clashes.⁷⁹ It was Libya's second busiest airport, serving as a travel hub for the entire east. Travellers alternatively use Al Abraq Airport, roughly 220 km to the east. Mohamed, First Officer at Alafriqiyah Airways, explained: "This small, regional airport was built to host four flights per day and now sees as many as 25 domestic and international departures within 24 hours."⁸⁰ Tripoli airport has been inoperable since July 2014, when Libya Dawn forces launched an attack that destroyed 90 per cent of the parked aircraft, according to one Government official, eventually setting the airport ablaze.⁸¹

Damage to civilian infrastructure and public property has affected the State's ability to deliver basic services, such as education and health care. In addition to damage inflicted on service-

delivery facilities, the security threat posed by the use of explosive weapons in populated areas has caused an exodus of skilled foreign workers, including nurses, teachers and labourers, upon whom the country depends. The closure of many schools and universities has forced families to relocate despite limited resources in most cases.⁸²

Displacement of civilians

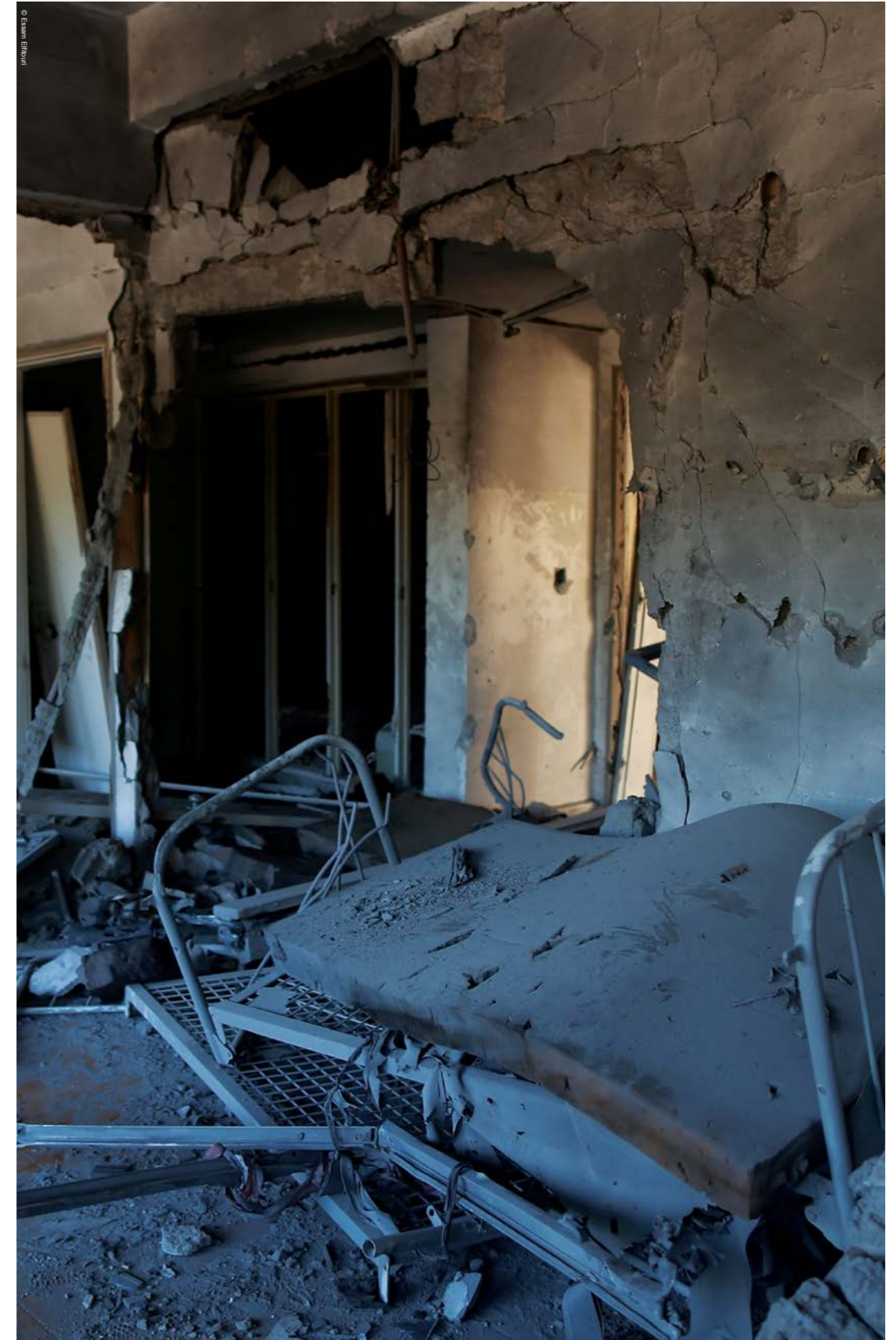
The use of explosive weapons in populated areas is a major driver of displacement as civilians are forced to flee due to fear of, or as a result of, explosive weapon attacks.⁸³ Furthermore, the ability of displaced people to return to their place of origin is often impeded by damage to civilian housing and vital infrastructure, and by the potential presence of ERW.

