Country Information and Guidance
Libya: Security and humanitarian situation

Version 1.0

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Preface

This document provides country of origin information (COI) and guidance to Home Office decision makers on handling particular types of protection and human rights claims. This may include whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as 'clearly unfounded' under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the guidance contained with this document; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

Country Information

The COI within this document has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the Common EU [European Union] Guidelines for Processing Country of Origin Information (COI), dated April 2008, and the European Asylum Support Office's research guidelines, Country of Origin Information report methodology, dated July 2012.

Feedback

Our goal is to continuously improve the guidance and information we provide. Therefore, if you would like to comment on this document, please email the Country Policy and Information Team.

Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office's COI material. The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's website at http://icinspector.independent.gov.uk/country-information-reviews/

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Guidance

1. Introduction

1.1 Basis of claim

1.1.1   That the general humanitarian situation in Libya is so severe as to make removal a breach of Article 3 of the European Convention on Human Rights (ECHR); and/or

1.1.2   That the security situation in Libya presents a real risk which threatens life or person such that removal would be in breach of Article 15(c) of European Council Directive 2004/83/EC of 29 April 20014 (the Qualification Directive).

2. Consideration of issues

2.1 Credibility

2.1.1   For information on assessing credibility, the Asylum Instruction on Assessing Credibility and Refugee Status.

2.1.2   Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants).

2.1.3   Decision makers should also consider the need to conduct language analysis testing (see the Asylum Instruction on Language Analysis).

2.2 Exclusion

2.2.1   Parties on all sides of the conflict have reportedly been responsible for numerous serious human rights abuses (see Targeted violence and Security situation - general). If it is accepted that the person has been involved in such activities then decision makers must consider whether one of the exclusion clauses is applicable.

2.2.2   For further guidance on the exclusion clauses, discretionary leave and restricted leave, see the Asylum Instruction on Exclusion: Article 1F of the Refugee Convention, the Asylum Instruction on Discretionary Leave and the Asylum Instruction on Restricted Leave.

2.3 Assessment of risk

Refugee convention

2.3.1   Where a person would be at risk of serious harm on return due to direct or targeted actions by the parties to the conflict, it may be because of a Refugee Convention defined reason.

2.3.2   It is only if the person does not qualify under the Refugee Convention that decision makers need to make an assessment of the need for protection firstly

under Article 2 and 3 of the European Convention on Human Rights (ECHR) and, if that is unsuccessful, under Article 15(c) of the Qualification Directive.

2.3.3 For information see [Targeted violence](#) and [country information and guidance](#) on [minority groups](#), [women](#) and [Gaddafi clan members / loyalists](#).

Humanitarian situation

2.3.4 Humanitarian conditions in Libya are relevant to whether an individual should be granted humanitarian protection on the grounds that to return them would breach their rights under Article 2 or 3 of the European Convention on Human Rights.

2.3.5 Humanitarian conditions in Libya have deteriorated since the fall of former president Gaddafi. There has been extensive damage to civilian homes and public infrastructures, including health, education, roads and administrative facilities, disrupting basic services.

2.3.6 Conflict has impacted all the major towns and cities, with the majority of the population affected to some degree by lack of essential resources, including medical care. The healthcare system has deteriorated, leading to an increase in serious illness and disease. 1.9 million people in Libya require humanitarian aid to meet their basic healthcare needs, with particular concern in Benghazi, Tripoli, Derna, Sirte, Al Jifarah, Al Kufra,Wadi Al Hayat and Ghat (see [Humanitarian situation](#)).

2.3.7 There are approximately 435,000 internally displaced people in Libya. Living conditions for many internally displaced persons (IDPs) families remained poor and in some instances unsafe. Members of particular IDP communities remain vulnerable to abductions and torture on account of their origin, perceived allegiances during the 2011 conflict, and the current political divide (see [Humanitarian situation](#)).

2.3.8 There are estimated to be 1.28 million people at risk of food insecurity, of which 210,000 are in immediate need of food assistance. The most severe cases are reported in Benghazi and in the south. Almost half the population (which is approximately six and a half million) are in need of humanitarian assistance. In January 2016 an estimated 21% of Libyan children aged between 6 and 59 months were suffering from chronic malnutrition (see [Humanitarian situation](#)).

2.3.9 Vulnerable groups include the displaced (particularly children, the elderly, women and those with low economic means) female headed households, persons with disabilities and the chronically ill. The most severe needs in terms of geographic areas are those in the east and south of the country.

2.3.10 In general conditions across the country are not so poor that removal would be a breach of Article 2 or 3, however, the situation in parts of the country, including Benghazi and some areas in the east and south are likely to do so, particularly for members of vulnerable groups. Decision makers should consider the individual personal circumstances of each person, taking into account the latest country information (see [Humanitarian situation](#)).

2.3.11 For guidance on consideration of Article 3 see Asylum Instruction on Humanitarian Protection.

Security situation

2.3.12 Unlike Article 3 ECHR, Article 15(c) of the Qualification Directive applies only to civilians, who must be genuine non-combatants and not those who are party to the conflict. This could include former combatants who have genuinely and permanently renounced armed activity.

2.3.13 In the country guidance case of AT and Others (Article 15c; risk categories) (CG) [2014] UKUT 318 (IAC) (14 July 2014) the Upper Tribunal held that: 'There is not such a high level of indiscriminate violence in Libya, within the meaning of Article 15(c) of Council Directive 2004/83/EC ("the Qualification Directive") so as to mean that substantial grounds exist for believing that an individual would, solely by being present there, face a real risk which threatens his or her life or person.' (paragraph 215 (2))

2.3.14 During 2015 and into 2016 multiple armed conflicts have contributed to a further breakdown of law and order. All parties to the conflicts have continued to commit violations of international humanitarian law, and abuses of human rights. Warring factions have caused multiple civilian deaths and injuries, and civilians have comprised up to 79% of casualties from the use of explosive weapons in some populated areas. Exact figures on the number of civilian casualties are not available, and the data that is available may be an underestimate, but sources have reported that out of a population estimated to be 6.4 million, there were over 1,500 deaths (of combatants and civilians) and 20,000 injured in 2015 (approximately 0.02% killed and 0.31% injured of the total population) (see Security situation – general and Demography).

2.3.15 The security situation varies from region to region, and between and within towns and cities. The cities of Benghazi, Sirte (aka Surt), Sabha, Kufrah, Darnha (aka Derna) and Misrata are particularly violent; Tripoli and Tobruk less so. Fighting with light and heavy weaponry, abductions, assassinations, public executions, explosions and other abuses have all been reported in these cities. Sirte is the stronghold of Daesh in Libya, and is reportedly the main hub of Daesh's North African operations (see Security situation by region).

2.3.16 Since the promulgation of the country guidance case of AT, the security situation in Libya has deteriorated. Areas in and around Benghazi, Sirte and Derna are particularly volatile with a high number of violent incidents and casualties due to fighting and air attacks. The conditions in these areas, currently under the control of Islamist groups such as Daesh and Ansar al Sharia are likely to breach Article 15c of the QD, though the situation remains changeable (see Nature of the violence and Security situation by region).

2.3.17 However the security situation in other parts of Libya has not deteriorated to the extent that in general levels of violence are such that a person would, solely by being present there, face a real risk which threatens his or her life or person and lead to a breach Article 15c of the QD.

2.3.18 Even where there is no general Article 15c risk, the decision maker must consider whether there are particular factors relevant to the person's

individual circumstances which might nevertheless place them at risk. Such factors might include – but are not limited to - the person's age, gender and health.

2.3.19 Decision makers must also consider carefully whether the existence of such factors means that the harm they fear is not in fact indiscriminate, but targeted, if not at them personally, at a Refugee Convention defined population to which they belong. If this is the case, decision-makers should reconsider whether the individual may qualify as a refugee.

2.3.20 For guidance on consideration of Article 15c including enhanced risk factors, see Asylum Instruction on Humanitarian Protection and further guidance on assessing risk, see the Asylum Instruction on Assessing Credibility and Refugee Status.

2.4 Internal relocation

2.4.1   Travel within Libya is restricted by violence and conflict between various armed militias and pro-government troops in most of the populated parts of the country. This is further compounded by road blocks and control points manned by conflicting militias, including Islamic State/Daesh and other terrorist groups. The south of the country is subject to checkpoints and roadblocks operated by the Government and by militias. Large parts of the country are primarily desert areas with few towns or inhabitants. There is a lack of infrastructure and supplies, including fuel and transport. Most airports are closed, or in the control of armed militias. There is a risk of landmines and unexploded ordinance in many areas (see Freedom of Movement).

2.4.2   Return to an area that is not the person's home may be reasonable in some cases. Decision makers must give careful consideration to the relevance and reasonableness of internal relocation on a case-by-case basis taking full account of the individual circumstances of the particular person, including where they originate from in Libya and where they will be returning to, and the latest available country information (see Security situation – general, Freedom of movement, and country information and guidance on women).

2.4.3   For further guidance on considering internal relocation and the factors to be taken into account see the Asylum Instruction on Assessing Credibility and Refugee Status.

2.5 Certification

2.5.1   Where a claim falls to be refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

2.5.2   For further guidance on certification, see the Appeals Instruction on Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 (clearly unfounded claims).

3. Policy summary

3.1.1 Libya is in a state of armed conflict. Since 2014, conflict between multiple protagonists has led to a deterioration in the security and humanitarian situation.

3.1.2 The humanitarian situation in Libya is poor and continues to deteriorate in many areas. In general, however, conditions are not at such a level as to make return a breach of Article 3 but may do so in relation to some persons, particularly vulnerable people, e.g. displaced, female-headed households, persons with disabilities and the chronically ill. Humanitarian conditions in Benghazi and some areas in the east and south of the country may also breach Article 3.

3.1.3 In general, levels of violence across Libya are not such that a person would, solely by being present there, face a real risk which threatens his or her life or person in breach of 15c. However, in some parts of the country, including Sirte, Benghazi and Darnah, conditions are likely to make return a breach of Article 15c.

3.1.4 Internal relocation may be possible for some persons, depending on their particular individual circumstances.

3.1.5 Where a claim falls to be refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

Country Information

4. Civil war of 2011 and subsequent events

4.1.1 The BBC News Libya country profile page states:

'…The National Transitional Council (NTC), a rebel leadership council which had fought to oust the Gaddafi government, declared Libya "liberated" in October 2011 and took over the running of the country. However, it struggled to impose order on the many armed militia that had become active in the months leading up to the ousting of Gaddafi.

'In August 2012 the NTC handed power to the General National Congress (GNC), an elected parliament which went on to select an interim head of state. Voters chose a new parliament to replace the GNC in June 2014 - the Council of Representatives (CoR), which relocated to the eastern city of Tobruk , leaving Tripoli controlled by powerful militia groups..   The Islamic State extremist militia took advantage of the conflict between forces loyal to the outgoing GNC and the new parliament to gain control of several coastal cities, including Derna and Sirte.'[1].

4.1.2 The German broadcasting agency, DW (Deutsche Welle) posted the following on 2 September 2014:

'The Muammar Gaddafi regime was violently overthrown in 2011 by a combination of NATO bombardment and armed insurgents with different ideologies. The regime change did not, however, result in positive development and democracy, but plunged the country into a civil war. Violence and chaos abound, with two parliaments arguing over which has the legal right to govern on behalf of the people.

'There are more than 200 tribes in Libya consisting of various clans. The biggest problem, however, is the unclear number of militias battling for power amid failing state institutions.'[2]

4.1.3 The Defence journal, Jane's Sentinel (Risk Assessment, Libya) stated:

'The post-Gaddafi governance of Libya has yet to be determined, but will either involve a high degree of regional autonomy or state fragmentation. The risk of the east seceding would increase in the event of prolonged fighting between rival militias in the west, or inability to reach agreement over division of power and oil revenue between rival parliaments in east and west. The state is unlikely to be able to prevent localised outbreaks of fighting between militias every few weeks, especially in Tripoli, Sebha, and Benghazi. Islamist militants are likely to target oil assets, diplomatic personnel, and non-

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[1] BBC News: Libya – Country Profile – last updated 20 April 2016
http://www.bbc.co.uk/news/world-africa-13754897 date accessed 3 May 2016
[2] Deutsche Welle (DW.com): 'Libya: Who's fighting whom?' published 2 September 2014
http://www.dw.com/en/libya-whos-fighting-whom/a-17894115 date accessed 22 February 2016

government organisations (NGOs) with improvised explosive devices (IEDs), and rocket-propelled grenades (RPGs), especially in the east.

'The Libyan government's failure to re-establish its authority over the armed groups that took power during the 2011 revolt contributed to a new civil war in mid-2014. Armed interference in the political system, government mismanagement of Libya's oil revenues, and lingering resentment over the legacy of the Gaddafi regime have exacerbated existing regional and tribal divisions. Tribes and factions that were opposed to or disengaged from the uprising that overthrew Gaddafi have been excluded from the political process. There has been no meaningful process of establishing strong, durable, and transparent political, military, and judicial structures of power.'[3]

4.1.4   The BBC News Libya country profile page states: 'Late in 2015, the UN brokered an agreement to form a new "unity" government - the Presidency Council, headed by unity Prime Minister Fayez Sarraj - but both Tripoli and Tobruk administrations were reluctant to acknowledge its authority.'[4]

4.1.5   The BBC News website reported on 15 February 2016, that:

'Libya's internationally-backed presidency council has proposed a new cabinet for the country which has had two competing governments since 2014. The proposed council will be put to a vote in parliament this week. The BBC's North Africa correspondent, Rana Jawad says Western powers hope that this will be Libya's future unity government. The existence of two competing governments and the lack of stability have allowed militants and so-called Islamic State to operate." [5]

4.1.6   The BBC report continued:

'Our correspondent says one member of the presidency council, which includes Libya's future prime minister, urged the parliament to endorse the new line-up, saying it would provide the framework to fight terrorism. But divisions have emerged within the presidency council, and two of the nine-member council have not signed up to the latest proposal. In addition, two of the 18 nominated ministers have declined the offer.

