

Escalating Hell

Tripoli Civilians under Indiscriminate Attacks



Euro-Mediterranean Human Rights Monitor

January 2020

Table of contents

Introduction	4
Background on the beginning of the conflict and the general situation in the city of Tripoli	6
Airstrikes against migrants' detention centers	9
• First: Background of immigrants and detention centers	9
• Second: Incidents targeting migrant centers	11
Indiscriminate attacks on civilian installations	13
• First: Shelling residential neighborhoods	15
• Second: bombing medical facilities	18
• Third: Shelling educational facilities	19
Targeting civilians at airports	22
Direct and indirect foreign interference	24
Legal background	26
• First: the legal rules for protecting civilians and civilian objects	26
• Second: The legal rules to protect forcibly displaced civilians	29
Recommendations	31

Introduction

After four decades of President Muammar Gaddafi's rule, Libya witnessed in late February 2011 a popular revolution. The movement came as a result of corruption, inequity of wealth distribution, lack of progress, despite have a wealth of oil in 2010, which constituted about 30% of the state's GDP, in addition to the absence of a real opposition as a result of the security's crackdown on dissidents.

The protests were peaceful when they began. Soon after, they turned into bloody confrontations between protesters and the regime. The United Nations Security Council issued two international resolutions, 1970 and 1973. The first approved financial and diplomatic sanctions on the regime in addition to arms embargo. The second came to impose a no-fly zone in Libya.

The confrontations only worsened until the NATO intervention with authorization of the Security Council to weaken the regime. NATO attacked the Libyan forces and launched aerial campaigns that lasted for seven months, eventually leading to the arrest of President Muammar Gaddafi in October 2011. Gaddafi was killed by a group of anti-government militants, and Libya subsequently entered a state of chaos and instability. At the time, many armed militias began to spread and expand until they took control of large areas in the country.

Since then, during the previous eight years, these militias have been in control of Libya forming what might be described as a complex network of militias and armed forces, most notably Al-Zintan Revolutionaries' Military Council, Misurata Brigades, Friday Market Battalion, Sadan Swaily Battalion, February 17th Martyrs Brigade,

Libya Shield 1, Ansar al-Sharia Battalion (Benghazi), Abu Salim Martyrs Battalion, Ansar al-Sharia (Darnah) and the Libyan Revolutionaries' Operations Room.

This power struggle led to a cycle of internal conflicts in all cities of the country, the most ferocious of which was the military attack of the forces of Major General Khalifa Haftar to control the capital, Tripoli. The attack began on April 2019 ,4, and was between the internationally recognized Government of National Accord (GNA) stationed in The city of Tripoli that is headed by Fayez Al-Sarraj, and the forces of the retired Major General Khalifa Haftar stationed in the city of Al Bayda in eastern Libya, and supported by the House of Representatives in the city of Tobruk.

Since the military offensive began about eight months ago, the areas of clashes have been witnessing massive human rights violations against the civilian population. The two sides targeted in their air-raids populated areas leading to the death of thousands of civilians, causing a great damage to the infrastructure and health facilities, and forcing hundreds of thousands to flee their homes in search of a safe haven for themselves and their families.

In this report, Euro-Med Monitor documents the unjustified and indiscriminate legal and human rights violations against civilians, migrants and refugees, in which the armed groups – Major General Khalifa Haftar and the GNA forces – used ammunition and explosive weapons on a large scale, during Haftar's attack on the Libyan capital, Tripoli. The report highlights the international law position on these violations and the most important legal rules that have been violated and reviews the legal texts that protect the rights of individuals in armed conflicts.

Background on the beginning of the conflict and the general situation in Tripoli



Since April 2019 ,4, the Libyan capital, Tripoli, has been witnessing escalating battles after Haftar forces announced the start of a military operation to take control of the capital, Tripoli, from the GNA.

Haftar forces moved a few hours after his announcement and stationed themselves 30 kilometers from Tripoli. Haftar's forces attempted to storm the entrances of the capital, but the GNA forces responded to the intrusion and prevented it.