In Libya, some 60,000 people fled their homes during the 2011 uprising, and many were still displaced by February 2015.⁸⁴ According to the Col, in many cases the return of people displaced in 2011 was delayed by war-related damage to the electricity supply and the water and sanitation systems, as well as severe destruction of property, particularly in the case of Sirte. In some cases, returns were also delayed due to the contamination of residential areas with ERW.⁸⁵

More recently, renewed conflict around the country has seen the number of IDPs rise to at least 435,000 as of early August 2015.⁸⁶ According to the Internal Displacement Monitoring Centre, IDPs' basic needs for shelter, food and medical services remain grossly unmet, and their physical security has been seriously threatened by shelling, attacks on IDP camps and sieges.⁸⁷

Explosive remnants of war: a deadly legacy

The widespread use of explosive weapons has left dangerous ERW dispersed across Libya, with some locations heavily contaminated.⁸⁸ ERW can continue to pose a serious threat until they are removed, a process that sometimes takes decades. Children in particular are at risk of being killed or maimed by ERW. Furthermore, ERW can deprive the civilian population of access to land, schools, water points, religious sites and other locations necessary for their well-being. ERW can hamper peace initiatives and relief and development activities, prevent the return of refugees and the resettlement of displaced people, and slow down the rebuilding of infrastructure and the resumption of normal daily life.⁸⁹ ♦



Random shelling destroyed part of the children's hospital in Alfwehat, Benghazi.

5. Devastation in Libyan families: cases and personal stories

In this chapter, PAX and OCHA explore the stories of five families whose lives have been devastated by the use of explosive weapons in populated areas. The explosive violence incidents examined in this chapter were selected to reflect a range of different geographical areas, time periods, weapon types and parties to the conflict in Libya. Personal accounts provided by victims of these incidents help to illustrate the heavy price that civilians pay when explosive weapons are used in populated areas.

Qadhafi forces strike in Misurata

The first towns to be liberated during the 2011 uprising were in east Libya. Opposition forces formed the National Transitional Council (NTC), a temporary governing body to oversee the revolution and transition. The NTC had established itself in the nation's second largest city to the east, Benghazi. Therefore, the Qadhafi Government saw Misurata, the third largest city, as a strategic boundary to maintain a stronghold in the western part of the country. Misurata thus became a key battleground for both parties and the location of the uprising's most fierce battles. The fighting lasted five months and took place in the most densely populated parts of town.

According to AOAV data, there were 327 reported deaths from explosive weapons use in Misurata in 2011, 85 per cent of whom were civilians. AOAV recorded 277 civilian deaths and 754 civilian injuries from explosive weapons attacks in Misurata in 2011.⁹⁰

Four years have passed,
but there is **not an hour**
that we do not think of
this day and what **we lost.**

Mustafa Alshami recalls the day when a Grad missile landed on his home one morning:

"It was Friday 13 May 2011. You know, Friday afternoons are quiet in Misurata. Shops close, men attend Friday prayers and everyone has a leisurely lunch. I left my home to run a few errands that morning. I left my wife in the living room and my children sleeping together in a room next door.

"I had been out for nearly an hour when a man approached me to say that a missile had fallen on my home. I came home to see many neighbours there. There was a hole on the side of my house with a missile in the ground. There was a great deal of commotion, and someone had been holding my four-year-old daughter, Malak. Her legs were shredded. My two-year-old daughter, Rodaina, and my three-year-old son, Mohamed, were dead.

"Malak was rushed to Hikma General Hospital, where volunteer doctors from around the world had set up additional operation rooms in tents outside. Malak suffered a broken arm and two broken legs, one of which was amputated by doctors below her hip in order to save her life.

"Our daughter is everything to us now. We will take her wherever she can have a chance at walking and living without pain or ridicule. Many people found out about Malak, and a charity organization in the United States has offered to pay her medical bills. She has to change her leg every eight months. We went back and forth at first, but now we stay abroad to not risk losing our visas.



Malak and her parents

"If I could ask for something, I would tell the international community to please ban these weapons wherever people live. We are completely innocent. Why is it OK for soldiers to fight in safety from so far away, and for my children to die or live like this? This is not OK. We are not the ones who chose to fight. Please, this must be banned now."