'The presidency council's first proposal in January was rejected for being too big and was marred by divisions over who would occupy senior security posts. Libya's presidency council was formed with the signing of a UN-brokered political agreement in December. Its members are still working outside of Libya because rival factions in the capital, Tripoli, and their militia backers, are still opposed to the political agreement.'[6]

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[3] Janes Sentinel Risk Assessment, Libya, published 26 October 2015 https://janes.ihs.com/NorthAfrica/Display/1303727 Executive Summary (subscription only) date accessed 22 January 2016
[4] BBC News: Libya – Country Profile – last updated 20 April 2016 http://www.bbc.co.uk/news/world-africa-13754897 date accessed 3 May 2016
[5] BBC News Libya: 'New Libya cabinet proposed to replace dual governments' date published 15 February 2016 http://www.bbc.co.uk/news/world-africa-35577299 date accessed 16 February 2016
[6] BBC News Libya: 'New Libya cabinet proposed to replace dual governments' date published 15 February 2016 http://www.bbc.co.uk/news/world-africa-35577299 date accessed 16 February 2016

4.1.7 The BBC News Libya country profile page states: 'Mr Sarraj and some of his deputies finally arrived in Tripoli in March 2016 and set up their headquarters in a heavily-guarded naval base.'[7]

5. Demography

5.1.1 The CIA World Factbook updated on 19 April 2016 reported that the population of Libya was estimated to be 6,411,776 with Tripoli, the capital, having 1.126 million people in 2015.[8] Janes suggested different population figures, and noted the population (which it estimated to around 5 million) distribution:

'… between the three main geographical regions is about 60% (3.3 million) in Tripolitania (west coast), 30% (1.5 million) in Cyrenaica (east coast), and 10% (600,000) in the desert interior. In coastal Cyrenaica and Tripolitania, the population density is more than 50 per sq km; in the desert it is less than one person per sq km.

'The most populous cities of Libya are Tripoli (with around 1.68 million inhabitants), Benghazi (over 650,000), Khoms (up to 200,000) and Misratah (650,000). Urban migration is of serious concern to the Libyan authorities. The urbanised proportion of the population is estimated to be 84%.'[9]

5.1.2 See also map of population density of June 2015 (based on population estimates in 2010): http://reliefweb.int/map/libya/libya-population-and-population-density-5-jun-2015

6. Political situation

6.1.1 The US State Department country report on human rights practices (Libya, 2015) noted:

'Libya is a parliamentary democracy with a temporary Constitutional Declaration allowing for the exercise of a full range of political, civil, and judicial rights. Citizens elected the House of Representatives (HoR) in free and fair elections in June 2014. The outbreak of major political violence later that year led to the loss of central government control over much of the country's territory and the emergence of rival administrations based in Tripoli and in the eastern city of Tobruk. The Tobruk-based, internationally recognized government of Prime Minister Abdullah al-Thinni did not maintain effective control of government forces or allied militias.

'Conflict between the Tobruk-based HoR and the Tripoli-based General National Congress (GNC) continued throughout the year. Active fighting

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[7] BBC News: Libya – Country Profile – last updated 20 April 2016
http://www.bbc.co.uk/news/world-africa-13754897 date accessed 3 May 2016
[8] The CIA World Factbook: Libya: page last updated 27 April 2016
https://www.cia.gov/library/publications/the-world-factbook/geos/ly.html date accessed 28 April 2016
[9] Janes (subscription only), Sentinel Risk Assessment, Libya, Demography, updated August 2015,
https://janes.ihs.com/NorthAfrica/Display/1303731, accessed on 18 May 2016

between the HoR-aligned Operation Dignity forces and GNC-aligned Operation Dawn forces remained a source of instability.

'On December 17, members of the UN-led Political Dialogue signed a political agreement in Skhirat, Morocco. The Libyan Political Agreement created a nine-member Presidency Council, headed by Prime Minister Fayez Sarraj. The Government of National Accord formation process was expected to occur in 2016.'[10]

6.1.2   Human Rights Watch reported in January 2016:

'Libya remains without a permanent constitution. The Constitution Drafting Assembly, elected in February 2014 to draft a new constitution, hampered by political infighting and a boycott by Amazigh groups, published a first draft in September 2015. Some political groups called for re-adopting the 1951 Constitution of the Libyan monarchy. The HoR failed to amend the counter-terrorism law that it adopted in September 2014, although several provisions could be used to curtail free speech and rights to peaceful assembly and movement. The law prescribes harsh punishments for vaguely defined acts "that harm national unity," includes an overly broad definition of "terrorist acts," and stipulates life imprisonment for establishing or leading a "terrorist organization" and 10 years with hard labour for joining a "terrorist organization," without requiring any evidence of violence.

'In July [2015], the HoR passed a General Amnesty Law. It stipulates that those who commit crimes of terrorism, rape, torture, corruption, and murder by race or ethnicity may not receive an amnesty. However, it fails to rule out amnesties for other serious human rights crimes, such as forced displacement, enforced disappearances, and unlawful killings.'[11]

6.1.3   The UK Foreign & Commonwealth Office stated:

'The Libya Political Agreement was signed by a majority of the Libyan negotiating parties at a ceremony in Skhirat, Morocco on 17 December 2015, paving the way for a new unified national government in Libya. The arrival of the Presidency Council in the capital of Libya on 30 March [2016] is an important step in the establishment of an effective Government of National Accord (GNA), On the whole reaction has been positive and the GNA are supported by the majority of Libyans. But the political and security situation remains changeable as the GNA begins its work to restore stability and security to Libya. Full scale military operations involving small arms, tanks, artillery and aircraft are ongoing in several areas. Heavy fighting continues in residential areas of Benghazi city.'[12]

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[10] United States State Department Country Report on Human Rights Practices – Libya – 2015 published 13 April 2016 (Executive Summary) http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dlid=252937 date accessed 15 April 2016
[11] Human Rights Watch: World Report 2016 – Libya published 27 January 2016 https://www.hrw.org/sites/default/files/world_report_download/wr2016_web.pdf date accessed 16 February 2016
[12] UK Foreign & Commonwealth Office: Libya Advice: Safety & Security – last updated 8 April 2016

6.1.4   The UN Secretary-General in his report to Security Council covering the period from 25 February to early May 2016 observed:

'Libyan political actors continued to make progress, despite some delays, in implementing the Libyan Political Agreement, signed on 17 December 2015 in Skhirat, Morocco. United Nations efforts were focused on supporting those implementation efforts. In an important first step towards a peaceful and orderly handover of executive authority, the Presidency Council of the Government of National Accord installed itself in Tripoli on 30 March. The relatively calm security situation, as well as statements of support by municipal councils in the greater Tripoli area and other stakeholders, signalled broad popular support for its arrival. The Presidency Council asked the United Nations to rapidly establish a presence in Tripoli and encouraged Member States to re-establish diplomatic missions in support of the political process. UNSMIL continued to support the efforts of members of the House of Representatives to conduct a formal vote on the composition of the proposed Government of National Accord and to amend the Constitutional Declaration, in accordance with the Libyan Political Agreement.

'Nonetheless, significant work was still required to broaden the base of support for the implementation of the Libyan Political Agreement and support the new transitional institutions in carrying out their duties. Despite the relative calm prevailing in Tripoli following the arrival of the Presidency Council, a number of political actors continued to oppose the implementation of the Agreement.[13]

7. Protagonists

7.1 Overview

7.1.1   The Dutch Ministry of Foreign Affairs report on Libya dated December 2014 stated:

'There are many different actors behind the violence in Libya. They operate mainly as part of militia groups that emerged during the uprising against the Gaddhafi regime or in the period immediately following its downfall. Their importance, legitimacy and influence depend on the context of their creation and on their status as revolutionaries or 'losers' during the uprising, as well as on their geographical, tribal and/or regional affiliation, and their direct or indirect links with political parties. Their standing with the population in their home region is also a contributing factor to their legitimacy and influences. These armed groups continued to multiply after the transition authorities tried to integrate their members within the state security sector by paying them wages, which they are still receiving. Many of these groups have become

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https://www.gov.uk/foreign-travel-advice/libya/safety-and-security date accessed 20 April 2016
[13] UN Security Council, Report of the Secretary-General on the United Nations Support Mission in Libya, paras 1-2, 16 May 2016,
http://unsmil.unmissions.org/Portals/unsmil/Documents/N1613214.pdf, accessed on 23 May 2016

powerful with numerous local interests, making it difficult for the Libyan state to contain them or impose its authority at a central level.

'Most militia groups have forged strong alliances by supporting one or other of the main political parties. Operation Dignity and its satellites sided with the House of Representatives in Tubruq (Tobruk) which was elected in June 2014. Libya Dawn and its satellites sided with the remaining members of the GNC, which is still based in Tripoli. The media generally present the situation as a confrontation between Islamist forces on the one hand and anti-Islamist or nationalist forces on the other, but Libya experts think this is an oversimplification and point to the multiple rivalries between towns, clans and security forces, which existed already under the Gaddhafi regime and were revived during the 2011 uprising.'[14]

7.1.2   A report published in September 2015 by the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) also noted the fragmented nature of 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.'[15]

7.1.3   The UN OHCHR report of 15 February 2016 summarised the various factions fighting in Libya:

'Libya does not have a straightforward delineation of State security forces and opposition forces. Instead, it has a complex set of armed actors, with varying degrees of association with the State and each other. The current security

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[14] Netherlands, The: Ministry of Foreign Affairs, Libya: Security Situation, 19 December 2014, (3.2 Main Actors p. 12) available at: http://www.refworld.org/docid/54afd82d4.html date accessed 24 February 2016
[15] UN Office for the Coordination of Humanitarian Affairs (OCHA), Shattered lives: Civilians suffer from the use of explosive weapons in Libya, September 2015, (Main parties to the conflict p. 13) available at: http://www.refworld.org/docid/5629e1744.html date accessed 23 February 2016

arrangements need to be understood against the background of the security apparatus in place in Libya in previous years. The International Commission of Inquiry on Libya described an "amorphous" system in which Government forces involved "different structures operating in different capacities at different times and at different places". Power and operational commands shifted according to the directions given by Gaddhafi and his cohorts to a variety of structures (such as the armed forces, Kata'eb/battalions, revolutionary committees and the revolutionary guard). During 2011, a loose coalition of brigades rose up against the Gaddhafi forces, with the coalition significantly strengthened by defecting members from the Gaddhafi forces. At the end of 2011, with the unilateral victory declaration by opposition forces, a large number of "revolutionary" armed groups (the armed groups that had fought against Gaddhafi) organised along geographical and tribal lines, were effectively in control of large parts of the Libyan territory. The formal structures of the Libyan Army and Police were fractured.

'Attempts made in the period from 2011 to 2014 to integrate armed groups into a central security apparatus under civilian authority were not successful.

'The number of armed groups and the membership thereof has increased dramatically. The number of "revolutionaries" (persons who fought in the 2011 conflict against the Gaddhafi regime) was estimated to be approximately 25,000 to 30,000. By 2013, the Warrior Affairs Commission of the Government had registered some 168,000 persons as revolutionaries. Not all are necessarily currently active in armed groups. One Government committee reported that it was seeking to integrate 110,000 persons as of May 2015. The comparatively high salary paid to armed group members has provided a financial incentive for membership, while the deterioration in the security situation has also encouraged groups to revert to localised security formations. Notwithstanding the outbreak of hostilities, it was reported to OHCHR that the Central Bank in Tripoli continues to pay armed groups (even opposing armed groups) in a non-partisan manner.

'In November 2015, UNSMIL/OHCHR reported that armed groups had proliferated, consolidating "effective control over large swaths of territory, strategic installations and State institutions". It is apparent that armed groups are divided along various lines, such as tribal, or ideological, or by geographic affiliation. Some armed groups pursue specific political agendas, others operate as local security, while others might be characterised as being focused on criminal enterprises. Armed groups have themselves fractured, and allegiances and alliances between groups have shifted in the course of 2014 and 2015. Many armed groups are part of or act in support of either Operation Dignity or Libya Dawn…' [16]

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[16] United Nations Human Rights Council: 'Investigation by the Office of the United Nations High Commissioner for Human Rights on Libya: detailed findings' date published 15 February 2016 (IV. Armed actors in Libya paragraphs 50-54) http://www.refworld.org/docid/56d00d0f4.html date accessed 9 March 2016

7.2 Libyan Regular Army

7.2.1   The status of the original Libyan army (the Libyan Regular Army) has changed since 2011, and more so since the establishment of two separate governments in the country. The Netherlands report on the security situation in Libya stated:

'Marginalised under Gaddafi, who favoured his own special elite forces; the regular army is undergoing a reconstruction phase and lacks equipment, arms and military expertise. Its 35,000 soldiers are underpaid.   According to the Prime Minister, militias are better armed than regular army units. The main army units comprise of the Special Forces known as al-Sa'iqa. They were deployed to Benghazi in 2013 where they managed to curb the killings and abductions, which gave them a certain degree of popular support.

'Al-Sa'iqa, which in theory is answerable to the Ministry of Defence, has sided with former general Haftar's forces in Benghazi against Islamist forces. With the appointment by the Tubruq House of Representatives of an Operation Dignity officer as the army's new Chief of Staff, the forces allied with former general Haftar seem to have been integrated into the regular army, which is operating nominally under the authority of the Tubruq government. However, the official status of the regular army and its relations with former general Haftar's troops remain unclear. In fact, the government in Tubruq has little power and few means to control a national army.'[17]

7.3 Libyan National Army (also known as Operation Dignity)

7.3.1   The Netherlands report on security in Libya (December 2014) stated:

'Retired general Khalifa Bilqasim Haftar arrived on the conflict scene in mid-May 2014. With his own forces, operating under the name Libyan National Army (LNA), he launched Operation Dignity (Amaliyyat al-Karama) to oust Islamist groups from Benghazi. Regular army units (the al-Sa'iqa Special Forces and the air force units based at Tubruq and Banina (Benghazi)) soon joined his cause, as well as influential local tribes (the Ubaydat, Awaqir and Baraghitha), the Barqa Army (Jaysh Barqa or the Cyrenaica Defence Force), Toubou fighters from Kufra and Tuareg from Ubari. In western Libya, Operation Dignity enjoys the support of the Zintan militias, the head of the military police and the militia of the Warshafana tribe.