Haftar's forces managed to take control of a military checkpoint about 27 kilometers from the western gate of Tripoli, but the GNA forces strengthened their defenses at the city's entrances and confronted the forces stationed near there. The GNA forces were able to capture more than 20 fighters belonging to Haftar forces and took control of a number of vehicles and military equipment.

As a result, violent clashes broke out between the two sides and continued to as of writing this report. The cities of the west of the country declared alert to defend the capital, and civilians became subject to violations in the city, including bombing, killing and displacement. Three hundred civilians were killed including children, elders and women, and hundreds were injured. In addition, about 160,000 people were displaced from areas of clashes to safer places, while in many other areas, civilians could not leave due to the intensity of the ongoing fighting.

The conflict in Tripoli, created a security gap in the country that was used by the Islamic State Organization (ISIS), as its members carried out a series of attacks targeting mostly unarmed civilians. On June 2, ISIS claimed responsibility for a car bombing in the city of Derna, where 11 were injured. The organization also claimed the responsibility for launching an attack on Haftar forces in the city of Sebha, which resulted in 16 deaths and injuries, according to a statement issued by the organization.

Nevertheless, the country has become a foothold for testing new weapons and military equipment, as well as using and recycling old weapons. Foreign governments have overseen the introduction of missile platforms, mortars, drones, armored vehicles, and machine guns, as well as sophisticated laser-powered homing weapons technology, which in turn has fueled the conflict.

On the other hand, the basic infrastructure and vital facilities such as water and electricity, and other basic services, were affected by this conflict. Deliberate attacks by the parties to the conflict on the facilities of the artificial river which exacerbated the shortage in water and electricity supplies, whose demand increases in the hot

summer, as well as the imminent risks to the flow of oil. Recently, a group of armed men affiliated with the GNA closed the valves responsible for supplying oil in the Elephant Field southwest of Libya, after which the National Oil Corporation declared the state of force majeure in the country.

All of this has led to an increase in the humanitarian needs of the population, in addition to the need for the children affected by the conflict for psychological and social support, which threatens the occurrence of a humanitarian catastrophe feared to worsen if the conflict continued.

Airstrikes on immigration detention centers

- **First: Background on migrants and detention centers**



Migrants residing in Libya constitute about 11% of the total population of the country, which is six million people, as the number of migrants, according to the statistics issued by the International Organization for Migration, is about 679,000 coming from Niger, Egypt, Chad, Sudan, Ghana and other countries.

The following table shows the percentage of immigrants residing in Libya for the five aforementioned countries, and the proportion of other countries, as follows:

Country	The percentage of migrants residing in Libya
Niger	16%
Egypt	16%
Chad	12%
Sudan	10%
Ghana	9%
Others	37%

Many migrants seek to escape to Europe in search of a stable and safe life, especially in light of the security and political conditions in Libya. However, the migrant crisis to Europe represented a major reason for European countries to adopt a new policy towards these migrants, which is to return those who are rescued, by the Libyan Coast Guard, in the Mediterranean Sea to Libya, and from there to the detention centers intended for these migrants. These centers lack the most basic elements of life, as they suffer from a shortage of food, medicine and water, and most of them are under attack amid armed clashes between the parties to the conflict.

As of March 2019 ,29, there were about 6,000 migrants and asylum seekers being held in Libyan detention centers, according to United Nations statistics. About 3,000 of them are at risk since the start of the military operation in Tripoli, in the areas of Abu Salem, Gharyan and Qasr Bin Ghashir, where clashes are taking place near many detention centers. They are already suffering from difficult and very poor living conditions, and are subjected to rape, torture and forced labor, in addition to severe malnutrition.

These migrants suffer severe human rights violations by their captors and smugglers. Human rights reports said that a large number of them are deprived of food and water. In addition, the access of relief and humanitarian organizations restricting life, which threatens the existence of a catastrophe against them if the situation remained the same.

For instance, on July 150 ,2019 ,25 migrants died after their ship sank off the coast of Libya. Among the dead were children and pregnant women.

- **Second: Targeting migrant centers**



On July 2019 ,3, at 11:40 p.m., unknown aircraft launched an air strike on a migrant detention center in Tajoura suburb, east of the Libyan capital, containing about 600 people, most of them are Africans. The raid resulted in the death of more than 44 people and more than 130 others were injured.