"I went to try to see a doctor yesterday, a therapist person. It has been very hard. Maybe I cannot explain it. Four years have passed, but there is not an hour that we do not think of this day and what we lost."⁹¹

NATO strikes in Zliten

During the 2011 conflict, most NATO airstrikes in Libya were outside populated areas. Nonetheless, the Col found that a small number of NATO attacks hit population centres, causing civilian deaths and damage to civilian infrastructure.⁹² As noted in chapter 3, among the 20 NATO airstrikes investigated, the Col documented five airstrikes in which 60 civilians were killed and 55 injured.⁹³ Similarly, an investigative piece in *The New York Times* on the civilian death toll from the NATO strikes in Libya (published before the Col's Report) estimated between 40 and 70 civilian fatalities.⁹⁴

Fifty kilometres to the west of Misurata lies the coastal town of Zliten. Still under the control of Qadhafi forces in 2011, Zliten became the operations base for their assault on Misurata. Consequently, the town was a target of NATO forces.

In June 2011, Mustafa Al-Murabit began noticing a steady flow of luxury vehicles, SUVs and armed men going to and from a neighbour's home. It was evident that the visitors had transformed the home into a regime command centre. Concerned by their proximity to military activity and the threat of NATO strikes, Mustafa and his wife moved the family to his brother's home.

On 2 August, after nearly two months without incident, they returned home. But two days later, a NATO missile struck their home. Col interviews indicate that the actual target was an adjacent building used by the Qadhafi-loyal leadership. It is not clear if the NATO strike missed its target entirely or if NATO struck the wrong building.

"It was Ramadan. My family and I had just had our last meal of the day. We prayed, and then my wife, mother and children slept together in the back room, and I slept in the front room. The rocket fell on the house at around 6:30 a.m. I woke up and it was very dark. I couldn't see or hear anything. I kept walking and falling over rubble until I was outside, and then I could see a lot of daylight. I was out in the middle of the road, I turned to the house and it was a pile of rubble."

"I walked to where my family was. I started digging in the rubble. I found my wife first. She was lifeless. I dug near her and I found my son Mutaz, three years old. He too was lifeless. My neighbours found my son Mohamed, six years old. He was badly injured and they took him to the hospital. I wanted to stay until I found the others. I found my mother and eldest son, Naji, last. They were also injured and hospitalized. Mohamed died in the hospital that night."

"We buried my wife, Ibtisam, and my boys the next day. I don't know how to explain this experience. The night before, life was as good as one can imagine. I was with my children, my wife and mother in our home, eating, laughing and praying. The next morning, they were gone."

"Days went by before my son Naji was told about the passing of his mother and brothers. He had been sleeping at his aunt's house and no one could tell him. So I came to tell him 'Naji, your mother is a martyr now, she is in heaven', and his face looked like it did not want to believe. And I said 'and so is Mohamed, he is a martyr, and Mutaz too.' And he cried as quietly as a child could. In that moment I had wished that he and I had died that morning too. How could we want to live?"

“Naji is in the seventh grade now. He is a strong boy, he does not like to show his emotions. But I know when he comes home from his school to eat alone, and to play alone, that he is very sad. It is hardest to see him now when he was very happy once.

“We don’t know why this happened. I have made many requests through international human rights organizations, the UN and the Government to find out why our house was hit. But NATO only says ‘thank you for your efforts, we only communicate with official Government actors’. But you know, we have no Government here. I just want to know why. Why did they strike our home? Maybe it was a mistake, but we need to know why.”⁹⁵

Four days later, on 8 August, NATO forces struck four other homes in Majer. One of those homes belonged to the maternal uncle of Ateya. Like Mustafa Al-Murabit, Ateya had moved his family away from potential NATO targets. He had been living at his uncle’s home along with 14 other families for three months when the home was struck.

“It was 11:30 at night. The men were gathered and socializing right outside of the fence, and the women and children were inside. We heard a loud explosion, and then it was dark and the house was gone. We heard women and children crying and yelling. We ran toward a thick, black cloud of dust, but we could not see anything. The house was under a metre or so of rubble.

“We tried to follow the voices, calling out the names of our wives, children and mothers. My wife found me first. She told me that the children were OK, but my mother and Arwa, my two-year-old daughter, were missing. We looked for my mother where many of the women had gathered to socialize for the evening. We dug with neighbours and found her still alive. She was badly injured and I took her to the hospital. She told me then that she was holding Arwa. I went back and found Arwa where my mother was. We didn’t see her when we found my mother. She looked like she still had some life so I rushed her to the hospital and the doctor took her, and I prayed. He did not come back so I went to see him. He said she had died.”⁹⁶

The **night before**, life was as **good** as one can imagine. I was with **my children, my wife** and **mother** in our home, eating, laughing and praying. The next morning, **they were gone**.