'Haftar's Libyan National Army has since May 2014 carried out a number of major military offensives in Benghazi against the Shura Council of Benghazi Revolutionaries, an alliance of Islamist and jihadi groups. In the end of August 2014, the LNA declared that it would take orders from the regular army's new Chief of Staff while maintaining a degree of autonomy. The reintegration of former general Haftar within the regular army seems to

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[17] Netherlands, The: Ministry of Foreign Affairs, Libya: Security Situation, 19 December 2014, (3.2.1. The Libyan Regular Army p.13) available at: http://www.refworld.org/docid/54afd82d4.html date accessed 24 February 2016

confirm this alliance even though the relationship between the regular army and Operation Dignity remains unclear.'[18]

7.3.2 The UNOHCHR report of 15 February 2016 stated that:

'The Libyan National Army has been further fragmented by the events of 2014 and 2015, as is evidenced by the competing appointments and command instructions issued by the House of Representatives and the General National Congress. In 2014, the Congress appointed Major General Abd al-Obaidy as Commander of General Staff of the Libyan National Army. Major General al-Obaidy issued a statement ordering all forces of the Libyan National Army to fight against any military force moving towards Benghazi (a reference to Operation Dignity forces) after the launch of Operation Dignity. In August 2014, the House of Representatives appointed Major General Abd al-Razik al-Nadoory as Commander of General Staff of the Libyan National Army. Major General al-Nadoory's first statement announced that Libya Dawn forces and Ansar al-Sharia were terrorists, and that the Libyan National Army supported Operation Dignity. In March 2015, the House of Representatives created a new post in the army and appointed Khalifa Haftar as General Commander and promoted him to the rank of Lieutenant-General. The Tripoli-based authorities and the General National Congress, however, dispute the legitimacy of either this appointment or that of Major General alNadoory, and continue to support Major General al-Obaidy.'[19]

7.4 The Zintan Brigades

7.4.1 The BBC News website reported that:

'The Zintan, al-Sawaiq and al-Qaqa brigades are anti-Islamist militias that operate especially in the west of Libya.

'The powerful Zintan militia supports the internationally-recognised authorities and has clashed on numerous occasions with Libya Dawn. It continues to detain Saif-al-Islam al-Gaddafi, the son of the former leader who was sentenced to death in Tripoli last year, in the western city of Zintan, while most other Gaddafi-era officials are held by pro-Islamist forces in Tripoli.

'The al-Qaqa and al-Sawaiq battalions are also pro-official authorities and anti-Islamist. They attacked the GNC in Tripoli soon after Operation Dignity was announced in May 2014.'[20]

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[18] Netherlands, The: Ministry of Foreign Affairs, Libya: Security Situation, 19 December 2014, (3.2.2 Libyan National Army (LNA) / Operation Dignity p.13) available at: http://www.refworld.org/docid/54afd82d4.html date accessed 24 February 2016
[19] United Nations Human Rights Council: 'Investigation by the Office of the United Nations High Commissioner for Human Rights on Libya: detailed findings' date published 15 February 2016 (IV. Armed actors in Libya paragraphs 55-56)
http://www.refworld.org/docid/56d00d0f4.html date accessed 9 March 2016
[20] BBC News: 'Guide to key Libyan militias' updated 20 January 2016
http://www.bbc.co.uk/news/world-middle-east-19744533 date accessed 24 February 2016

7.4.2   The UNOHCHR report of 15 February 2016 stated that 'Amongst the primary armed groups opposed to Libya Dawn are the Zintan-based "Al-Sawa'iq", "Al-Qa'qa'a" and "Al-Madani" Brigades. The coalition also includes the Warshafana-based "Jaysh Al-Qaba'el" armed group, that allegedly includes within its membership some members of the army of the former Qadhafi regime. This coalition is broadly allied with Operation Dignity and General Haftar.'[21]

7.5 Ansar al-Sharia/Shura Council of Benghazi Revolutionaries

7.5.1   The BBC News website reported on this group on 13 June 2014. The news report described Ansar al-Sharia as:

'Ansar al-Sharia is an Islamist militia calling for the implementation of strict Sharia law across Libya. The group, whose name means "Partisans of Islamic law" in Arabic, emerged following the February 2011 anti-Gaddafi uprising.   It is made up of former rebels from several militias based in eastern Libya, notably the Abu Obayda bin al-Jarah Brigade, the Malik Brigade and the 17 February Brigade.

'The group was officially formed in June 2012 when it issued the "Ansar al-Sharia First Meeting", a communique announcing its inauguration. The number of rebels that fight for the group remains unknown. The group operates mainly in Benghazi and denies having any presence elsewhere in Libya.'[22]

7.5.2   The same report stated:

'In October 2012, the group became known as Ansar al-Sharia in Libya (ASL), most likely to differentiate itself from Tunisia's Ansar al-Sharia group.

'From October 2012 onwards, Ansar al-Sharia had confrontations with a number of Libyan groups, many of which joined the Libyan army in Benghazi. Following these confrontations, the group reduced its military presence in the city but kept close links to the prominent Islamist 17 February Brigade group.'[23]

7.5.3   The Netherlands report noted:

'In order to fight Operation Dignity, Ansar al-Sharia allied itself with a number of militias composed of young Islamist revolutionaries supported by local tribes. This alliance is known as the Shura Council of Benghazi Revolutionaries, and includes groups such as the 17 February Martyrs Brigade, an important Islamist militia (3,500 combatants partially remunerated by the Libyan Ministry of Defence), Libya Shield Unit no. 1, the Raf'allah al-

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[21] United Nations Human Rights Council: 'Investigation by the Office of the United Nations High Commissioner for Human Rights on Libya: detailed findings' date published 15 February 2016 (IV. Armed actors in Libya paragraph 62)
http://www.refworld.org/docid/56d00d0f4.html date accessed 9 March 2016
[22] BBC News: 'Profile: Libya's Ansar al-Sharia' date published 13 June 2014
http://www.bbc.co.uk/news/world-africa-27732589 date accessed 24 February 2016
[23] BBC News: 'Profile: Libya's Ansar al-Sharia' date published 13 June 2014
http://www.bbc.co.uk/news/world-africa-27732589 date accessed 24 February 2016

Sahati Brigade, the 319th Infantry Brigade, the Free Libya Martyrs Brigade, the Fakhri al-Sallabi Brigade and the Zintan Martyrs Brigade.'[24]

7.6 The Misrata Brigades/Libya Dawn

7.6.1 The December 2014 Netherlands report noted: 'The Misrata Brigades, from a town that was besieged for six months during the 2011 uprising, are composed of 235 powerful militias and enjoy much prestige nationwide.'[25]

7.6.2 The BBC News website stated:

'Libya Dawn is a grouping of pro-Islamist militias that in summer 2014 attacked Tripoli International Airport and went on to seize large parts of the capital.

'The militia alliance can be viewed as the "armed forces" of the General National Congress (GNC), the former parliament which has been reconvened in Tripoli.

'Libya Dawn, which has acquired military planes, controls virtually all coastal cities, from Misrata to the border with Tunisia as well as cities further south, including Gharyan, Nalut and Jadu in the mainly Berber mountain range of Nafusa.

'The name Libya Dawn originally referred to the militias' operation to seize Tripoli but soon came to refer to the armed group coming under its umbrella.

'Many of its fighters came from the city of Misrata, but in the last year the powerful militias based in that city appear to have drifted from the Libya Dawn coalition.'[26]

7.6.3 The UNOHCHR report of 15 February 2016 stated that:

'Among the groups in Libya Dawn are Libya Shield Forces which bring together a variety of revolutionary armed groups who see themselves as "guardians of the revolution". Libya Shield Forces are divided into three main brigades named after their geographical locations: the eastern, central, and western Libya Shields. The western and Misrata-based central Libya Shield forces remained dominant in the Libya Dawn coalition in 2014. They incorporate into their fold, for example, forces from Zleiten, Al-Khoms, Misillata, Tarhouna, Jadu, the Nafusa Mountains (Gheryan, Kikla, Jadu and Nalut) and Al-Zawiya. Armed groups affiliated with Libya Dawn also include the Tripoli Revolutionaries Brigade, Deterrence and Assistance Force, the High Security Committee (Abu Salim Branch), and the Janzour Knights Brigade.' [27]

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[24] Netherlands, The: Ministry of Foreign Affairs, Libya: Security Situation, 19 December 2014, (3.2.3 Ansar al-Sharia/Shura Council of Benghazi Revolutionaries p.14) available at: http://www.refworld.org/docid/54afd82d4.html date accessed 24 February 2016
[25] Netherlands, The: Ministry of Foreign Affairs, Libya: Security Situation, 19 December 2014, (3.2.5 The Misrata Brigades/Libya Dawn p.15)
available at: http://www.refworld.org/docid/54afd82d4.html date accessed 24 February 2016
[26] BBC News: 'Guide to key Libyan militias' updated 11 January 2016
http://www.bbc.co.uk/news/world-middle-east-19744533 date accessed 24 February 2016
[27] United Nations Human Rights Council: 'Investigation by the Office of the United Nations High

7.7 Toubou, Tuareg and Arab militias

7.7.1 The Netherlands report noted:

'In the south of the country, influential Arab, Toubou and Tuareg tribes were engaged in local conflicts – for instance in Sabha – which got out of hand to the point that militias from the north had to intervene. The most important militias in Fezzan's capital city are those of the Awlad Sulayman and the Toubou. Other militias are linked to the Qadhadhfa, Warfalla, Hasawna and Mahamid tribes. These militias are controlling security in public buildings and banks, but also in some neighbourhoods. Recurrent fighting between these militias is fuelled by their rivalry for political dominance and access to economic resources.'[28]

7.7.2 The report continued:

'In January 2014, the town of Sabha, some 600 km south of Tripoli, witnessed the most serious fighting in Libya's south since the end of the uprising against Qadhafi. Sabha is the home of to several multi-ethnic tribes, Arabs, Tuaregs and Toubous. In early 2014 a conflict broke out between the Toubous and the Arab tribe of Awlad Sulayman. The conflict reached its peak when Qadhadhfa and Maqarha militias attacked several military bases. The fighting, which resulted in nearly a hundred deaths, ended with the intervention of brigades from Misrata and Zintan. According to Wolfram Lacher, researcher on North Africa at the German Institute for International and Security Affairs (SWP), the conflict originated in a disagreement dating back to the last weeks of the Libyan uprising between Awlad Sulayman and the Qadhadhfa. Sporadic but far less intense fighting was reported in Sabha thereafter (April, June and October 2014), but stopped after some time through outside mediation.'[29]

7.7.3 The UNOHCHR report of 15 February 2016 stated that:

'In Sabha, the major armed conflicts have taken place between Tabu, Al-Qadhadhifa, and Al-Megharba armed groups opposed to the Awlad Suleiman armed group. In Al-Kufra, the conflict has been primarily between the Arab Al-Zwaya and the Tabu armed groups, with the Tabu accusing Al-Zwaya of favouring their own tribe in relation to, for instance, the provision of government services. Several armed clashes have focused on attempts to control strategic locations, such as oil fields or smuggling routes. Some level of alliances exists between tribal armed groups and either Operation Dignity

Commissioner for Human Rights on Libya: detailed findings' date published 15 February 2016 (IV. Armed actors in Libya paragraph 61)
http://www.refworld.org/docid/56d00d0f4.html date accessed 9 March 2016
[28] Netherlands, The: Ministry of Foreign Affairs, Libya: Security Situation, 19 December 2014, (3.2.6 Toubou, Tuareg and Arab militias p.15) available at: http://www.refworld.org/docid/54afd82d4.html date accessed 24 February 2016
[29] Netherlands, The: Ministry of Foreign Affairs, Libya: Security Situation, 19 December 2014, (3.3.1 Fighting in Sabha p.15-16) available at: http://www.refworld.org/docid/54afd82d4.html date accessed 24 February 2016

or Libya Dawn, for example, it has been observed that the Tabu are generally aligned with Operation Dignity; while the Tuareg are generally aligned with Libya Dawn.' [30]

7.8 Daesh (Islamic State)

7.8.1 The BBC News website reported:

'A major development on the ground in Libya in 2015 was the emergence of {Islamic State] IS.

'IS built on an existing presence in the eastern city of Derna, a long-time jihadist hub, where groups actively pledged allegiance to IS and took over local administration buildings.

'Although IS was driven out of most areas of Derna in July 2015 it went on to seize "complete control" of the central coastal city of Sirte, the birthplace of former leader Muammar Gaddafi. In June, the group's official radio station, al-Bayan, which is already operating in Syria and Iraq, reportedly began broadcasting from Sirte.

'IS has claimed that it has captured the coastal town of Bin-Jawad, as well as having a "strong presence" in Nofilia, Sidra and Ra's Lanuf, putting it significantly closer to installations in Libya's oil rich region, and leading to repeated clashes with the Petroleum Facilities Guard.

'IS has managed to strike in Tripoli and Benghazi by launching high-profile one-off attacks, for example those targeting embassies and hotels in Tripoli in January and February 2015, and most recently on a police training base in Zliten, near the capital. The group is also present in Benghazi and has cells in Tripoli.

'IS has divided Libya geographically into three "provinces": Barqah (Cyrenaica) in the east, Tripoli (referring to wider Tripolitania) in the west, and Fezzan in the centre and south.

'According to a UN report issued in December, IS has between 2,000 and 3,000 fighters in Libya, including 1,500 in Sirte. The group seems to be attracting fighters from sub-Saharan countries.'[31]

7.8.2 A correspondent from International Crisis Group, (ICG) Issandr El-Amrani, stated in February 2016:

'The group dominates a 120-mile stretch of territory extending east along the coast from the town of Sirte, seized almost entirely during 2015. This is its most significant achievement, because this territory provides it with a relatively safe base from which to attract new recruits and plan attacks elsewhere.