Euro-Med Monitor’s team documented the testimony of one of the survivors. He said, «The Tajoura detention center was subjected to two consecutive raids, only a few minutes in between. The first targeted a ward next to the detention center. The second targeted the men’s cell in the same place.»

This was not the first raid targeting the Tajoura center. The center was partially damaged on May 7, after an air strike occurred near it, injuring a number of detainees inside.

On April 2019 ,23, Haftar’s military forces, carried out an armed attack on a shelter and detention center for illegal migrants in the Qasr Bin Ghashir area, south of the Libyan capital, Tripoli, killing at least five people and wounding more than ten others with serious injuries.

«We were unable to repel the attack because we lack equipment, in addition to the fact that the center is relatively far from the sites of armed clashes between the GNA forces and Haftar forces,» said the detention center guards, belonging to the GNA forces. Noting that the center contains more than 800 migrants.

Indiscriminate attacks on civilian installations



Tripoli witnessed fierce battles between Haftar forces and the GNA forces, which included deliberate shelling of residential neighborhoods, in addition to targeting medical facilities and facilities.

The total number of raids launched by Haftar's drones reached more than 800, and about 240 raids by the GNA from the beginning of the conflict on 4 April to 18 November, according to the United Nations Support Mission in Libya. The attacks continued after that, however. The last of which was on the evening of January 2020 ,4, when more than 30 students were killed, and more than 20 others were injured by a Haftar warplane raid on the Military College in Tripoli.

In defining the meaning of civilian objects in international humanitarian law, the second paragraph of Article 52 of the First Additional Protocol of 1977 came to define civilian objects as: «Civilian objects are all objects which are not military objectives... military objectives are limited to those objects which by their nature, location, purpose or use make an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage».

According to this definition, civilian objects include residential neighborhoods, schools, hospitals and factories, and everything intended to serve civilian purposes. Attacks on these facilities pose a serious danger to the civilian population.

This report documents events and incidents of shelling of residential neighborhoods, medical facilities and educational facilities by parties to the conflict.

- **First: Shelling residential neighborhoods**



On October 2019 ,14, Haftar forces attacked a residential house in the Al-Farnaj neighborhood, south Tripoli, killing three child sisters whose ages are between four and seven. In addition, their mother and fourth sister were seriously wounded, and their two-story house was completely destroyed.

An eyewitness in the region told Euro-Med Monitor team, “a warplane dropped a bomb on the house, which is located in a densely populated area”.

Other witnesses said that they saw smoke rising from the house, while the members of the house remained under the rubble until ambulances and rescue teams arrived. It is worth noting that the attack caused extensive damage to the surrounding homes, and major damage to the main mosque in the densely populated area.

On August 2019 ,5, at 12:30 p.m., a helicopter believed to belong to Haftar forces launched at least four raids targeting a gathering of civilians while participating in a wedding in the city of Marzak, southwest of Libya, killing about 40 civilians while 37 were wounded.

«The attack targeted tribe in the city of Marzak for opposing the Haftar’s attack on Tripoli and not providing the necessary support to those forces that have besieged the Libyan capital for a few months,» Libyan tribal sources said.

On November 28, an air strike by Haftar forces killed an entire family, including seven children, along with two expatriate workers, after targeting a residential house and water truck in the Umm al-Arban region in the densely populated Chinese Company neighborhood, south of Sebha, southern Libya.

On December 2019 ,2, five children were killed, and dozens of civilians were injured by Haftar’s warplanes; shelling of civilian homes in the town of Al Sawani, east of the capital, Tripoli.

On December 2019 ,20, six civilians were wounded by the shelling of Haftar’s warplanes against the city of Misrata.

On December 2019 ,21, three civilians were killed and four were injured in a series of warplanes strikes on Zliten, east of Tripoli, by Haftar forces.

On December 2019 ,24, three civilians were killed: Muhammad Salem Abu Jnah, Fatima Ali Al-Tarshani and Aisha Saad Abdullah, and more than ten others, including women and children, were wounded by the shelling of Haftar warplanes in the Bir Osta Milad area in Tajoura, east of Tripoli.