From right to left, Naji, Mohamed and Mutaz Al-Murabit, children of Mustafa Al-Murabit; Mohamed and Mutaz perished.

Libya Dawn strikes in Wershafana

The explosive weapons use that marked the 2011 uprising continued in post-Qadhafi Libya. In the absence of a functioning national army or an effective political agreement, armed groups formed during the uprising continued to battle for control over different parts of Libya. The second post-uprising wave of conflict began in early 2014, after the country's second elections left parties and armed groups that had opposed the winning parties with little political power, and the recently elected House of Representatives (HoR) appeared to stand with Khalifa Haftar's Operation Dignity, which sought to eradicate Benghazi militias allied with the oppositionist cause.

On 13 July 2014, two weeks after the elections, former parliamentarian and militia leader Salah Badi launched Operation Libya Dawn, an armed offensive to take control of Tripoli. The operation won the militia's control of the international airport, after which they overthrew the existing Government and resurrected the General National Congress (GNC) by re-instating former parliamentarians affiliated with the oppositionist cause. Having established a rival ruling body to the HoR, now based in the east, they sought to consolidate their power throughout the west.⁹⁷ A central target was Wershafana province. The region is home to militias that oppose Libya Dawn and to tribes once loyal to the Qadhafi Government.

In August 2014, Libya Dawn militias began a 68-day siege on Wershafana. Militias stationed on its western border began their raid by conducting a sweep of the area, which entailed random bombardment of missiles until residents vacated.

Ahmed and his family lived very close to the new Libya Dawn base. His father, Omar, planned for the family to relocate to Al Aziziya, 70 kilometres to the south, until the fighting stopped. He asked Ahmed to travel to Tunisia to wait out the fighting.

"He gave me some money and told me to stay there and try to find work until the fighting was over. I protested at first, but he insisted that because I was teaching at the university I had the best chances. I left for Tunisia and my family left for Al Aziziya. The day they arrived in Aziziya, my father discovered that he had forgotten his blood-pressure medication at home. The next day, my little brothers took him back to Wershafana to pick up his medicine. There were heavy strikes that morning, and when they got to the house they discovered that it had recently been struck by a missile. They quickly picked up the medicine and left. On the way back to Al Aziziya, my father found his brother standing on the side of the road. He stopped the car to take him with them. Just then, they were struck by a missile and all four of them were killed."

Ahmed came home 10 months later. He tried to create a sense of normalcy at home:

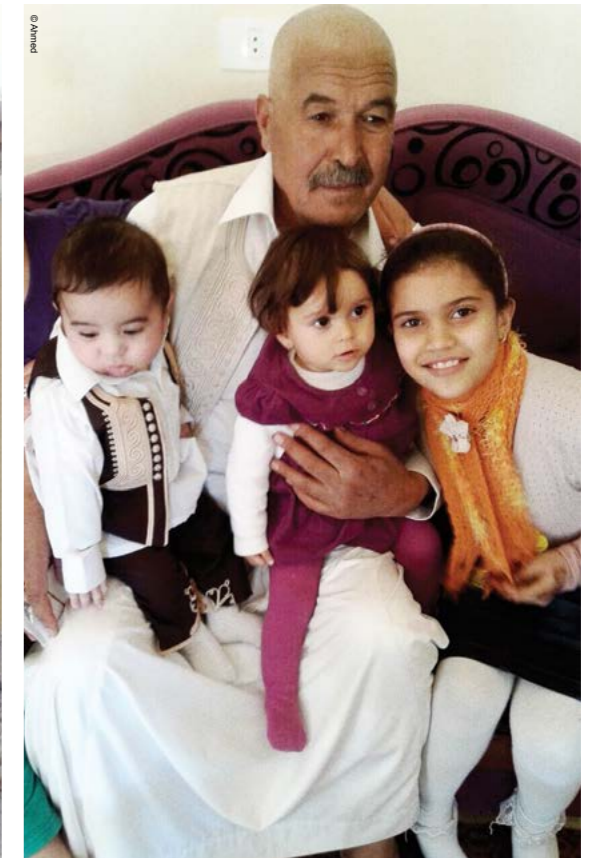
"My uncle gave me some money to buy a sheep before Ramadan and bring it home to the family, just like my father did. When my mother and sisters saw me do this, they just cried. They cry every day. So do I. At first, I thought it was just because I was home and we were all reminded of them. Now we cry every day."