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[30] United Nations Human Rights Council: 'Investigation by the Office of the United Nations High Commissioner for Human Rights on Libya: detailed findings' date published 15 February 2016 (IV. Armed actors in Libya paragraph 63)
http://www.refworld.org/docid/56d00d0f4.html date accessed 9 March 2016
[31] BBC News: 'Guide to key Libyan militias' updated 11 January 2016
http://www.bbc.co.uk/news/world-middle-east-19744533 date accessed 24 February 2016

'The Islamic State also has a presence, but does not control significant territory, in Benghazi, Libya's second-largest city. It has been conducting guerrilla warfare in some neighbourhoods there and has reportedly absorbed other armed groups, most notably elements of Ansar al-Sharia, a radical Islamist group that was part of the loose alliance of rebels that rose against Muammar al-Qaddafi's regime in 2011. It also has a proven ability to carry out hit-and-run operations in western Libya, most probably through a network of cells, including in the capital of Tripoli. It has thus been able to carry out spectacular attacks outside of its own territory, including the deadliest suicide bombing in Libyan history at a police training facility in the western town of Zliten, which killed at least 60 people on 7 Jan.'[32]

7.8.3   The ICG correspondent Mr El-Amrani, continued:

'More recently, Libya has been an attractive destination as the group has suffered setbacks and bombing campaigns in Iraq and Syria. Islamic State propaganda has, for instance, encouraged new recruits to head to Libya rather than the Levant, in part because it is easier to reach — but also because the group's leadership sees Libya as the opening of a new front with opportunities for expansion elsewhere in Africa. There is also evidence that senior commanders from the Iraq/Syria front moved to Libya over 2015, bringing greater organizational and military expertise to the local franchise.'[33]

7.8.4   The Jamestown Foundation reported on the rise of Islamic State in Libya in an article published on 1 April 2016 ('Libya's Political Turmoil Allows Islamic State to Thrive). The article stated:

'The Libyan civil conflict has created a political and security vacuum that IS has exploited, carving out strongholds in weakly governed areas such as Sirte and thereby further fueling instability. Its Syria and Iraq-based leadership (hereafter, IS Central) recognized the potential for growth in Libya early on and poured considerable resources into its Libyan wilayat, dispatching high-level officials to Sirte to manage the group's expansion and eventually redirecting hundreds of foreign fighters from Syria to Libya.

'In turn, Sirte has become a hub for the group's North African operations. IS Central's interest in Sirte underscores the city's growing strategic value to the organization, and illustrates the group's ambitious plans for its Libyan wilayat.'[34]

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[32] International Crisis Group – Libya – 'How much of Libya does the Islamic State control?' date published 18 February 2016 http://www.crisisgroup.org/en/regions/middle-east-north-africa/north-africa/libya/op-eds/how-much-of-libya-does-the-islamic-state-control.aspx date accessed 19 February 2016
[33] International Crisis Group – Libya – 'How much of Libya does the Islamic State control?' date published 18 February 2016 http://www.crisisgroup.org/en/regions/middle-east-north-africa/north-africa/libya/op-eds/how-much-of-libya-does-the-islamic-state-control.aspx date accessed 19 February 2016
[34] The Jamestown Foundation: Terrorism Monitor Volume 14 Issue 7: 'Libya's political turmoil allows Islamic State to thrive' date published 1 April 2016 http://www.jamestown.org/programs/tm/single/?tx_ttnews%5Btt_news%5D=45269&cHash=c783b403d90a116ae4656b7675943838 date accessed 27 April 2016

7.8.5   The Jamestown article continued:

'To consolidate its territorial holdings in Sirte, IS Central has doubled down on its support for its Libyan affiliate, sending several high-ranking officials to direct operations in the country. Intelligence officials from the Libyan city of Misrata, which has been the target of multiple IS attacks, assert that IS Central sent a high-profile Iraqi official known only as Abu Omar alongside another Iraqi official from the city of Tikrit to Sirte in October 2015 to manage IS operations in the city. Upon arriving in Sirte, the Iraqi officials established both a sharia court and a taxation system in the city, suggesting that IS is looking to fully export its governance model from Iraq and Syria to Libya (DW, December 18, 2015).

'Two prominent IS commanders followed Abu Omar to Libya; Abu Ali al-Anbari, one of Abu Bakr al-Baghdadi's top lieutenants, traveled to Libya by boat in early November 2015, according to multiple news outlets (al-Wasat Facebook page, November 10, 2015), while Abu Omar al-Shishani, IS's most prominent field commander, was also reportedly in Libya in February 2016 (Libya Prospect, February 12, 2016). If true, al-Shishani presumably spent little time there before returning to Syria, where he is thought to have been fatally wounded in a U.S. airstrike. Meanwhile, Turki al-Binali, one of IS's most influential religious clerics, is rumored to have been in Libya in 2015, as well (al-Wasat, December 13, 2015).

'The fact that IS dispatched al-Anbari, al-Binali, and al-Shishani to Libya reflects IS's commitment to its Libyan affiliate, and bolsters predictions that IS is preparing Libya as a fall-back option in the event the group loses further ground in Syria and Iraq.'[35]

7.8.6   The report also noted:

'Libya lacks the sectarian tensions that IS has exploited to mobilize Sunni populations in Syria and Iraq, and as a consequence, IS must depend on foreign fighters, alongside a hardened core of Libyan militants. This has done little to help it win over the local population, which has rebelled against it in both Sirte and in Derna. In the latter, rival jihadist factions, supported by local residents, forced IS fighters to withdraw entirely in June 2015.

'IS is also less powerful than it purports to be in Libya. Even though foreigners have significantly boosted its ranks in the country—recent estimates suggest that there are between 3,000 and 6,500 IS militants in Libya—other armed actors in Libya, including the now-fragmented Libya Dawn coalition and its rival, the Libyan National Army, are far larger and better-equipped.' [36]

[35] The Jamestown Foundation: Terrorism Monitor Volume 14 Issue 7: 'Libya's political turmoil allows Islamic State to thrive' date published 1 April 2016 http://www.jamestown.org/programs/tm/single/?tx_ttnews%5Btt_news%5D=45269&cHash=c783b403 d90a116ae4656b7675943838 date accessed 27 April 2016
[36] The Jamestown Foundation: Terrorism Monitor Volume 14 Issue 7: 'Libya's political turmoil allows Islamic State to thrive' date published 1 April 2016 http://www.jamestown.org/programs/tm/single/?tx_ttnews%5Btt_news%5D=45269&cHash=c783b403

7.8.7 At the end of April 2016 the Jamestown Foundation reported that

'Islamic State (IS) appears to have suffered a setback in Libya after they were pushed out from the city of Derna this month (al-Arabiya, April 21). The victory was claimed by both the Libyan military under General Khalifa Haftar and the local "Shura Council of the Mujahideen of Derna and its Outskirts," or SCMD, which released a two and a half minute-long video entitled "The joy of the people after liberation" via its al-Sabeel Media Foundation (North Africa Post, April 22). The film consists of aerial footage of the city, apparently filmed using a drone and overlaid with the sounds of congested traffic.'[37]

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8. Targeted violence

8.1.1 The UNHCR, in their Position on Returns to Libya of October 2015, stated:

'Parties on all sides of the conflict are also reported to systematically engage in the abduction, torture and killing of rival fighters and civilians, reportedly based on their "actual or suspected tribal, family political or religious affiliation and nationality". Armed groups with different affiliations reportedly also engage in the destruction of civilian property belonging to perceived opponents. According to reports, human rights defenders, politicians, civil society activists, media professionals, religious leaders, government officials, as well as members of the judiciary and law enforcement agencies are deliberately singled out by various groups for intimidation, abduction, burning and looting of homes, as well as unlawful killings in a climate of impunity. … Armed groups affiliated with ISIS reportedly target and terrorize civilians, including through bombings and beheadings, and impose harsh punishments on civilians for what these groups perceive are infractions of Islamic law'. …

'Women political and civil society activists, journalists and those not complying with strict interpretations of religious and societal gender norms are reportedly singled out by various actors for intimidation, assaults and assassination across the country.'[38]

8.1.2 The United Nations Support Mission in Libya published a report on 16 November 2015, covering the period of 1 January 2015 to 31 October 2015.[39] The report stated that:

'During the reporting period, medical facilities were shelled during the fighting, while medical professionals were caught up in the violence, abducted or

d90a116ae4656b7675943838 date accessed 27 April 2016
[37] Jamestown Foundation, Libya: Islamic State forced out of Derna, 29 April 2016, Terrorism Monitor Volume: 14 Issue: 9 http://www.jamestown.org/single/?tx_ttnews%5Btt_news%5D=45373&tx_ttnews%5BbackPid%5D=7&cHash=b21308f2831251226bf6e563b15459d2#.VyoH0YQrKM9 date accessed 4 May 2016
[38] UN High Commissioner for Refugees (UNHCR), UNHCR Position on Returns to Libya - Update I, October 2015, (paragraphs 5-8) available at: http://www.refworld.org/docid/561cd8804.html Date accessed 18 February 2016
[39] United Nations Support Mission in Libya: 'Report on the human rights situation in Libya' date published 16 November 2015 (1. Introduction p. 1) http://www.refworld.org/pdfid/5652f3ec4.pdf date accessed 2 March 2016

detained by the different actors, with some allegedly victims of torture and other ill-treatment. … Armed groups also abducted medical professionals on account of their perceived political allegiances.

'During the reporting period, Libyan armed groups pledging allegiance to ISIL carried out summary public executions in Derna and Sirte…UNSMIL has also documented what appeared to be politically-motivated assassinations during the reporting period, albeit at a reduced rate compared to previous reporting periods. Among possible reasons for this decrease is the fact that many targeted individuals have fled, gone silent, re-located to safer areas or sought protection among their tribes, following the surge of such assassinations in 2014… The space for debate and civic action in Libya continued to shrink during the reporting period, with many of the interlocutors of UNSMIL describing the general climate as repressive and intolerant of any criticism of those in *de facto* control of any given region of Libya. Armed groups across the political, tribal and geographic spectrum have targeted human rights defenders, other civil society activists and media professionals with total impunity, resulting in a severe impact on the enjoyment of the rights to freedom of expression and association and, in some cases, self-censorship reminiscent of the time under the Qadhafi regime. … During the reporting period, journalists and other media professionals across Libya were also subjected to attacks, including abductions, torture and other ill-treatment, threats and intimidation against them or their families. UNSMIL has received reports of female journalists being subjected to sexual harassment and threats. …Judges, prosecutors, and law enforcement officials have continued to face violent attacks and threats.'[40]

8.1.3   With specific regards to abduction, detention and torture the same source noted that

'During the reporting period, armed groups across Libya have continued to abduct civilians on the basis on their family links, origin or their actual or perceived political affiliations. Detainees were held in official prisons as well as makeshift unofficial detention facilities, including bases of armed groups. During their time in custody, detainees were frequently denied contact with the outside world and not referred to judicial authorities. … In western Libya, armed groups have abducted civilians, often as hostages in the hope of exchanging them for fighters and civilians held by rival groups, in violation of international humanitarian law. In the cases documented by UNSMIL, civilians were often abducted from their homes, workplaces and public roads or at checkpoints following identity checks. Those abducted included relatives of political figures, activists, lawyers and journalists as well as individuals, including children, abducted, it appears, solely because of their family or tribal identity. Abductions were frequently accompanied by violence. .. In eastern Libya, in addition to capturing fighters, forces loyal to Operation Dignity

[40] United Nations Support Mission in Libya: 'Report on the human rights situation in Libya' date published 16 November 2015 (6.2. Attacks on medical facilities and personnel p.13; 6.3. Summary executions and other unlawful killings p.14-16; 6.7. Attacks on human rights defenders, humanitarian workers and media professionals p.26-28; 7. Administration of justice p.29) http://www.refworld.org/pdfid/5652f3ec4.pdf date accessed 2 March 2016

abducted civilians suspected of sympathizing with the BRSC or on account of their origin or their relatives' perceived involvement in fighting. Detainees were held in a number of facilities under the nominal oversight of the Ministry of Justice, the Ministry of Interior, or the Ministry of Defense, and at unofficial makeshift facilities, including farms, military bases and a hotel in Benghazi. …Armed groups affiliated to the BRSC were also involved in abductions of civilians on the basis of their actual or perceived political or religious affiliations and family connections. … Since the expulsion of the Libyan armed group pledging allegiance to ISIL from Derna, the DMSC set up a makeshift detention facility at a school in the neighborhood of Shiha, where an estimated 300 people suspected of involvement with the group were believed to be held as of June. During their control of the city until June, fighters of a Libyan armed group pledging allegiance to ISIL also abducted individuals they suspected of dissent.'[41]

8.1.4 Human Rights Watch's 2016 annual report stated that

'Militias and criminal groups throughout Libya continued to abduct and forcibly disappear hundreds of civilians, including civil society activists, politicians, and nongovernmental organization (NGO) workers with impunity. According to the Libyan Red Crescent, at least 600 people went missing in such circumstances between February 2014 and April 2015. … Armed groups continued to harass, attack, and kill journalists. … In Derna, ISIS militants maintained a reign of terror from January until June marked by public lashings and summary, extrajudicial executions of residents who opposed them, as well as at least four LGBT men. … In October, masked members of ISIS publicly beheaded two men accused of sorcery, and crucified an elderly Sufi Sheikh.'[42]

8.1.5 The 15 February 2016 Report of the Secretary-General on the United Nations Support Mission in Libya stated that 'Armed groups on all sides continued to abduct civilians on the basis of their identity, family or perceived political affiliations. Detainees continued to be held in official and unofficial detention facilities, often denied contact with the outside world or access to judicial authorities.'[43]

8.1.6 The US State Department reporting on events in 2015 noted:

'The most serious human rights problems during the year resulted from the absence of effective governance, justice, and security institutions, and abuses and violations committed by armed groups affiliated with the government, its opponents, terrorists, and criminal groups. Consequences of the failure of the rule of law included arbitrary and unlawful killings and impunity for these

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[41] United Nations Support Mission in Libya: 'Report on the human rights situation in Libya' date published 16 November 2015 (6.4. Abduction, detention and torture p.16-22) http://www.refworld.org/pdfid/5652f3ec4.pdf date accessed 2 March 2016
[42] Human Rights Watch: World Report 2016 – Libya – published 27 January 2016 https://www.hrw.org/sites/default/files/world_report_download/wr2016_web.pdf date accessed 16 February 2016
[43] UN Security Council, Report of the Secretary-General on the United Nations Support Mission in Libya , 25 February 2016, (paragraph 40) http://www.refworld.org/docid/56d697d84.html date accessed 4 May 2016

crimes, including killings of politicians and human rights defenders, torture and other cruel, inhuman, or degrading treatment or punishment, and harsh and life-threatening conditions in detention and prison facilities…

'There were numerous reports government forces, rebel groups, and some tribes committed arbitrary and unlawful killings of civilians. Primary targets of killings included political opponents; members of police, internal security apparatus, and military intelligence; and also judges, political activists, members of civil society, journalists, religious leaders, and Qadhafi-affiliated officials and soldiers… Although exact figures were impossible to obtain, extremist bombings and killings probably resulted in hundreds of deaths. Terrorist organizations, such as Da'esh, Ansar al-Sharia, and their affiliates likely carried out much of the violence, although in many instances the perpetrators were unknown. On August 12, members of Da'esh killed Sheikh Khalid Ben Rajah, a local imam in Sirte, after he refused to relinquish control of his mosque. An uprising against Da'esh in Sirte resulted, which led to Da'esh killing members of the uprising and hanging their corpses from streetlights.' [44]

8.1.7   The FCO provided a list of targeted terrorist attacks in Libya between April 2015 and January 2016 on their travel advice website updated on 8 April 2016.