On December 2019 ,26, a warplane belonging to Haftar targeted a civilian neighborhood in the city of Zawiya. The attack resulted in the death of Anis Shaqlabo while a number of other civilians were wounded, including Shaqlabo's wife. In addition, a pharmacy and a number of shops in the area were damaged.

On the evening of December 2019 ,27, a civilian was killed and about five others were injured, some of them were critically injured, as a result of indiscriminate missile strikes by Haftar forces on civilian homes in the Abu Salim area south of Tripoli.

On December 2019 ,29, a warplane belonging to Haftar forces bombed a house near the Maitika airport in the Shurfat Al Mal ha area, south of Tripoli, killing the citizen Zahra Al-Tamtam and wounding more than ten others, including children, in addition to destroying the house and damaged a number of surrounding houses.

On January 2020 ,1, a Haftar aircraft attacked a blacksmith workshop in the town of Al Sawani, south of Tripoli, killing three civilians, who were the owner of the workshop, his son, and one of the workers at the workshop.

On January 2020 ,2, an elderly woman was killed by a missile attack by Haftar forces on her home in the Al-Farnaj area, south of Tripoli.

On January 2020 ,3, a civilian was killed and about ten others, including children, were wounded by indiscriminate missile strikes by Haftar forces, targeting civilian homes in the Shurfat Al Mal ha, east of Tripoli.

- **Second: Shelling medical facilities**



Medical personnel and health facilities have been subject to more than 58 attacks, including field hospitals and civilian ambulances, from the start of the military operation in Tripoli until October 25. The attacks damaged at least 19 ambulances and 19

hospitals, killing a total of 11 people and wounding more than 33 others, according to United Nations reports.

On July 2019 ,28, five doctors were killed by an aerial bombardment that targeted a field hospital in Al-Sawani district, southwest of Tripoli. On the following day, two paramedics were killed in the Wadi al-Rabi` district, southeast of Tripoli, where the attacks appeared to be part of a systematic series targeting medical personnel.

On November 2019 ,11, ten people were killed and about 35 others injured, after targeting a biscuit factory in Wadi Rabi `neighborhood, south of Tripoli, by a fighter belonging to Haftar forces. The bombing destroyed two cars of a field hospital near the bombing site.

According to Libyan local sources, the majority of the dead are African immigrants, in addition to a number of Libyan citizens.

On December 2019 ,4, several ambulances of the Libyan Ministry of Health were damaged by missile strikes by Haftar forces south of Tripoli.

On January 2020 ,3, Haftar forces, with a number of rocket-propelled grenades, targeted the Sugar and Endocrine Hospital in Salah al-Din, south of the capital, Tripoli, causing extensive damage to hospital facilities, and partly leaving it.

- **Third: bombing of educational facilities**



Since the conflict began last April, education has stopped in the midst of clashes because of the displacement of residents and the grave security situation, as the parties to the conflict did not hesitate for a moment to bomb schools in all areas in Tripoli.

According to figures obtained by Euro-Med Monitor, more than 100 schools have been closed since the beginning of the conflict, resulting in the deprivation of about 122,000 students of their schools in several neighbourhoods, such as Ain Zara, Abu Salim, and other neighbourhoods south of the capital.

Closed schools are not the only ones that stopped providing educational services due to the conflict, but many other schools have become unable to provide educational services because of using them as shelters for the displaced.

Euro-Med Monitor documented some figures regarding the educational facilities that have been bombed by parties to the conflict, which could threaten the educational process in the country.

On 13 April 2019, warplanes belonging to Major General Haftar launched an air strike on Al-Quds School for Basic Education located in Ain Zara, south of Tripoli, which resulted in severe material damage to the school building.

On 14 April 2019, the warehouses of the Education Curriculum Center of the Ministry of Education in Tripoli were bombed, resulting in the burning of five million books (complete damage).

On July 2019 ,27, the Al-Alamein school located in the Al-Hani area of Tripoli was subjected to indiscriminate bombing by the forces of retired Major General Khalifa Haftar, which caused severe damage, including demolition in the school's external walls and the destruction of three classes.

