Mines in Sirte
Suspended killing

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Executive Summary

Sirte has been afflicted by mines and bombs for more than four years. In 2016, before its withdrawal, the Islamic State (Daesh) planted hundreds of mines in the houses and on the roads of the city. This was part of a military operation known as The Battle of Sirte, waged between Daesh and the Libya Shield Force, another armed militia.

The Lieutenant Khalefa Hafter's forces and the Russian Wagner militia, which is a private military company, have followed the strategy of Daesh of planting landmines in Sirte. Such mines were planted in residential
areas and inside the houses, from which Wagner has withdrew, based on international reports released in June 2020.

Based on the photos that went viral on social media, there are various types of landmines in use. Some explode when pressure is exerted on their wires, such as by travelers' feet (commonly called “anti-personnel” mines). Others work as a catalyst when they come into contact with more dangerous explosives. A third type is known as anti-tank mines. All of the mines are linked to electrical timing devices, allowing them to be triggered at the desired time. They all cause death or permanent and catastrophic disabilities.

One of the eyewitnesses Ahmed Ibrahim—a pseudonym, because he was afraid to give his real name—said, “We found a lot of mines inside the city,
and I warned all the residents that both Naher Road in the west and Wadi Jaref Road in the south are mined.” “So is al-Rawagha Road, between Siret and Jufra districts,” noted Zeyad Ali, another eyewitness.

“Russian Militia along with Hafter’s forces have planted a significant number of landmines inside the houses, in the farms, and on the roads. It seems that civilians will not have the guts to go back home even after the war would die down”, said Khalid Hassan, another eyewitness who didn’t want to reveal his real name.

Repeated explosions from mines planted in and around two of the most populous cities in Libya, Tripoli and Sirte, pose a serious risk for residents. In addition to the fact the last explosion caused the death and the injury of about 160 people, including women and children.

Since April 2019, two parties in Libya have fought over governance of the country. The internationally recognized Government of National Accord, whose forces are led by Fayiz Al-sarraj. The other party includes both Libyans and mercenaries from countries such as Sudan, Russia and Chad.

The Euro-Med Monitor highlights the risks and impacts of the landmines on the Libyan residents. It showcases the various types of landmines, and formulates the legal aspect related to such violations.
Prior to its withdrawal, the Islamic State (Daesh) planted different types of landmines in Libyan cities. So did the Hafter’s and the Russian Wagner forces. These landmines are divided into:

1. Systemized Landmines: there are two subtypes of such mines: antitank and antipersonnel mines. They were used in WW2 and after the overthrow of the Gaddafi regime.

2. Local Mines and Body Traps: They are handmade using military debris and are hard to deal with. Often, they are planted inside the houses and farms. Such types are usually used by armed groups and militants. They had been used in Sirte and Benghazi during military operations.
3. BB3, PRB, M3A1 mines: The PRB M3 and PRB M3A1 are plastic and metal-covered anti-tank mines produced by the Belgian company (Poudreries Réunies de Belgique) in the 1970s and 1980s. The mine is a square in shape with a body constructed from a polythene handle on the side and an ammonia-free bakelite, seating for the pressure plate to be screwed into. The fuze well is in the center of the seating, with the pressure plate screwed into it after the fuze is inserted. The cylindrical pressure plate consists of two plastic plates, one of which moves under the weight of a vehicle driving over the mine to transmit the force to the fuze, shearing pins which hold it in place.

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The risks, impacts, and violations of planting landmines

Planting mines and bombs in Libyan cities have exacerbated the suffering of the people who are already suffering from uncleared and unexploded mines. Libya is among the countries with the most weapons stored while unmonitored. The stockpile is estimated at 150,000 to 200,000 tons, according to the United Nations. These landmines pose dire threats against all the Libyans as mines take the lives of both military forces and civilians. Planting mines in residential areas in constitutes gross violations as followed:
1. Closing the roads, and therefore preventing students from going to schools and universities.