9. Security situation - general

9.1 Nature of the violence

9.1.1   Human Rights Watch's 2016 annual report noted:

'Amid tenuous United Nations-led peace talks, Libya's political and security crisis deepened as two rival governments competed for legitimacy, control of vital institutions, and international support. Despite some factions signing a political deal in December, there was no end in sight to the crisis. As armed clashes continued, the country edged towards a humanitarian crisis, with almost 400,000 people internally displaced and increasing disruption to basic services, such as power and fuel supplies.

'Forces engaged in the conflict continued with impunity to arbitrarily detain, torture, unlawfully kill, indiscriminately attack, abduct and disappear, and forcefully displace people from their homes. The domestic criminal justice system collapsed in most parts of the country, exacerbating the human rights crisis. Armed groups that pledged allegiance to the extremist group Islamic State (also known as ISIS) continued to commit serious human rights abuses, including unlawful killings and summary executions, and succeeded in

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[44] US State Department, Report on Human Rights Practices 2015, Libya, section 1g, 13 April 2016, http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#section1guse accessed on 18 May 2016

expanding and gaining control over towns in the centre of the country, including Sirte.'[45]

9.1.2 The same source stated that 'Warring factions indiscriminately shelled civilian areas, arbitrarily seized people, tortured and looted, burned, and otherwise destroyed civilian property in attacks that in some cases amounted to war crimes. Some forces also used cluster munitions and antipersonnel landmines, which are internationally prohibited weapons.'[46]

9.1.3 A report published by the United Nations Support Mission in Libya (UNSMIL) dated 16 November 2015 noted:

'Libya continues to be embroiled in deadly violence and multiple armed conflicts, non-international in character, affecting several regions, and contributing to a general breakdown of law and order. All parties to the conflicts continue to commit violations of international human rights and humanitarian law, and abuses of human rights, including indiscriminate and disproportionate attacks; summary executions and other unlawful killings; arbitrary deprivations of liberty; and torture and other cruel, inhuman or degrading treatment (ill-treatment).

'During the reporting period, the violence in Libya has led to hundreds of deaths and mass displacement, with an ongoing humanitarian crisis in many areas. Refugees, asylum-seekers and migrants were increasingly vulnerable to abuses. Human rights defenders, humanitarian workers and media professionals also faced violent attacks and intimidation. Thousands of individuals were held in prisons and other detention centres under the official oversight of the Ministries of Justice, Defence and Interior as well as in facilities run directly by armed groups, amid frequent reports of torture or other ill-treatment. The justice system, where it was functioning, failed to ensure accountability, while abuses by armed groups continue to take place with impunity.'[47]

9.1.4 The report also referred to the conduct of hostilities, stating:

'Across Libya, warring factions showed little regard for avoiding or minimizing loss of civilian life, injury to civilians and damage to civilian objects. They have used imprecise weaponry in densely-populated residential areas in what often amounted to indiscriminate attacks, leading to civilian fatalities and damage to civilian infrastructure. UNSMIL has also received reports that airstrikes by Operation Dignity, Libya Dawn and in one instance the Egyptian air-force led to civilian casualties and / or damage to civilian infrastructure.

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[45] Human Rights Watch: World Report 2016 – Libya – published 27 January 2016 https://www.hrw.org/sites/default/files/world_report_download/wr2016_web.pdf date accessed 16 February 2016
[46] Human Rights Watch: World Report 2016 – Libya – published 27 January 2016 https://www.hrw.org/sites/default/files/world_report_download/wr2016_web.pdf date accessed 16 February 2016
[47] United Nations Support Mission in Libya: 'Report on the human rights situation in Libya' date published 16 November 2015 (2. Summary p.1) http://www.refworld.org/pdfid/5652f3ec4.pdf date accessed 2 March 2016

'UNSMIL obtained information that rival armed groups looted, burned or otherwise destroyed homes and other civilian property seemingly in retaliation for owners' actual or perceived political allegiances. UNSMIL also documented a number of instances where the neutrality of hospitals and other medical facilities was violated, while medical personnel were caught-up in the violence and subjected to physical assaults, abductions and harassment.

'Bomb attacks, including suicide attacks, have claimed the lives of dozens, including civilians. In one such incident, at least 42 people, including children, were killed on 20 February 2015 in bomb attacks in the town of Qubbah, in eastern Libya. Most victims were queuing at the local petrol station, when the attacks took place. Responsibility for the bombings was claimed by a Libyan armed group pledging allegiance to ISIL, allegedly in retaliation for the airstrikes on Derna on 16 February'.[48]

9.1.5 The UNOHCHR, in their report of 15 February 2016 submitted to the Human Rights Council, stated:

'OHCHR investigated and obtained credible and consistent reports of indiscriminate attacks impacting on civilians and civilian areas during hostilities in 2014 and 2015. The number of such attacks has been particularly pronounced in the east, specifically in Benghazi, owing to the long term hostilities there. However, a general trend of such attacks is apparent across the cities that have experienced conflict. In some instances, whole neighbourhoods appear to have been targeted, without distinguishing between military and civilian objectives. At other times, misfiring or the use of weaponry unsuited for precise targeting appears to have been the dominant reasons for particular indiscriminate attacks. Heavy weaponry such as Grad rockets and rocket-propelled grenades, which are not appropriate for use in highly populated residential areas given that they cannot be targeted with sufficient precision, have been employed in built-up residential areas, leading to extensive damage of civilian buildings, and death and injury to civilians. Without the ability to conduct site visits and undertake detailed investigations, OHCHR has not been able to determine which parties were responsible for many specific attacks (given that the type of weaponry being referred to, with the exception of air-strikes, is used by most parties). However, it has received reports of indiscriminate attacks in all conflict areas.'[49]

9.1.6 The same source stated, in its overall findings, that:

'Many attacks during the armed conflict in Libya in 2014 and 2015 appear to have been indiscriminate in nature, impacting in particular on highly populated residential areas, including in Benghazi, Tripoli, Warshafana, the Nafusa Mountains area, and in the south of Libya. Sufficient precautions were not taken to protect civilians. Heavy weaponry such as Grad rockets, which are

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[48] United Nations Support Mission in Libya: 'Report on the human rights situation in Libya' date published 16 November 2015 (6, Key concerns, 6.1. Conduct of hostilities p.8) http://www.refworld.org/pdfid/5652f3ec4.pdf date accessed 2 March 2016
[49] UN Office for the High Commissioner for Human Rights, Investigation by the Office of the United Nations High Commissioner for Human Rights on Libya: detailed findings, p26, http://www.refworld.org/docid/56d00d0f4.html, accessed on 18 May 2016

not appropriate for use in highly populated residential areas given that they cannot be targeted with sufficient precision, have been employed. OHCHR was unable to determine the parties responsible for many specific attacks owing to the limitations to access and information, and the similarity of the weapons being employed by the parties to the conflict in Libya. OHCHR did however receive reports of indiscriminate attacks in all conflict areas.

'Attacks by armed groups have been directed against or otherwise had an impact on persons and objects given protection under international humanitarian law, including health facilities, ambulances and medical workers, and humanitarian workers. Humanitarian workers have been abducted or held hostage by armed groups.

'Armed groups affiliated with Operation Dignity and those affiliated with Libya Dawn have deliberately destroyed and looted private property. Groups pledging allegiance to ISIL have also appropriated and destroyed private property when targeting perceived adversaries.'[50]

9.1.7 The US State Department reporting on events in 2015 noted:

'The most serious human rights problems during the year resulted from the absence of effective governance, justice, and security institutions, and abuses and violations committed by armed groups affiliated with the government, its opponents, terrorists, and criminal groups. Consequences of the failure of the rule of law included arbitrary and unlawful killings and impunity for these crimes, including killings of politicians and human rights defenders, torture and other cruel, inhuman, or degrading treatment or punishment, and harsh and life-threatening conditions in detention and prison facilities…

'There were numerous reports government forces, rebel groups, and some tribes committed arbitrary and unlawful killings of civilians. Primary targets of killings included political opponents; members of police, internal security apparatus, and military intelligence; and also judges, political activists, members of civil society, journalists, religious leaders, and Qadhafi-affiliated officials and soldiers.

'General Khalifa Haftar's Operation Dignity continued during the year, and the HoR appointed General Haftar Supreme Commander of the Libyan National Army (LNA). The LNA continued attacks by ground and air forces against extremist forces in Benghazi, including Da'esh, Ansar al-Sharia, and its affiliates. While casualty numbers were uncertain, reports from media and NGOs estimated that Haftar's campaign resulted in hundreds of dead and thousands wounded, including civilians.

'Although exact figures were impossible to obtain, extremist bombings and killings probably resulted in hundreds of deaths. Terrorist organizations, such

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[50] UN Office for the High Commissioner for Human Rights, Investigation by the Office of the United Nations High Commissioner for Human Rights on Libya: detailed findings, p74, http://www.refworld.org/docid/56d00d0f4.html, accessed on 18 May 2016

as Da'esh, Ansar al-Sharia, and their affiliates likely carried out much of the violence, although in many instances the perpetrators were unknown.' [51]

9.1.8 Amnesty International stated on 17 February 2016 that:

'The scale of abuse is staggering. Forces on all sides have carried out hundreds of abductions, taken hostages, tortured, ill-treated and summarily killed detainees, and launched indiscriminate attacks on residential areas in some cases amounting to war crimes.

'Forces loyal to IS, have exploited the power vacuum created by the conflict to seize control of areas where they have terrorized the civilian population by enforcing their own interpretation of Islamic Law. They have carried out public lynchings - leaving victims' corpses on display, as well as public floggings and amputations, and imposed a strict Islamic dress code on women. …Libya's justice system has largely collapsed meaning that widespread abuses have gone completely unpunished. Lawyers, judges, activists and human rights defenders face constant threats and attacks. Amnesty International is not aware of a single militia member who has been prosecuted for human rights abuses since 2011."[52]

9.1.9 The UK Foreign & Commonwealth Office, in their Human Rights Report for 2015 released in April 2016 noted:

'In most of the country, the judicial system broke down. There were frequent reports of intimidation, detentions, and assassinations of journalists and human rights defenders. Street-fighting in Benghazi resulted in hundreds of casualties, including civilians. In the south, hundreds were killed in tribal clashes. Daesh committed atrocities including bomb attacks; beheading Egyptian, Ethiopian and Eritrean Coptic Christians; and executing local residents and Salafist Imams in territory under their control. In May, the International Criminal Court Prosecutor, Mrs Fatou Bensouda, reaffirmed to the UN Security Council its continued jurisdiction over Rome Statute crimes in Libya, including those committed by Daesh. There were grave concerns over abuse of migrants by militia groups as they attempted to transit Libya.'[53]

9.1.10 The UK Foreign & Commonwealth Office (FCO) noted on their Libya Travel Advice page that:

'There is a high threat from terrorism. Attacks could be indiscriminate, including in places visited by foreigners. These could target foreign and diplomatic personnel and premises, international hotels, commercial and oil installations, and government and other official security institutions. Extremist

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[51] US State Department, Report on Human Rights Practices 2015, Libya, section 1g, 13 April 2016, http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#section1guse accessed on 18 May 2016

[52] Amnesty International: Libya:' World must help pull Libya out of human rights chaos five years since uprising that ousted al-Gaddafi' date published 16 February 2016 https://amnesty.ca/news/world-must-help-pull-libya-out-human-rights-chaos-five-years-uprising-ousted-al-gaddafi date accessed 17 February 2016

[53] UK Foreign & Commonwealth Office: Human Rights Report 2015 – Libya date published 21 April 2016 https://www.gov.uk/government/publications/libya-human-rights-priority-country/libya-human-rights-priority-country date accessed 28 April 2016

groups including Daesh (formerly referred to as ISIL) are responsible for the majority of attacks. Attacks are more frequent in areas where Daesh has a strong presence and capability such as Sirte, Darnah, Benghazi, Adjabiya and Sabratha, but can and do occur throughout the country'.[54]

9.1.11 The UN Secretary General in his report to the UN Security Council covering the period from 25 February to early May 2016 noted:

'… the security situation remained fragile both in the capital and across the country… Meanwhile, Islamic State in Iraq and the Levant (ISIL) affiliates made new attempts to expand their reach, and armed conflict in Benghazi and elsewhere added to the plight of the civilian population.