On July 2019 ,29, Abi Al-Shahr school located in the Tajura neighbourhood in the capital

Tripoli was bombed, causing severe damage to 10 classes, three laboratories, and eight administrative offices.

The headmaster of the targeted school reported the bombing, adding, «The bombing targeted the main room of the school, which contains the database and information for students, as well as the teachers' room, knowing that it was recently maintained. The bombing was very severe, as the school was very badly damaged,» he added.

On January 2020 ,3, several schools in the Shorfa Al-Mallah area, east of Tripoli, were damaged by a missile attack by Haftar forces, which led to the suspension of a number of schools that were affected by the bombing.

Targeting civilians at airports

It became clear during the military operation to control Tripoli that a large number of systematic attacks targeted airports in western Libya, which have endangered the lives of thousands of civilians, the most important of which was the Maitika International Airport, the only civilian airport operating in the city of Tripoli.



Although Maitika airport was originally designated for military purposes as a military air base, but after the closure of Tripoli International Airport in 2014 due to the damage caused to it as a result of the Libyan civil war, Maitika International Airport became the only airport that serves the residents of the city of Tripoli.

The airport has been subjected to many systematic airstrikes, causing it to stop flying and disrupting the movement of passengers, which is a serious violation of international humanitarian law, and a clear violation against vital facilities.

On 14 August, the airport was subjected to indiscriminate bombing, which resulted in the death of one of the workers and the injury of another, in addition to the material damage caused to the airport, which led to its closure for long hours and disrupted the movement of passengers.

On the night of September 1, Mitiga airport was targeted by a number of artillery shells, by the forces of Major General Khalifa Haftar, which resulted in the injury of four people, including a woman, and 30 others who suffered from fainting and panic attacks, as the shells caused damage to one of the aircrafts and a car parking lot, In addition to the airplanes runway.

On the morning of January 3, Haftar forces targeted by more than 15 Grad missiles the Mitiga airport, after which the National Accord Government announced the suspension of navigation at Maitika airport until further notice.

On the evening of the same day, despite the halting of the airport's work, Haftar forces continued to target the airport with Grad missiles, which resulted in the death of Juma al-Qabili.

Direct and indirect foreign interference

Despite the arms embargo imposed by the United Nations on Libya since 2011 in accordance with Resolution No. 1970, countries such as Turkey, the United Arab Emirates, Jordan and Sudan to clearly violate this embargo by exporting guided missiles, armoured vehicles and drones for armed groups, which means an increase in the scale and scope of violations against defenceless civilians.

A recent report issued by the United Nations on the conflict in Libya revealed that a thousand Sudanese soldiers from the Rapid Support Forces were sent to eastern Libya last July and they were stationed later in the Al-Jafra area in southern Libya.



The report noted that the weapons that arrived for Haftar came through Jordan and the UAE, where the UAE supplied Haftar forces with an air defence system at the base of Al-Jafra and near Gharyan, in addition to a warship that was modified and supplied with artillery and offensive equipment, as Jordan contributed to the training of Haftar

forces at the College Hashem Bin Al-Hussein for Special Operations in Jordan.

Not only that, but the forces of Libyan Major General Khalifa Haftar also received F16- fighters, and used them to target residential neighbourhoods, along with drones equipped with guided missiles, which are capable of hitting targets with high accuracy. The forces of Major General Khalifa Hifter use Chinese-made Wing Loong aircraft, operated by the UAE, known for launching the Blue Arrow 7 missile, which specifically targets medical facilities and targets of the National Accord Government, according to a report issued by Amnesty International.

On the other hand, the National Accord Government obtained drones from Turkey, as the latter supplied the National Accord Government in mid-May 2019 with Kirby armoured vehicles, when a huge ship docked in the port of Tripoli carrying land vehicles and Bayrakdar TP2 drones.

Legal background

This report examines the legal aspect of violations in the city of Tripoli against civilians, through two axes:

- **First: The legal rules for protecting civilians and civilian objects**

The International Humanitarian Law represented in the Fourth Geneva Convention of 1949 and the first and second additional protocols of the Geneva Conventions of 1977, the Hague Convention of 1954 concerning the protection of cultural objects in the event of armed conflict, the Hague Agreement relating to the laws and customs of land warfare of 1907, and the Rome Charter of the ICC in 1998, give public and private protection to civilian objects and population.