"Some days I don't leave my room because I don't want to be reminded of them. It's Ramadan, we're fasting, but we don't eat much. We break our fast on some dates, and then everyone goes to his or her room. The food goes untouched. Half our family is gone. We just don't know what to do without them and if we'll ever be a family again."⁹⁸

Half our family is gone. We just don't know what to do without them and if we'll ever be a family again.



Ahmed's family home in Wershafana, days after it was struck by a missile.



Omar with his grandchildren at home in Wershafana.

ISIL car bombs in Al Qubbah

The absence of functional State institutions in Libya has provided fertile ground for the formation and expansion of ISIL and affiliated groups, now prominent actors in the ongoing battle for the country.⁹⁹ These groups often use IEDs as their weapon of choice. When used in populated areas, IEDs can have a heavy impact on civilians.

On 15 February 2015, ISIL released a video showcasing the beheading of 21 Egyptian workers in a supposed act of retaliation against the Egyptian Government.¹⁰⁰ The Egyptian Government retaliated the next day with air strikes on ISIL facilities in which 40 to 50 militants and seven civilians were killed.¹⁰¹ Four days later, on 20 February, several car bombs tore through the small town of Al Qubbah, which lies between Derna, an ISIL stronghold, and Beyda, the current site of the internationally recognized Libyan Government. An ISIL-affiliated group claimed that the bombings were retaliation for the Egyptian strikes.¹⁰²

Rizk Younes home lies a few hundred metres from one of the car bomb sites in which IEDs were used. The blasts took a great toll on Rizk's family and many of his neighbours.

"The first explosion was at 7:30 a.m., it woke us all up. It blew out the doors and windows. My son Ibrahim went to see what had happened and whether a neighbour was involved. Ten minutes later, my eldest son, Raef, went to find him. We heard the second explosion a few minutes later. My sons didn't come back home.

"When an hour had passed, I went to the hospital to find them. My friend manages the hospital and he told me that he hadn't seen my sons come in for treatment. He took me to where the bodies were. I went through the bodies one by one. Many had been hurt beyond recognition. I hoped I would not find my sons, but I saw their bodies and I knew it was them. They had so much metal on their torso, face and arms. Whoever made these bombs put so much metal in there to hurt everyone. Just everyone around. The first one only killed a few, but the second one killed so many because they all went to see about the first explosion.

"My boys were very good men. I don't say this because I am their father. Please, ask anyone. Raef was 34, he studied electrical engineering in the United Kingdom. He came home and taught electrical engineering at a local college and at the University of Al Qubbah. He was a very good teacher. Ibrahim, he studied hard too, but he graduated locally. He was looking for work. Both of them did so much for us and for all that knew them.

"I don't know who can build such bombs to kill and hurt people they don't know. I have never seen this. It's just really not possible to understand this. Every day, we walk through our home and their rooms are still as they were. I don't need to tell you how hard it is. We accept it even if we don't understand it."¹⁰³

The Al Qubbah bombings killed 45 people.¹⁰⁴

I don't know **who** can build
such **bombs to kill** and hurt
people they don't know.



Raef pictured weeks before completing his Master's in Electrical Engineering.



Burial of victims of Al Qubbah suicide bombing, one day after the bombings.



The day of the Al Qubbah suicide bombings.

The battle for Benghazi

Benghazi has witnessed ongoing clashes between armed factions since the 2011 uprising. Fighting drastically increased since May 2014 when former Qadhafi Government Army General Khalifa Haftar launched Operation Karama to eradicate so-called Islamist militias from Benghazi. They included Ansar Al-Sharia, believed to be responsible for the death of United States Ambassador Christopher Stevens in September 2012.¹⁰⁵

Rivalling factions accuse the General of being motivated by political aspirations, claiming that he led two failed coup attempts during the months prior to Operation Karama.¹⁰⁶ With no functional army under the command of the Prime Minister, the newly elected HoR threw its support behind Karama as the only conceivable solution to counter the ongoing assassinations of senior military officials and the violent threats against the fledgling national army.

Haftar initially ordered Benghazi residents to brace for a three-month mission, which is now in its fourteenth month (at the time of writing in August 2015).¹⁰⁷ The conflict has devastated the city, with many areas now unrecognizable to former residents. There are an estimated 100,000 IDPs in Benghazi alone.¹⁰⁸ Entire neighbourhoods have been emptied by fleeing residents, only to be looted and torched by marauding militias. Schools have closed, few hospitals remain open, and wheat and fuel shortages force residents to queue for hours every day.¹⁰⁹ Most children in Benghazi have reportedly not attended school this year.¹¹⁰

According to AOAV data, in the first six months of 2015, explosive weapons incidents in Benghazi resulted in 147 reported casualties, 106 of whom were civilians. Civilian casualties from explosive weapons attacks in Libya were already 37 per cent higher in the first six months of 2015 than in all of 2014.¹¹¹

On 14 May 2015, a missile struck the home of Othman Almusrati, killing two of his sons and nine of his grandchildren. A family member shared their story:

“My uncle Othman lives in Hay Al Salaam in southern Benghazi. It’s a peaceful neighbourhood and there is no fighting there. It was the start of the weekend, and my cousin Hamza was getting married in a few days, so the family was all there making preparations for the wedding. The power had gone out, as it often did at the start of the summer, so the children had gone out to the garden to play in the remaining sunlight.