'The security situation in the capital and its environs remained largely calm after the arrival in Tripoli of the Presidency Council. The Presidency Council took its temporary seat at the naval base in downtown Tripoli, protected by Libyan army and police units under the command of the Temporary Security Committee, as well as by armed groups nominally subordinate to the Ministry of the Interior. Nonetheless, a few minor clashes took place between security forces and opposing armed groups. In one such incident, on the day of its arrival, members of one group briefly occupied Martyrs' Square in central Tripoli, but quickly withdrew when confronted by forces supportive of the Presidency Council. On 3 April, clashes erupted around the offices of the al-Nabaa television station, a media outlet largely perceived as opposed to the Libyan Political Agreement.

'Despite the relative calm, tensions continued in the capital. Tripoli remained controlled by more than 40 rival armed groups originating from the capital and nearby cities and areas. On 28 March, clashes erupted in the western Gorji neighbourhood of Tripoli between a local armed group and the Amazigh-dominated National Mobile Force after one of its members had been killed. On 16 April, a subsequent clash, in central Tripoli in the vicinity of the home of a Presidency Council member and also involving the National Mobile Force, saw two of the Force's members killed.

'While the security situation in the wider western region remained fragile, local ceasefire arrangements proved sufficiently resilient to prevent incidents from escalating. However, on 23 March, fighting broke out between rival armed groups from Warshafanah and Zawiyah, resulting in at least 15 fatalities. Following several days of clashes, mediation by tribal elders and other armed groups put an end to the fighting.'[55]

9.1.12 The same report also commented on the security situation in the East of the country:

'Armed confrontations in eastern Libya continued during the reporting period. In Benghazi, fighting escalated between forces loyal to General Khalifa Haftar

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[54] UK Foreign & Commonwealth Office: Libya Travel Advice – Terrorism – last updated 8 April 2016 https://www.gov.uk/foreign-travel-advice/libya/terrorism date accessed 21 April 2016
[55] UN Security Council, Report of the Secretary-General on the United Nations Support Mission in Libya, paras 2, 12-14, 16 May 2016, http://unsmil.unmissions.org/Portals/unsmil/Documents/N1613214.pdf, accessed on 23 May 2016

and the Benghazi Revolutionaries Shura Council, a coalition of Islamist armed groups, and ISIL. On 20 February, General Haftar launched a new military offensive with the stated objective of evicting the Shura Council and its allies from the city. Forces loyal to General Haftar initially made significant territorial gains, dislodging the Shura Council and ISIL from the central Leithi and eastern Buatni areas, as well as from much of the southern Hawari neighbourhood. This was the first time since late 2014 that General Haftar's forces had made significant progress on the ground, aided by augmented recruitment and the supply of additional weaponry and ammunition.

'Following three weeks of intense clashes, fighting in Benghazi subsided in mid-March and continued at a lower level. Despite incurring significant losses, the Benghazi Revolutionaries Shura Council and its allies, bolstered by additional weapons, ammunition and fighters transported by sea from its allies in western Libya, retained control of and defended its positions in the southern Qar Younis, Qawarsha and Qanfouda areas and the northern Sabri area. The northern Sabri area is an ISIL stronghold. In mid-April, General Haftar's forces, supported by continued air strikes, acquired control of the cement factory in the Hawari area and of the University of Benghazi in Qar Younis, two positions long held by the Shura Council.

'In Derna, ISIL withdrew from its last positions in neighbourhood No. 400 and the Fata'ih area south of the city, following clashes in mid-April with the Derna Mujaheddin Shura Council and allied army elements. The Shura Council subsequently announced that the city had been cleared of the presence of ISIL.'[56]

9.1.13 The same source reported on the situation in the south of the country:

'In Awbari, the implementation of a ceasefire agreement reached on 22 November in Qatar between representatives of the Tuareg and Tebu communities proceeded without any major incidents during the reporting period. In accordance with the agreement, all armed groups withdrew from the city and 44 detainees were released following an exchange of prisoners. The reopening of Awbari airport and the main route connecting Awbari with the north-east facilitated the flow of goods and the movement of people, in addition to a gradual stabilization of the overall situation.

'In Sabha, intercommunal tensions continued to have an impact on the overall security situation, with cases of revenge killings reported between the Awlad Sulayman community, on the one hand, and the Qadhadhfa and Tebu communities, on the other.

'In Kufrah, in the south-east, a partial lifting of the siege that Zway armed militias had laid to the Tebu neighbourhoods contributed to a slightly improved security situation.' [57]

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[56] UN Security Council, Report of the Secretary-General on the United Nations Support Mission in Libya, paras 15-17, 16 May 2016, http://unsmil.unmissions.org/Portals/unsmil/Documents/N1613214.pdf, accessed on 23 May 2016
[57] UN Security Council, Report of the Secretary-General on the United Nations Support Mission in Libya, paras 18-20, 16 May 2016,

9.2 Level of violence and number of casualties

9.2.1 The Prosecutor of the International Criminal Court (Libya) made a statement to the UN Security Council on 5 November 2015. The statement noted:

'During the reporting period, of the reported 634 separate incidents, a total of at least 1,539 violent deaths were recorded. Total numbers of violent deaths have seen an average monthly increase in 2015. Civilian deaths have fluctuated, though no less than 60 per month have been recorded this year alone.

'Civilian deaths attributed to ISIL and its allied organisations have been consistently highly numbered than those of other perpetrators in the reported period.

'ISIL led attacks have focused on the cities of Derna and Sirte meanwhile significant clashes between Islamist extremists and ISIL in Derna in June saw ISIL driven from the city.

'There have been at least 37 recorded incidences of car or suicide bombings; 26 of which have been attributed to ISIL. Large scale abductions by ISIL have in most cases led either to executions, and in certain cases victims' whereabouts have remained unknown. Persons are executed by ISIL for perceived activities such as spying, homosexuality and social activism.

'My Office is further concerned that heavy military clashes between LNA and Islamist extremists in the Benghazi area have continued with at least 99 civilians reportedly killed between April and August 2015. Airstrikes from LNA, Libya Dawn and international actors have also reportedly resulted in civilian deaths. Civilian homes, places of worship and medical facilities have been repeatedly affected.'[58]

9.2.2 UNOCHA noted in its September 2015 Humanitarian Needs Overview that 'A high proportion of civilians, including women and children, have been killed and injured as the fighting has been concentrated in densely populated urban areas. Over 20,000 civilians have been injured as a result of the conflict between July 2014 and May 2015, with the actual number likely to be higher due to under-reporting and given recent fighting in Benghazi, Sirte, Derna, Sabha and Al Kufra.'[59]

9.2.3 The US State Department reporting on events in 2015 noted:

'General Khalifa Haftar's Operation Dignity continued during the year… While casualty numbers were uncertain, reports from media and NGOs estimated

http://unsmil.unmissions.org/Portals/unsmil/Documents/N1613214.pdf, accessed on 23 May 2016

[58] International Criminal Court Prosecutor – Libya: Statement to the UN Security Council on the situation in Libya, pursuant to UNSCR 1970 (2011) dated 5 November 2015 (paragraphs 39-45) https://www.icc-cpi.int/en_menus/icc/press%20and%20media/press%20releases/Pages/otp-stat-05-11-2015.aspx date accessed 28 April 2016

[59] UNOCHA, 2015 Libya; Humanitarian Needs Overview, September 2015 (Summary, Impact of the crisis) http://www.ecoi.net/file_upload/1930_1445325925_libya-hno-final-english.pdf date accessed 5 May 2016

that Haftar's campaign resulted in hundreds of dead and thousands wounded, including civilians.

'Although exact figures were impossible to obtain, extremist bombings and killings probably resulted in hundreds of deaths. Terrorist organizations, such as Da'esh, Ansar al-Sharia, and their affiliates likely carried out much of the violence, although in many instances the perpetrators were unknown.' [60]

9.2.4 The UNOCHA report, 'Shattered Lives' of September 2015 reported:

'Every year since 2011, Libyan civilians have paid the highest price for the use of explosive weapons, particularly in populated areas. Data collected by the NGO Action on Armed Violence (AOAV) 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. 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 Qubbah.

'In 2014, AOAV recorded 36 incidents of explosive weapons use in Libya resulting in 549 people killed or injured, including 306 civilians. 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, AOAV 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.' [61]

9.2.5 The UN OHCHR report, Shattered Lives, also referred in detail to the effect of the violence on buildings and infrastructure in all conflict areas:

'AOAV'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. 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. For example, Thuwar

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[60] US State Department, Report on Human Rights Practices 2015, Libya, section 1g, 13 April 2016, http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#section1guse accessed on 18 May 2016
[61] UN Office for the Coordination of Humanitarian Affairs (OCHA), Shattered lives: Civilians suffer from the use of explosive weapons in Libya, September 2015, (The human cost of explosive violence in Libya p.24) available at: http://www.refworld.org/docid/5629e1744.html date accessed 23 February 2016

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 fighting. Gaddhafi's military similarly destroyed large sections of several Libyan cities in 2011. Misurata bore the brunt of the Gaddhafi forces' strikes, with destroyed homes visible along the axis of fighting and damaged homes spread widely throughout the city. According to the Senior Military Adviser to the CoI, 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.

'The CoI 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. 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. 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'. [62]

9.2.6 UNSMIL report of February 2016 stated that 'Ongoing fighting and the indiscriminate shelling of residential areas continued to result in the death and injury of civilians, including children and medical workers, while also causing damage to civilian infrastructure. Ajdabiya, Benghazi, Derna, Kufrah and Warshafanah were particularly affected. Bombings and suicide attacks also claimed the lives of dozens of people, many of them civilians.'[63]

9.2.7 ACCORD compiled a map of casualties based on data gathered by the Armed Conflict Location & Event Data Project (ACLED) for 2015, which in turn is based on publicly available reporting. In the same document, ACCORD tabulated the data and listed incidents and casualties by location documenting a total of 2,705 fatalities across the country, of which 1,945 occurred in 'battle', 235 were recorded as 'violence against civilians'. The majority of incidents and casualties were reported to have been in 3 towns / areas: Bhengazi, Surt (Sirte) and Darn (Derna). The table below provides relevant for these areas plus that for Tripoli by way of comparison:

	Incidents	Casualties
Benghazi	356	893
Surt	135	566
Darnah	119	515

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[62] UN Office for the Coordination of Humanitarian Affairs (OCHA), Shattered lives: Civilians suffer from the use of explosive weapons in Libya, September 2015, (The human cost of explosive violence in Libya p.25-6)
available at: http://www.refworld.org/docid/5629e1744.html date accessed 23 February 2016
[63] UN Security Council, Report of the Secretary-General on the United Nations Support Mission in Libya , 25 February 2016, (paragraph 35)
http://www.refworld.org/docid/56d697d84.html date accessed 4 May 2016

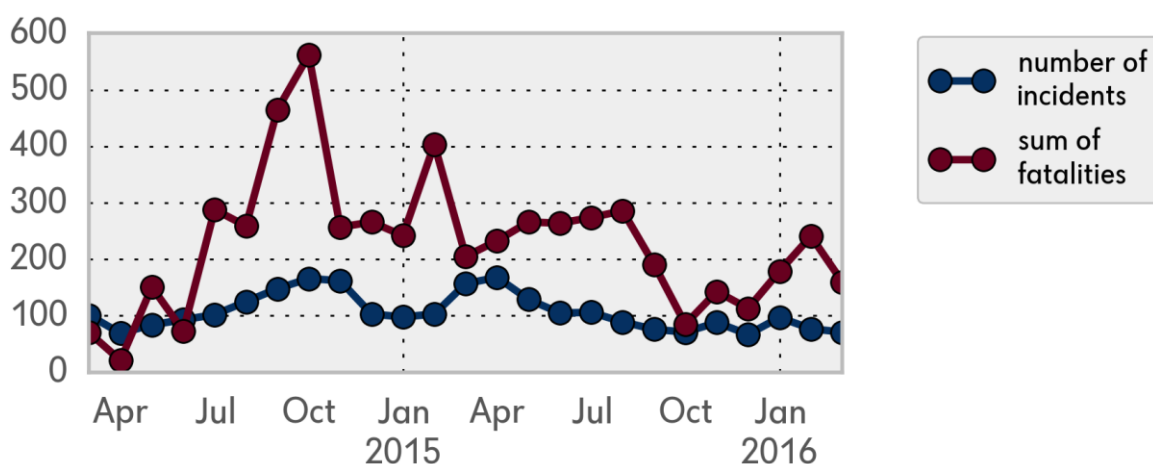|		
Tripoli	168	111
Total for all regions (including those not listed above)	1,255	2,705

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9.2.8 ACCORD provided the same data for first quarter of 2016, with around half of incidents and fatalities were in Benghazi, Darnah and Surt:

	Incidents	Casualties
Benghazi	70	154
Surt	33	95
Darnah	18	31
Tripoli	40	17
Total for all regions (including those not listed above)	245	580

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9.2.9 The same ACCORD document provided the following graph of conflict incidents between March 2014 and March 2016:

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[64] ACCORD, Libya, Year 2015: Update on incidents according to the Armed Conflict Location & Event Data Project (ACLED) compiled by ACCORD, 4 February 2016, http://www.ecoi.net/file_upload/4765_1454926067_2015ylibya-en.pdf accessed on 18 May 2016

[65] ACCORD, Libya, First Quarter 2016: Update on incidents according to the Armed Conflict Location & Event Data Project (ACLED), 3 May 2016, http://www.ecoi.net/file_upload/4765_1462282085_2016q1libya-en.pdf accessed on 19 May 2016

[66] ACCORD, Libya, First Quarter 2016: Update on incidents according to the Armed Conflict Location & Event Data Project (ACLED), 3 May 2016, http://www.ecoi.net/file_upload/4765_1462282085_2016q1libya-en.pdf accessed on 19 May 2016

9.2.10 Further maps and tables compiled by ACCORD based on information collated by ACLED are available on the ecoi.net website.