2. Preventing farmers from going to their farms.

3. Preventing people from going to their own jobs.

4. Posing obstacles to the peacemaking forces and blocking food assistance to the vulnerable.

5. Slowing down the reconstruction efforts of devastated cities after the war.

6. Hindering economic and social development.

7. Thousands of displaced families, who want to return, do not find their way back home.

8. The possibility of having many lives taken away, which already happened in some cities such as Tripoli, Tarhunah, and many others.

Non-explosive-cluster bombs are no less dangerous than landmines, for such bombs can take the lives of militants as well as children. Consequently, all these weapons are considered a source of grave danger, according to the United Nations Mine Action Service.
Legal background

International law, in several conventions and legal principles, proscribed planting of military mines, and considered it as a crime, which requires criminal accountability. International law stressed the importance of international cooperation to oblige the conflicting parties to reveal and publish maps and stores of mines, ensuring the ability to have them cleared as soon as possible.

In light of this, the convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (Ottawa Convention 1997) came to light. The convention prohibited the use of anti-personnel mines including how to use, stockpile, produce, and transfer them. It explains, too, the best means to destroy mines whether stored or planted. In addition, this convention obliges states to reduce threats posed by mines to people, help the injured, and spread awareness about the risks of antipersonnel mines.

Article (1) of the convention stipulates: “1. Each state Party undertakes never under any circumstances: a) To use anti-personnel mines, b) To develop, produce, otherwise acquire, stockpile, retain or transfer to anyone, directly or indirectly, anti-personnel mines; c) To assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Convention.
2. Each State Party undertakes to destroy or ensure the destruction of all anti-personnel mines in accordance with the provisions of this Convention. The United Nations Convention on Certain Conventional Weapons seeks to prohibit or restrict the use of certain conventional weapons which are considered excessively harmful or whose effects are indiscriminate, through two general principles in the International Humanitarian Law: 1) The Prohibition of the use of weapons with indiscriminate effects, 2) The prohibition of the use of means and methods of warfare which are of a nature to cause superfluous injury or unnecessary suffering. This convention has five protocols monitoring the use of such kinds of weapons.

The second protocol, which was amended in 1996 and annexed to 1980 convention, restricts the use of landmine, ‘anti-personnel or anti-tank’ mines, in addition to the body traps and other explosive devices.

Regarding the fifth protocol, it requires the clearance of explosive remnants of war, and each party is responsible for taking the precautionary procedures to reduce the risks posed from the war remnants.

Resolution 2, issued in the 26th International Conference in 1995, urges all States and competent organizations to take a concrete action to increase their support for mine-clearance efforts in affected States which will need to continue for many decades, to strengthen international cooperation and assistance in this field and to provide the necessary maps and information and appropriate technical and material assistance to remove or otherwise
render ineffective minefields, mines and booby traps, in accordance with international law.

According to the Rome Statute of the international criminal court, Article (8), ‘War Crimes’, section ‘b’ which stipulates “-2 For the purpose of this statute, ‘war crimes’ means:

Grave breaches of laws and customs applicable in international armed conflicts of the international law, including the following:

1. Willful attacks against civilians who are not directly involved in conflicts.
2. Extensive destruction and appropriation of property, not justified by military necessity.
Recommendations

Based on what has been mentioned in this brief report, Euro-Med Monitor recommends the following:

1. Libya should officially accede to the Ottawa convention of 1997, on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction.

2. The United Nations should open an international investigation against the conflicting parties regarding the use of landmines and all prohibited weapons in Sirte. In addition, the Euro-Med Monitor calls for holing all perpetrators, including countries and armed-forces accountable.

3. The conflicting parties should be obliged to reveal and publish maps and stores of mines, ensuring the ability to have them cleared as soon as possible.

4. Establishing a support fund to support clearing mines and compensating all people damaged from them. This fund should provide the equipment needed to discover and clear mines.

5. Supplies of weapons for conflicting parties in Libya should stop.