“The missile landed in the small yard, instantly killing seven children and Hamza. Hamza’s eldest brother, Tariq, and his daughter were both fatally injured and died one week apart. Hamza’s sister-in-law was hospitalized in Turkey.

“This is very difficult for my uncle. He has been unable to speak about the event. He and my aunt are in Turkey with the rest of the family. Some are still being treated for injuries.

“The type of missile that landed on my uncle’s home doesn’t have a range greater than 3 to 4 kilometres, so it most likely belonged to the nearby groups affiliated with the army. There were no battles in the area. This sometimes happens on the weekend. Many fighters drink too much at night, and they let a few rounds go with the equipment.”¹¹² ♦

This **sometimes** happens on
the **weekend**. Many **fighters**
drink too much at night,
and they let a few **rounds** go.



Hamza Almusrati as he buys a suit for his wedding. He was killed a week before his wedding.



Othman Almusrati at home with his grandchildren. More than half of those in the picture were killed by the strike.



Rawan Almusrati (5) died in hospital, a week after the missile strike.



People collected ammunition remnants from Misurata city and made an open air museum in Tripoli Street, Misurata (August 2011)

Recommendations

The devastating humanitarian harm caused by the use of explosive weapons in populated areas, in Libya and elsewhere in the world, needs to be addressed as a matter of urgency. PAX and OCHA urge States to:

- ◆ Endorse the United Nations Secretary-General's recommendation that States, as well as other parties to conflicts, should avoid the use in populated areas of explosive weapons with wide-area effects.¹¹³
- ◆ Indicate support for the development of an international commitment by States to refrain from using explosive weapons with wide-area effects in populated areas.¹¹⁴
- ◆ Work to achieve the incorporation of women's perspectives and participation in policy work in this and other disarmament areas.
- ◆ Share their national policies and practices related to the use of explosive weapons in populated areas, including through their representatives to the United Nations, in response to the United Nations Secretary-General's note verbale of 1 October 2014.¹¹⁵
- ◆ Collect and make available to the United Nations and other relevant actors information on civilian harm resulting from the use of explosive weapons, including gender, age and disability disaggregated data, to better understand the impacts of such use.
- ◆ Recognise the rights of victims and survivors, and ensure that assistance is gender and age sensitive.◆

Endnotes

1 AOA, *Explosive States: Monitoring Explosive Violence in 2014*. It should be noted that AOA's sampling of news media in the English language does not reflect every casualty, but its database is intended to be an indicator of the scale and patterns of civilian harm. For more information, including a detailed explanation of AOA's methodology, see www.aoav.org.uk.

2 See, for example, *Report of the Secretary-General on the protection of civilians in armed conflict* (29 May 2009) S/2009/277, para. 36 (www.un.org/en/ga/search/view_doc.asp?symbol=S/2009/277); *Report of the Secretary-General on the protection of civilians in armed conflict* (18 June 2015) S/2015/453, paras 30-36, 63-65 (www.un.org/en/ga/search/view_doc.asp?symbol=S/2015/453).

3 www.inew.org/acknowledgements.

4 INEW was founded by Action on Armed Violence, Handicap International, Human Rights Watch, PAX, Medact, Norwegian People's Aid, Oxfam and Save the Children (www.inew.org).

5 See *Report of the Secretary-General on the protection of civilians in armed conflict* (18 June 2015), paras 36, 63-65.

6 United Nations Human Rights Council, *Report of the International Commission of Inquiry on Libya* (2 March 2012) A/HRC/19/68 (http://reliefweb.int/sites/reliefweb.int/files/resources/A_HRC_19_68_en%20_1_.pdf) ("Col Report"), para. 22. For a detailed chronology of events during the 2011 conflict, see Col Report, annex I, paras 75-104.

7 International Criminal Court, Situations and cases: situation in Libya (http://www.icc-cpi.int/en_menus/icc/situations%20and%20cases/Pages/situations%20and%20cases.aspx).

8 *Col Report*, para. 83; NATO, NATO Takes Command in Libya Air Operations, 31 March 2011 (www.nato.int/cps/en/natolive/news_71867.htm).