The concept of public protection states that the attack on civilian objects is a direct attack on civilian population, because the protection of civilian objects is the protection of civilians, given that the people who work in these objects are civilians. In this context, Article (25) of the Hague Convention relating to the Laws and Customs of War on Land of 1907 stipulated, «It is prohibited to attack or bombard unprotected cities, villages, dwellings and buildings, whatever the means used.»

As for special protection, it means providing protection for some civilian objects, as these objects have a special advantage whose importance is to ensure the protection of the civilian population and their cultural heritage and to prevent their exposure to harm and danger, such as buildings designated for historical monuments, hospitals, places of worship, charitable works, arts and sciences and others.

In this context, Article (27) of Additional Protocol I stipulated, «in cases of siege or bombing, all necessary measures must be taken to avoid the attack, as far as possible, on buildings designated for worship, arts, science, charitable work, historical monuments, hospitals and sites where the sick and wounded are brought, provided not to be used for military purposes, and to hang specific signs of which the enemy is notified in advance.»

Article (14) of Additional Protocol II also stipulates, «starvation of civilians as a method of war is prohibited, and therefore it is prohibited to do so to attack, destroy, transfer or disable objects or materials indispensable to the survival of the civilian population, for example food, the agricultural areas it produces, crops and livestock, drinking water facilities and irrigation networks.»

Article (18) of the Fourth Geneva Convention gave a special protection to hospitals, stating that «In no case may attacks against civilian hospitals organized to provide care for the wounded, sick, infirm, and postpartum women, and parties to the conflict must respect and protect them at all times.»

The International Humanitarian Law also dealt with the issue of protecting civilians and civilian objects through the principles of distinction and proportionality, where the principle of distinction, which emanated primarily from the international custom that is the basis of the laws and customs of war, focused on the difference between combatants and non-combatants, as well as the difference between civilian and military objects. In this context, Article (48) of the First Additional Protocol of 1977 states that «the parties to the conflict shall endeavour to distinguish between the

civilian population and combatants, and civilian objects and military objectives, and then direct their operations against military objectives in order to ensure respect and protection of the civilian population and objects.”

The principle of Proportionality came to establish a balance between the principle of humanity and the principle of military necessity, which means that military attacks that cause civilian lives’ loss or harm civilian objects are absolutely prohibited.

The rules of Customary International Humanitarian Law provided that it was forbidden “to launch attacks which may be expected to entail incidental losses among the civilian population and cause the destruction of civilian objects to an extent disproportionate to the direct and substantial military advantage anticipated”.

As for the Rome Statute of the International Criminal Court, Article 8 stated the nature of war crimes stipulated, noting that the following acts are included in war crimes, which means the Criminal Court has the mandate to prosecute the perpetrators of these crimes as stated “Intentionally directing attacks against buildings dedicated to religion, education, art, science or charitable purposes, historic monuments, hospitals and places where the sick and wounded are collected, provided they are not military objectives;”

- Referring to the incident of the bombing of the Military College in Tripoli, the targeting of the retired Major General Khalifa Haftar’s of the college and the killing of about 30 students is a full-fledged crime, given that the targeting was directed at the students with the intention of killing, and that attack cannot be justified as a military target, since international law has shown that military objectives are the ones that have a

significant and effective impact in armed conflict. This is not the case given that college is like the rest of military-education colleges in most countries, in addition to the fact that International Humanitarian Law requires that attacks be directed at each specific individual and formation participating in the conflict. Therefore, there is no justification for the bombing of the Military College, and accordingly, the incident is considered a full-fledged crime that requires criminal accountability for its perpetrator.