9.3 Security situation by region - sources of information

9.3.1 Sources reporting on the security and human rights situation generally break the country into 3 regions:

- East -including the cities, and surrounding regions, of Benghazi, Darnah and Tobruk;

- West including the cities and surrounding regions of Tripoli, Misrata and Sirte; and

- The South

9.3.2 The large majority of the country's population live in the coastal cities and towns. See the following links for useful maps:

- UN Map of Libya: http://www.un.org/depts/Cartographic/map/profile/libya.pdf

- Map of population and population density: http://reliefweb.int/map/libya/libya-population-and-population-density-5-jun-2015

- Reliefweb – maps and infographics: http://reliefweb.int/country/lby/thumb#content

9.3.3 Maps and tables compiled by ACCORD based on reported incidents collated by ACLED provide a break down of violence by region and location. These are available on the ecoi.net website. ACLED also periodically covers Libya in its monthly Conflict Trend Reports: http://www.acleddata.com/research-and-publications/conflict-trends-reports/

9.3.4 Additionally, the UN OHCHR and UNSMIL provide reports and briefings on the human rights situation, including security, while the UNHCR's refworld database collates source information on a range of human rights issues:

- UN OHCHR: http://ohchr.org/EN/Countries/MENARegion/Pages/LYIndex.aspx

- UNSMIL: http://unsmil.unmissions.org/Default.aspx?tabid=3549&language=en-US

- Refworld: http://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=search&skip=0&query=&coi=LBY

- UNOCHA, Middle East and North Africa: http://www.unocha.org/romena/about-us/about-ocha-regional/libya

10. Humanitarian situation

10.1.1 The UNOCHA report, 'Shattered Lives' reported in September 2015:

'The destruction of civilian homes and infrastructure caused by explosive weapon attacks has been extensive throughout Libya. For example, thuwar attacks in Sirte in 2011 using explosive weapons, particularly rocket artillery, left whole sections of the city in rubble. The Commission of Inquiry on Libya (CoI) found buildings damaged and destroyed deep within the city, not just along main roads and the axis of fighting… 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. 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." [67]

10.1.2 The report continued:

'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.'[68]

10.1.3 The UNHCR, in their Position on Returns to Libya – Update 1, October 2015 stated:

'The current situation in Libya is characterized by a continued lack of rule of law and order, ongoing fighting between rival armed groups in many parts of the country and daily assassinations, bombings and kidnappings. Intense fighting between opposing armed groups over control of territory, resources and infrastructure since May 2014 has resulted in the death of thousands of people, including civilians, and led to the displacement of over 435,000 individuals, the destruction of vital infrastructure, disruption of basic services and deteriorating humanitarian conditions. … Food insecurity has significantly increased and is estimated to affect 1.28 million persons, including 175,000 IDPs, who are considered to be the most vulnerable. The most severe cases are reported in Benghazi and in the south. … The conflict also has had a significant impact on the livelihoods of many Libyans due to reduced income options, unpaid salaries and social benefits and a non-functioning banking system. ... It is estimated that some 1.5 million people are affected by the loss of livelihoods. At the same time, household expenditures have reportedly

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[67] UN Office for the Coordination of Humanitarian Affairs (OCHA), Shattered lives: Civilians suffer from the use of explosive weapons in Libya, September 2015, (4. The human cost of explosive violence in Libya p.25-27)
available at: http://www.refworld.org/docid/5629e1744.html date accessed 23 February 2016
[68] UN Office for the Coordination of Humanitarian Affairs (OCHA), Shattered lives: Civilians suffer from the use of explosive weapons in Libya, September 2015, (4. The human cost of explosive violence in Libya p. 27-28) available at: http://www.refworld.org/docid/5629e1744.html date accessed 23 February 2016

increased, mainly due to the rise in prices for several staple food items including flour, rice and sugar. As a result, many households are reported to be spending their savings and reducing other expenditure, such as education and healthcare. Without access to a government salary or pension - the most commonly cited income source for IDPs - many refugees and migrants lack a stable source of income, particularly refugees and asylum-seekers who were less likely than migrants to be in skilled employment. …'[69]

10.1.4 The United Nations News Service reported on the humanitarian situation prevailing in Libya, in December 2015:

'World Food Programme (WFP) trucks have begun distributing 1,300 tons of food to Libyans in dire need of assistance, but with nine days left in the year, the United Nations aid plan for more than 2.4 million people for 2016 has received zero funding, the top UN humanitarian official in the strife-torn country said today.

"We are worried about the dire humanitarian situation in Libya, if adequate funding is not allocated to respond to those in need, said the UN Humanitarian Coordinator for Libya, Ali Al-Za'tari.

"So far our Humanitarian Response Plan for 2016 is zero-funded," he added. "It is not an acceptable situation," Mr. Al-Za'tari said, stressing that the Libyan Government and the international community need to recognize the enormity of the country's humanitarian crisis if funding is not received on time and in volume.

"The recently launched Libya Humanitarian Response Plan identified 2.44 million people in need of protection and some form of humanitarian assistance - including 435,000 internally displaced persons - those are acute basic needs in the health, food, protection, shelter and water and sanitation sectors. Of the 2.44 million, 1.3 million Libyans are food insecure," he explained.

'Mr. Al-Za'tari also reported that the distribution, by WFP and the agency's implementing partner on the ground, Shaik Tahir Azzawy Charity Organization, of approximately 1,300 tons of food items to Libyan communities had begun and that nearly 5,000 families displaced by the conflict will be reached in the coming weeks.

'The UN World Food Programme requires $47.7 million to be able to reach the most affected in 2016, estimated at some 210,000 persons.'[70]

10.1.5 According to the website of the World Food Programme, accessed on 28 April 2016:

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[69] UN High Commissioner for Refugees (UNHCR), UNHCR Position on Returns to Libya - Update I, October 2015, (paragraphs 2, 11, 12) available at: http://www.refworld.org/docid/561cd8804.html Date accessed 18 February 2016

[70] UN News Service, Libya's dire humanitarian situation requires funding 'on time and in volume,' warns senior UN relief official, 22 December 2015,http://www.refworld.org/docid/568d1f5640d.html Date accessed 17 February 2016

'Armed conflict and political instability has impacted the lives of more than three million people across Libya. An estimated 2.44 million people are in need of protection and some form of humanitarian assistance, 55 percent of whom are women and children. An estimated 435,000 people have been forcibly displaced from their homes and another 1.75 million non-displaced Libyans, most residing in urban centers, are in need of humanitarian assistance. The displaced are among the most vulnerable due to their loss of income and assets, limited coping capacity and insecurity, in particular displaced women, children, the elderly and those with low economic means. Refugees, asylum-seekers and migrants are also among the most vulnerable due to similar factors, as well as their exposure to social discrimination and exploitation. The cumulative effects of the conflict and the lack of access to disrupted public services, is particularly felt in both the east and south of the country.'[71]

10.2   Sources for further information

Further updates on the humanitarian situation are available via:

- Reliefweb, Libya: http://reliefweb.int/country/lby

- Refworld: http://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=search&skip=0&query=&coi=LBY

- UNOCHA, Middle East and North Africa: http://www.unocha.org/romena/about-us/about-ocha-regional/libya

10.3 Healthcare

10.3.1 UNOCHA considered in its 2015 Humanitarian Needs Overview that:

'The conflict has restricted access to basic goods and services, including health, food, water and sanitation and education. The healthcare system has deteriorated to the point of collapse, leading to an increase in serious illness and disease. The already fragile health system has been coming under increasing strain, with hospitals struggling to cope with the number of patients and dwindling resources, including a shortage of staff and essential medicines and supplies. Most foreign healthcare workers have fled the country and despite the increase in needs, there has been an overall decreasing level of investment in the health sector. As a result, an estimated 1.9 million people in Libya require humanitarian aid to meet their basic healthcare needs, with particular concern in Benghazi, Tripoli, Derna, Sirte, Al Jifarah, Al Kufra,Wadi Al Hayat and Ghat..'[72]

10.3.2 The UNHCR, in their Position on Returns to Libya of October 2015, stated:

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[71] World Food Programme: Operations – Assistance to people affected by the crisis in Libya –undated https://www.wfp.org/operations/200925-assistance-people-affected-crisis-libya
date accessed 28 April 2016
[72] UNOCHA, 2015 Libya;, September 2015 (Summary, Priority humanitarian needs)
http://www.ecoi.net/file_upload/1930_1445325925_libya-hno-final-english.pdf date accessed 5 May 2016

'The health system has come under severe strain as a result of the conflict. Medical facilities report overcrowding amidst diminished capacity following the exodus of foreign health workers who used to make up a majority of health staff in the country. In conflict areas, access to health services is severely hampered due to insecurity. In Benghazi, only three out of seven major hospitals remain operational amidst increasing numbers of patients with war-related injuries. Lack of medicines and medical supplies and/or the increased prices of medicine have also been reported. Access to mental health and psychosocial support is very limited due to the lack of functioning facilities and specialized staff.'[73]

10.3.3 The United Nations News Service reported on 28 January 2016 that:

"We cannot wait for a political solution in order to respond, we need to act now," Syed Jaffar Hussain, WHO Representative for Libya, said during a special briefing on Libya in Geneva.

"The health situation in Libya is rapidly deteriorating, with extensive displacement, damage and closure of health facilities in conflict areas," stressed Reida Oakely, Libya's Minister of Health.

'Of great concern are health risks such as increased communicable diseases, outbreaks of measles and polio, mortality, as well as limited healthcare, services and prevention especially for vulnerable groups.

"We need both financial resources and the international humanitarian community to step up efforts to help save the lives of children, mothers and the elderly who are most at risk," said Mr. Hussain, adding "this is not about politics; it is about health needs."

'The UN health agency and its partners are also facing some serious challenges on the ground. There are critical shortages of health care workers as the majority of nursing staff were evacuated in 2014. Further, health facilities such as hospitals, laboratories, blood banks are limitedly functional while life-saving medicines and vaccines are also in short supply.

"We are calling on all parties to guarantee unrestricted, long term delivery of humanitarian aid and unconditional movement of health workers," urged Mr. Hussain. Since November 2015, WHO has been able to reach almost 250,000 people through the provision of medicines, mobile clinics, health teams, provision of fuel and safe water.

'However, "we need to be able to reach all affected people to identify health needs, assess nutritional status, and ensure health services are available. If access for the provision of aid is not made immediately available, millions of people are at risk of facing a humanitarian and health disaster," underscored Mr. Hussain.

'Currently WHO and health partners are seeking $50 million to meet the urgent needs of some 2 million people in Libya. In addition to tackling health

[73] UN High Commissioner for Refugees (UNHCR), UNHCR Position on Returns to Libya - Update I, October 2015, (paragraph 13)
available at: http://www.refworld.org/docid/561cd8804.html date accessed 18 February 2016

risks, the funds will also be used to strengthen the existing health structure and provide temporary mobile clinics and outreach services.

'Since the escalation of the conflict in July 2014, violence and instability have spread to all around the country, with more than 3 million people - nearly half of the total population - affected. Almost 2 and a half million people are in need of urgent humanitarian assistance, of which 1.9 million people have serious, unmet health needs.'[74]

10.3.4 UNOCHA reported in its February 2016 Libya humanitarian bulletin that:

'More than 40 per cent of the health facilities in Libya are not functioning, affected by ongoing conflict, a lack of medical personnel, and limited electricity. Maternal health issues including; unsafe abortion; lack of postnatal and antenatal care are on the rise. Births at home without a trained birth attendant are now on the rise. Health personnel have fled the country. More than 80 per cent of all nursing staff were evacuated in 2014. Attacks on health care workers also continue, with five health workers killed and more than 20 health facilities damaged in the past 18 months alone. An acute shortage of life-saving medicines throughout hospitals and clinics across Libya is further threatening the provision of health care.'[75]

10.4   Education

10.4.1 The UNOHCHR stated:

'Children in Libya have faced significant challenges to the enjoyment of their rights, including education. The issues limiting girls' access to education are particularly pronounced - especially in areas controlled by Ansar al-Sharia and groups pledging allegiance to ISIL. Difficulties have also been encountered in Tripoli. Groups pledging allegiance to ISIL have forcibly recruited and used children in hostilities, and in some cases, subjected them to sexual abuse.'[76]

10.4.2 The report also stated:

'In 2005, Libya was considered the country with the highest literacy and educational enrolment rates in North Africa. According to a study published in June 2015, half of the children in Libya are not attending school.

'Some 40 per cent of schools in Libya have been damaged since the armed conflict in 2011. That number has further increased following the fighting in 2014 and 2015. In Benghazi, it is reported that 73 per cent of all schools are not functioning, with schools having been either damaged, destroyed,

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[74] UN News Service, Dire health situation of 2 million Libyans 'cannot wait for political solution' to conflict – UN agency official, published 28 January 2016, http://www.refworld.org/docid/56b0725940c.html date accessed 17 February 2016
[75] UNOCHA, Humanitarian Bulletin Libya: The crisis that should not be, 16 February 2016 https://www.humanitarianresponse.info/en/system/files/documents/files/humanitarian_bulletin_-_v1.11_-_22022016_0.pdf date accessed 4 May 2016
[76] United Nations Human Rights Council: 'Investigation by the Office of the United Nations High Commissioner for Human Rights on Libya: detailed findings' date published 15 February 2016 (11. Children paragraph 307) http://www.refworld.org/docid/56d00d0f4.html date accessed 9 March 2016

occupied by internally displaced persons, converted into military or detention facilities, or otherwise dangerous to reach…Many children are residing in camps for displaced persons, without access to proper education facilities.   A recent study noted that children with disabilities have difficulties in accessing any form of education, and are often completely excluded from the formal education system.'[77]

10.5   Sanitation

10.5.1 The above UNOHCHR report (15 February 2016) stated:

'The armed conflict has resulted in the disruption of main water networks, affecting access to safe drinking water, and water adequate for sanitation and hygiene. In some cases this disruption appears to have been deliberate. In one case investigated by OHCHR in Al-Nasiriyah, armed groups were reported to have destroyed a water-well, by breaking the pumps and congesting the well, rendering it unusable.'[78]

10.5.2 The UNHCR, in their Position on Returns to Libya of October 2015, stated:

'Water, gas and electricity supply are reportedly frequently disrupted, although the degree of disruption varies from one location to another. The quantity and quality of drinking water are of concern especially in areas where the water network infrastructure has sustained damage as a result of conflict. Access to sanitation is considered problematic for IDPs living in inadequate shelter arrangements. Garbage collection has reportedly been disrupted in Benghazi, creating health hazards.'[79]

10.6   Internal displacement

10.6.1 The USSD country report for human rights practices – Libya, 2015 noted:

'On September 20, UNHCR estimated there were 435,000 internally displaced persons (IDPs) in the country. Limited access to towns affected by fighting between rival armed groups hampered efforts to account for and assist the displaced.