9 *Report of the Secretary-General on the United Nations Support Mission in Libya* (22 November 2011) S/2011/727, para. 20.

10 *Ibid.*, paras 3-11, 55.

11 *Col Report*, p. 1.

12 *Ibid.*, paras 101-115.

13 *Report of the Secretary-General on the United Nations Support Mission in Libya* (22 November 2011), paras 7-11. See also W. Lacher and P. Cole, "Politics by Other Means: Conflicting Interests in Libya's Security Sector", 19 October 2014 (www.smallarmssurvey.org/fileadmin/docs/R-SANA/SAS-SANA-WP20-Libya-Security-Sector.pdf).

14 *Report of the Secretary-General on the United Nations Support Mission in Libya* (30 August 2012) S/2012/675, paras 2-7.

15 *Report of the Secretary-General on the United Nations Support Mission in Libya* (21 February 2013) S/2013/104, paras 38-39.

16 *Report of the Secretary-General on the United Nations Support Mission in Libya* (14 September 2014) S/2014/653, para. 4.

17 *Report of the Secretary-General on the United Nations Support Mission in Libya* (26 February 2015) S/2015/144, paras 78-81; *Report of the Secretary-General on the United Nations Support Mission in Libya* (14 August 2015) S/2015/624, paras 2-19.

18 'Security Council urges all Libyan parties to unite in support of new political agreement', UN News Centre, 16 July 2015 (www.un.org/apps/news/story.asp?NewsID=51443#.VcoplpPgXO1); 'Libya: UN mission calls for immediate ceasefire as fresh violence erupts across country's southern region', UN News Centre, 23 July 2015 (www.un.org/apps/news/story.asp?NewsID=51484).

19 *Report of the Secretary-General on the United Nations Support Mission in Libya* (26 February 2015), paras 3, 83; Report of the Secretary-General on the United Nations Support Mission in Libya (14 August 2015), paras 2, 29, 83; United Nations Security Council resolution 2214 (2015); Correspondence with OCHA Libya, August 2015.

20 OCHA, *Global Humanitarian Overview*, June 2015 (<http://reliefweb.int/report/world/global-humanitarian-overview-status-report-june-2015>), p. 15.

21 *Report of the Secretary-General on the United Nations Support Mission in Libya* (14 August 2015) S/2015/624, para. 60.

22 *Report of the Secretary-General on the United Nations Support Mission in Libya* (26 February 2015).

23 OCHA, *Global Humanitarian Overview*, June 2015, p. 15; Correspondence with UNMAS Libya, August 2015.

24 Correspondence with OCHA Libya, August 2015.

25 *Ibid.*; *Report of the Secretary-General on the United Nations Support Mission in Libya* (14 September 2014) S/2014/653, paras 2, 78-79.

26 See *Report of the Secretary-General on the United Nations Support Mission in Libya* (14 September 2014) S/2014/653, paras 2, 91; *Report of the Secretary-General on the United Nations Support Mission in Libya* (26 February 2015) S/2015/144, para. 2.

27 *Col Report*, paras 71-82. The Col's investigation included interviewing a large number of witnesses, victims and other relevant people; conducting site visits in October and December 2011 and January 2012 to specific locations in Libya where incidents had occurred, including in Misurata, Benghazi, Ajdabiya, Bani Walid, Nalut, Yafran, Zintan, Tripoli, Al Zawiyah, Zowara, Al Khums and Al Qalaa, as well as site surveys of battle damage across Libya; attending meetings with members of the diplomatic community, Government officials and relevant experts; reviewing reports of international organizations and NGOs, media reports and academic writings; and analysing video and photographic images, including satellite imagery, damage assessments, reports and other relevant materials. See *Col Report*, annex I, para. 6.

28 Much of this chapter is based on interviews conducted in August 2015 with Marc Garlasco, Senior Military Adviser to the Col. Garlasco led the investigations of military strikes during two of the Col's trips to Libya in December 2011 and January 2012.

29 *Col Report*, para. 73.

30 Interview with Marc Garlasco, August 2015.

31 "122 mm BM-21 Grad-series rockets", *Jane's Ammunition Handbook*, 24 June 2014.

32 *Col Report*, annex V, p. 219.

33 "Norinco 107 mm (12-round) Type 63 and Type 81 multiple rocket systems", *Jane's Land Warfare Platforms: Artillery and Air Defence*, 12 June 2015.

34 *Col Report*, para. 79; Interview with Marc Garlasco, August 2015.

35 For a full report of the use of S-5 rockets in Libya and other conflicts see: "ARES Research Report No.1: Improved Employment of S-5 Air-to-Surface Rockets in Land Warfare" (www.armamentresearch.com/wp-content/uploads/2014/01/ARES-Research-Report-No.-1-S-5-Rockets-in-Land-Warfare.pdf).