Second: Legal rules to protect forcibly displaced civilians from their homes (displaced people)

The UN “Guiding Principles on Internal Displacement” defined IDPs as “persons or groups of people who have been forced to flee, to leave their homes, or their usual places of residence, or have been forced to do so, particularly as a result or in an effort to avoid the effects of armed conflict, cases of generalized violence, human rights violations, natural or human-induced disasters, and they have not crossed the internationally recognized borders of the state. ”

From this definition, it appears that displacement must fulfil two basic conditions: the emergency movement, and that this movement should be within the borders of the state. With regard to the legal rules for the protection of the displaced, the guidelines came to confirm that displacement is linked to exceptional circumstances and that the duration of the displacement is limited to time and should not last longer than these conditions require. In addition, international law stipulated that displaced people should return to their homes from which they have forcibly fled as soon as possible and without any

conditions.

The Libre Blog, issued in 1863 by former US President Abraham Lincoln, prohibited the deportation of civilian populations from their homes, stipulating that «it is no longer permissible for ordinary citizens to be forcibly transferred to remote areas.»

The Lieber Blog is the first legal code to list acts that constitute war crimes, issued during the American Civil War, and formed part of customary international humanitarian law.

Also, the second additional protocol to the Geneva Convention of 1977 affirmed the prohibition of the deportation and evacuation of the civilian population in non-international armed conflicts, as Article (17) of the protocol states that:

1. The displacement of the civilian population shall not be ordered, for reasons related to the conflict, unless this requires the security of the civilian population concerned or urgent military reasons.

2. Civilians may not be compelled to leave their lands for reasons related to the conflict.

As for the property of displaced persons, principle (21) of the “Guiding Principles on Internal Displacement” stipulated in the first clause: “No one shall be arbitrarily deprived of his money or property.” The second clause of the same principle stipulated that “protection is provided in all conditions for the money and property of internally displaced persons, especially against looting; direct or indiscriminate attacks and other acts of violence; their use as a shield for military operations or targets in revenge; their destruction or appropriation as a form of collective punishment.” The third clause also provides for “Protection of money and property left by the internally displaced from destruction, arbitrary and illegal appropriation.”

Recommendations

- **Locally, The Euro-Med Monitor:**

1. Calls for an immediate ceasefire by all parties, including the cessation of targeting densely populated areas.
2. Demands the immediate evacuation of refugees and migrants held in detention centres outside the country, or their evacuation to safe places, especially as they are at risk of fire as a result of clashes.
3. Calls for the immediate cessation of the use of detained migrants in military operations and forcing them to carry out work related to the repair, cleaning and transfer of weapons.
4. Calls on all parties to the conflict to adhere to the laws of war, to spare civilians the damage and the scourge of conflict, and to immediately stop indiscriminate and approved attacks against the civilian population and medical and educational facilities.
5. We call for independent and impartial investigations into incidents targeting civilians and detention centres in particular and the need to respect the principles of distinction between combatants and civilians as well as the principle of proportionality.

- **Internationally, The Euro-Med Monitor:**

1. Calls on the international community to enforce a comprehensive arms embargo imposed by the Security Council in Libya, in line with Resolution No. 1970 of 2011.

2. Calls on the United Nations Support Mission in Libya, the need to work hard to stop repeated violations, to put in place specific and clear mechanisms that guarantee protection for civilians in accordance with the UN Security Council resolutions, and to work to end impunity.
3. Believes that the Security Council and the United Nations General Assembly should fulfil their responsibilities to maintain security and peace in conflict areas and to immediately stop violations against civilians.
4. Calls on the international community to pressure General Haftar to withdraw his forces, to resort to dialogue instead of a military solution, and to adhere to Security Council's call, which was issued on April 6 to discuss developments in Libya, and to stop military actions that threaten Libyan stability.
5. Calls on the international community to urgently intervene with a view to prevent fighting, and to take necessary and urgent measures to punish those involved in the violations that accompany military operations in various Libyan regions.
6. Calls on the Security Council to instruct the Prosecutor of the International Criminal Court (ICC) on the need to open a serious investigation into the grave violations that took place on Libyan soil, and to prosecute the perpetrators of those crimes, especially since dozens of crimes committed by armed groups that require international criminal prosecution have been documented.



Euro-Med Human
Rights Monitor

الأورومتوسطي لحقوق الإنسان

Maison des Associations Rue
des Savoises 15 CH-1205
Genève

جنيف - سويسرا

🏠 info@euromedmonitor.org

🌐 www.euromedmonitor.org