'Approximately 40,000 members of the Tawarghan community remained displaced, the largest single IDP population. Because Tawargha served as

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[77] United Nations Human Rights Council: 'Investigation by the Office of the United Nations High Commissioner for Human Rights on Libya: detailed findings' date published 15 February 2016 (F. Economic, social and cultural rights, 3. Findings (b) Right to education paragraphs 200-201) http://www.refworld.org/docid/56d00d0f4.html date accessed 9 March 2016

[78] United Nations Human Rights Council: 'Investigation by the Office of the United Nations High Commissioner for Human Rights on Libya: detailed findings' date published 15 February 2016 ((c) Right to food and water paragraph 204 and (e) Humanitarian assistance paragraph 206) http://www.refworld.org/docid/56d00d0f4.html date accessed 9 March 2016

[79] UN High Commissioner for Refugees (UNHCR), UNHCR Position on Returns to Libya - Update I, October 2015, (paragraph 16) available at: http://www.refworld.org/docid/561cd8804.html Date accessed 18 February 2016

base for Gaddhafi forces during the revolution, Misratan militias attacked the town following the fall of the regime in 2011, compelling all inhabitants, largely descendants of sub-Saharan former slaves, to leave their homes. During the year UNSMIL (with the help of the EU) sponsored talks between Misrata and the Tawarghans to facilitate their return to their homes. At year's end there was no resolution on their return to Tawargha.

'IDPs continued to be vulnerable to abuses. The government was unable to promote adequately the safe voluntary return or resettlement of IDPs. Due to the lack of adequate laws, policies, or government programs, international organizations and NGOs assisted them to the extent possible given the security environment.'[80]

10.6.2 The Norwegian Refugee Council, in conjunction with the Internal Displacement Monitoring Centre, produced a map of Libya on 30 March 2015, showing the numbers of Libyans displaced from their home, and the areas from which they were displaced. To access, see footnote below.[81]

10.6.3 UNOCHA considered in its September 2015 Humanitarian Needs Overview that:

'The displaced are the most vulnerable due to limited coping capacity and loss of assets, particularly displaced women, children, the elderly and those with low economic means. Refugees, asylum-seekers and migrants are also considered some of the most vulnerable, due to their exposed risk to discrimination and exploitation based on their status. The most severe needs in terms of geographic areas are those of affected people in the east and south of the country... Most of the displaced are living in urban centers within host communities, with just over 100,000 living in collective centers in the open or in makeshift buildings such as schools and empty warehouses. ... 175,000 IDPs are food insecure. The largest number of displaced are located in Benghazi, Al Jabal Al Ghabi, Al Zawiya, Tripoli and Misrata.'[82] The report includes a map detailing the number of internally displaced persons by region and a graph of the people in need by region.

10.6.4 The UN News Service reported in June 2015 that:

'According to the United Nations refugee agency, the number of people displaced within Libya has almost doubled from an estimated 230,000 last September to more than 434,000 amid escalating fighting this year in different parts of the crisis-gripped North-African country.

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[80] US State Department Country Report on Human Rights Practices – Libya – 2015 date published 13 April 2016 (section 2d Internally Displaced Persons).
http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dlid=252937
date accessed 21 April 2016
[81] Norwegian Refugee Council/Internal Displacement Monitoring Centre (NRC/IDMC),Internal displacement in Libya (March 2015), date published 30 March 2015, available at:
http://www.refworld.org/docid/552240134.html date accessed 18 February 2016
[82] UNOCHA, 2015 Libya; Humanitarian Needs Overview, September 2015 (Summary, Priority humanitarian needs) http://www.ecoi.net/file_upload/1930_1445325925_libya-hno-final-english.pdf
date accessed 5 May 2016

"The internally displaced persons (IDPs) comprise 83,697 families, according to countrywide data collected by the Office of the UN High Commissioner for refugees (UNHCR) and its partners, the agency's spokesperson said from Geneva today, where she was briefing the press.

'The numbers could be higher, warned UNHCR, but with limited access, the agency relies heavily on local partners, who are themselves unable to reach all affected areas because of a volatile situation. " This also reduces communication and monitoring and for these reasons their figures are an estimate", stressed Ms. Fleming.

'The largest bloc, about a quarter of the IDP population (105,000), is located in the eastern city of Benghazi, where UNHCR has been working with the municipality, as well as local and international NGOs to distribute items to some 6,000 of the most vulnerable IDPs between March and June.

"The main areas of concern in Benghazi relate to the collapse of the health sector, the closure of more than 60 schools as well as universities, criminality stemming from the absence of rule of law, and frequent reports of civilian casualties as a result of fighting in the coastal city," the UNHCR spokesperson explained.'[83]

10.6.5 The UNHCR spokesperson went on to state that:

"Landmines and unexploded ordinance are also a danger to the internally displaced."

"The conflict has also undermined the security of civilians and prevented the safe return of IDPs in Misrata, Tripoli, Warshafana and the Nafusa Mountains in the west, and Awbari in the south. IDPs and host communities in these areas have also been equally affected by diminishing access to education, affordable health care, electricity and other key services, Ms. Fleming added.

"Despite the mounting challenges, we have, through partners on the ground, distributed non-food items to more than 10,000 IDPs in Misrata since May. The distribution initially targeted newly displaced populations and vulnerable groups. This represents 17,000, more than half of the IDP population in Misrata."

'With sporadic fighting in the south and a resumption of tribal tensions between the Tebu and Tuareg communities, the displacement situation threatens to become protracted with many IDPs unable to return or returning to unsustainable conditions such as in the border province of Awbari. "Access to southern Libya and delivery of relief items remains a challenge for us because of conflict and disrupted supply chains," the spokesperson acknowledged.'[84]

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[83] UN News Service, 'Internal displacement doubles in Libya since September, UN refugee agency warns', 30 June 2015, available at: http://www.refworld.org/docid/5596687f40c.html date accessed 18 February 2016
[84] UN News Service, 'Internal displacement doubles in Libya since September, UN refugee agency warns', 30 June 2015, available at: http://www.refworld.org/docid/5596687f40c.html date accessed 18 February 2016

10.6.6 The UNHCR, in their Position on Returns to Libya of October 2015, stated:

'Armed conflict and political instability have had a detrimental impact on over three million people, i.e. nearly half the population. Of these, an estimated 2.44 million persons are in need of protection and some form of humanitarian assistance, including IDPs, the non-displaced conflict-affected population, refugees, asylum-seekers and migrants. Needs are reported to be particularly severe in the east and south of the country. In Benghazi, persistent fighting since May 2014 has caused the breakdown of much of the city's public services and left entire neighbourhoods devastated by shelling and street fighting. The humanitarian crisis has reportedly been aggravated by the closure of much of the Libyan airspace to commercial flights and diminished state capacity to provide basic services. While humanitarian actors are able to access some areas, other locations are completely inaccessible.

'The majority of IDPs require varying degrees of support, including food, non-food items, and alternative shelter for those accommodated in schools and other public facilities. Host communities are reported to be under growing strain from the influx of IDPs; they are also reported to struggle with rising prices for food, cooking oil and fuel, which in some cases have doubled compared to the price level before the start of the conflict. Asylum-seekers, refugees and migrants are reported to be particularly vulnerable in terms of access to basic services across most sectors. Due to their status, they are reportedly frequently denied access to basic services, including health care and education…. Shelter has been identified as an urgent need across the country. Initially, many IDPs were taken in by relatives or local communities. However, as the number of IDPs continued to rise, host communities' capacity to absorb IDPs has been exhausted. As a result, shelter arrangements for many IDPs range from rented accommodation to schools, factories, garages and empty buildings. In the southern desert border town of Ghat some IDP families live in empty water tanks. The destruction and looting of homes has been reported as a reason for displacement… Many IDPs have been displaced multiple times as they sought to escape the widening geographic area affected by the conflict. As a result of these multiple displacements, they are at risk of becoming disconnected from their social, economic and assistance networks.'[85]

10.6.7 The United Nations Support Mission in Libya published a report on 16 November 2015, covering the period of 1 January 2015 to 31 October which stated that:

'Throughout the reporting period, the situation of many IDP families remained precarious, especially those with limited support from host communities who were themselves suffering from the impact of the prolonged conflict and associated disruption of basic services, power, medical care, salary payments, and price increases. Living conditions for many IDP families remained poor and in some instances unsafe. IDP populations also suffered

[85] UN High Commissioner for Refugees (UNHCR), UNHCR Position on Returns to Libya - Update I, October 2015, (paragraphs 10, 14 and 18) available at: http://www.refworld.org/docid/561cd8804.html Date accessed 18 February 2016

from loss of income and disruption of social networks. Furthermore, many IDPs faced difficulties in securing their rights to education, family life, and freedom of movement, in some cases as a result of having lost essential documents and being unable to obtain new ones due to logistical and security hurdles. … Members of particular IDP communities remain vulnerable to abductions and torture on account of their origin, perceived allegiances during the 2011 conflict, and the current political divide.

'During the reporting period, UNSMIL documented the abduction of IDP men from Tawergha, Mashashiya, and Warshafana commonly taken on the basis of their origin following identity checks at checkpoints or public roads. Since May, men from Benghazi were captured from inside their IDP accommodations in Misrata and Tripoli, on suspicion of their support of "terrorists."'[86]

10.6.8 A March 2016 Save the Children report which assessed the situation in Tripoli and Benghazi stated that:

'The person with specific vulnerabilities identified as the most at risk, in priority order:

'1. Female head of households (16% of interviewed households)

'2. Persons with disabilities (3.4% of the population assessed)

'3. The chronically ill (7% of the population assessed).

'According to key informants in Benghazi, the age group considered the most at risk are, in priority order:

'1. Older persons (60+ years old, 8.3% of the population assessed

'2. Children under 5 years old, 24% of the population assessed

'3. Women (18-59 years old), 22.5% of the population assessed.

'Among the displaced populations, key informants in Benghazi (no data for Tripoli) report that the most affected population groups are, in order of priority:

'1. IDPs in rented houses

'2. IDPs in public buildings (schools, mosques)

'3. IDPs hosted by relatives.'[87]

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11. Freedom of movement

11.1.1 The United States State Department Country Report on Human Rights Practices for 2015, in its report published on 13 April 2016, stated:

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[86] United Nations Support Mission in Libya: 'Report on the human rights situation in Libya' date published 16 November 2015 (6.5. Situation of Internally Displaced Persons p. 22-24) http://www.refworld.org/pdfid/5652f3ec4.pdf date accessed 2 March 2016
[87] Save the Children, Protection Assessment in Libya, 21 March 2016 (A. Executive Summary p.4) http://reliefweb.int/sites/reliefweb.int/files/resources/160322%20FINAL%20PAL%20Report.pdf date accessed 5 May 2016

'The Constitutional Declaration recognizes freedom of movement, including foreign travel, emigration, and repatriation, although the government has the ability to restrict freedom of movement. The law provides the government with the power to restrict a person's movement if it views that person as a "threat to public security or stability" based on the person's "previous actions or affiliation with an official or unofficial apparatus or tool of the former regime."'[88]

11.1.2 The report continued:

'Political instability and continuing violence created an inhospitable environment for internally displaced persons, refugees, and migrants seeking to go to Europe by sea. At the end of the year, UNHCR was unable to resume refugee status determinations in the country. The lack of a physical presence by UNHCR or the IOM was an additional obstacle to providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.[89]

11.1.3 Travel within the country continued to be difficult, due to the presence of Islamist and other militia checkpoints. The USSD report of 13 April 2016 stated:

'After the outbreak of armed conflict in 2014, the government did not exercise control over in-country movement, although the military established checkpoints targeting extremist movements around Benghazi and Derna.

'Militias effectively controlled regional movements through armed checkpoints. Militia checkpoints and those imposed by Da'esh, Ansar al Sharia, and other extremist organizations impeded movement within the country and, in some areas, prohibited women from moving freely without a male escort.'[90]

11.1.4 Amnesty International recorded in its 2015/6 annual report that 'Women faced arbitrary restrictions on their freedom of movement. Those travelling without a male companion were harassed by militias, and in some cases prevented from travelling abroad, in accordance with a 2012 fatwa by Libya's Grand Mufti.'[91]

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[88] United States State Department Country Report on Human Rights Practices – Libya – 2015 published 13 April 2016 (section 2.d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons)
[89] United States State Department Country Report on Human Rights Practices – Libya – 2015 published 13 April 2016 (section 2.d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons)
http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dlid=252937
date accessed 20 April 2016
[90] United States State Department Country Report on Human Rights Practices – Libya – 2015 published 13 April 2016 (section 2.d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons)
http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dlid=252937
date accessed 20 April 2016
[91] Amnesty International: Amnesty International Report 2015/16 - The State of the World's Human Rights - Libya, 24 February 2016
https://www.amnesty.org.nz/sites/default/files/air201516-english_2016-02-10_12-35-56.pdfDate accessed 4 May 2016

11.2 Ports and airports

11.2.1 The UNOCHA report, 'Shattered Lives' stated:

'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.   It was Libya's second busiest airport, serving as a travel hub for the entire east. Travellers alternatively use Al Abrag 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."

'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.'[92]

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[92] UN Office for the Coordination of Humanitarian Affairs (OCHA), Shattered lives: Civilians suffer from the use of explosive weapons in Libya, September 2015, (4. The human cost of explosive violence in Libya p.27 available at: http://www.refworld.org/docid/5629e1744.html date accessed 23 February 2016

Version Control and Contacts

Contacts

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Clearance

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