36 *Col Report*, annex I, para. 394.

37 Interview with Marc Garlasco, August 2015.

38 *Ibid.*

39 *Col Report*, para. 84.

40 Letter from NATO to Judge Kirsch, Commissioner on the Col, dated 23 January 2012, p. 5, in *Col Report*, annex II, pp.27-36. One pound (lb) is approximately 454 kg.

41 *Ibid.*

42 See chapter 5.

43 Interview with Marc Garlasco, August 2015.

44 *Ibid.*

45 *Col Report*, paras 83-89 and annex I, para. 812.

46 *Ibid.*, annex I, para. 812.

47 *Ibid.*, para. 86.

48 *Ibid.*, para. 87.

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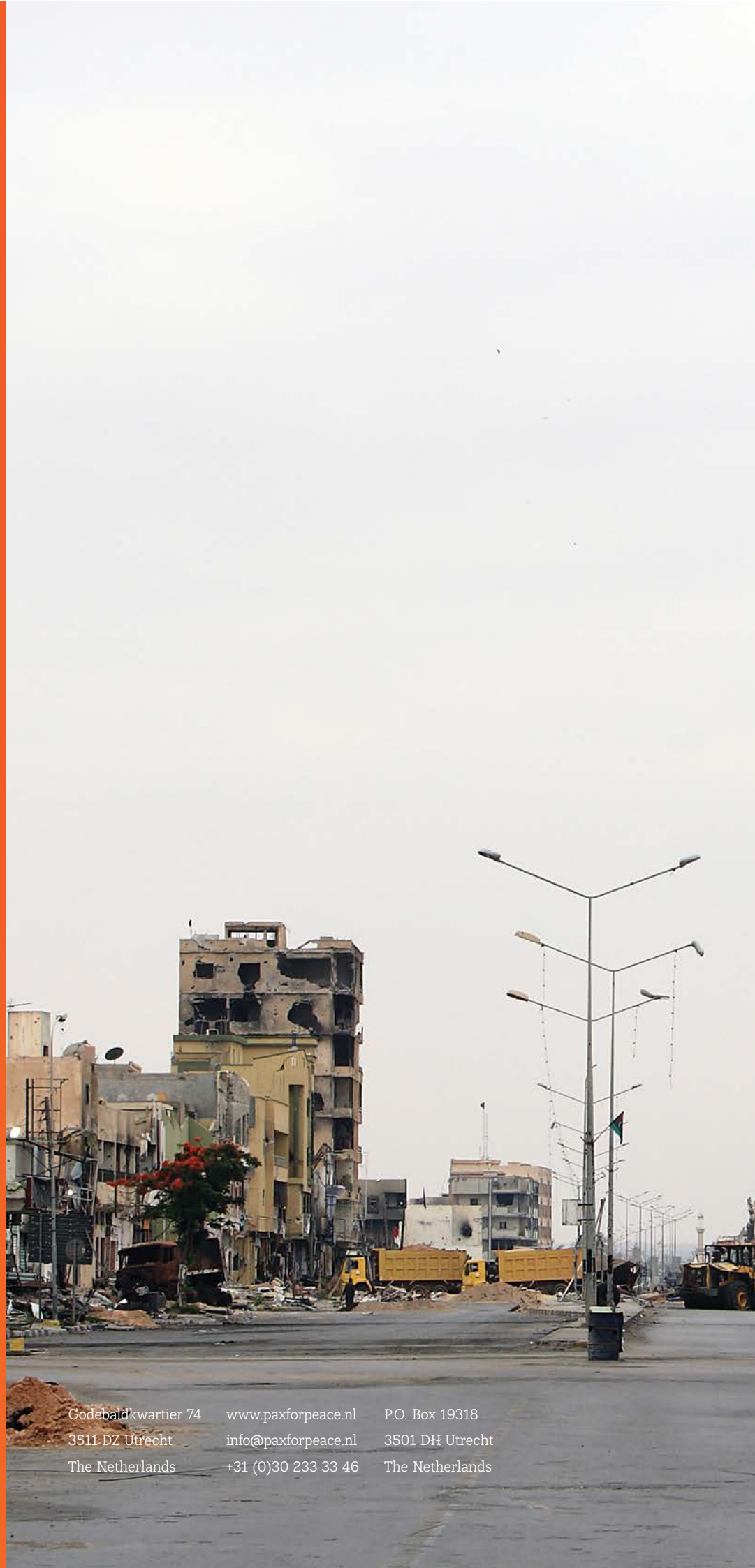
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