Country Policy and Information Note
Libya: Security and humanitarian situation

Version 3.0

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Preface

This note provides country of origin information (COI) and policy guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes 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 policy guidance contained with this note; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

Country information

COI in this note has been researched in accordance with principles set out in the Common EU [European Union] Guidelines for Processing Country of Origin Information (COI) and the European Asylum Support Office's research guidelines, Country of Origin Information report methodology, namely taking into account its relevance, reliability, accuracy, objectivity, currency, transparency and traceability.

All information is carefully selected from generally reliable, publicly accessible sources or is information that can be made publicly available. Full publication details of supporting documentation are provided in footnotes. Multiple sourcing is normally used to ensure that the information is accurate, balanced and corroborated, and that a comprehensive and up-to-date picture at the time of publication is provided. Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source is not an endorsement of it or any views expressed.

Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, 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:

Independent Chief Inspector of Borders and Immigration,

5th Floor, Globe House, 89 Eccleston Square, London, SW1V 1PN.

Email: chiefinspector@icinspector.gsi.gov.uk

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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Policy guidance

1. Introduction

1.1 Basis of claim

1.1.1 That the general humanitarian situation in Libya is so severe that a person is at real risk of serious harm as defined in Articles 15(a) and (b) of the European Council Directive 2004/83/EC of 29 April 2014 (the Qualification Directive); and/or

1.1.2 That the general security situation in Libya presents a real risk of serious harm as defined in Article 15(c) of 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 All parties to the conflict have reportedly been responsible for serious human rights abuses (see Targeted violence and Security situation - general).

2.2.2 If there are serious reasons for considering that the person has been involved in such activities, then decision makers must consider whether one of the exclusion clauses is applicable.

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

2.3 Assessment of risk

a. Refugee convention

2.3.1 A state of civil instability and/or where law and order has broken down does not of itself give rise to a well-founded fear of persecution for a Convention reason.

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

2.3.3 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 Humanitarian Protection under Articles 15(a) and (b) of the Qualification Directive and, if that is unsuccessful, under Article 15(c) of the Qualification Directive.

2.3.4 For more guidance, see claim-specific claim [Country Policy and Information Notes on Libya](#).

b. Humanitarian situation

2.3.5 Humanitarian conditions in Libya have continued to deteriorate since the fall of former President Gaddafi in 2011. There has been extensive damage to civilian homes and public infrastructure, including health, education, roads and administrative facilities, severely disrupting basic services including the provision of safe drinking water, gas and electricity (see [Political situation](#) and [Humanitarian situation](#)).

2.3.6 Conflict has impacted all the major towns and cities, with most of the population affected to some degree by lack of essential resources, including medical care. The healthcare system has deteriorated, with over 40% of health facilities no longer functioning, as well as a lack of medical personnel and limited electricity. This has led to an increase in serious illness and disease. In August 2017, around 1.3 million people (from of a population of around 6.5 million) still required humanitarian aid to meet their basic healthcare needs, with particular concerns in Benghazi, Tripoli, Derna, Sirte, Al Jifarah, Al Kufra,Wadi Al Hayat and Ghat (see [Humanitarian situation](#)).

2.3.7 As of October 2017, there were approximately 200,000 internally displaced people (IDPs), a reduction from 2016 when there were over 300,000. Living conditions, however, for many IDP families remain poor and often unsafe (see [Internal displacement](#)).

2.3.8 Vulnerable groups include the displaced (particularly children, the elderly, women and those with limited economic means), female headed households, persons with disabilities and the chronically ill. Geographically, IDPs and displaced communities are found mainly in the south and east (see [Humanitarian situation](#)).

2.3.9 In general, although conditions in Libya are poor, they do not reach the threshold that would make removal a breach of Article 3 ECHR / Articles 15(a) and (b) of the Qualification Directive. However, the humanitarian situation is variable across the country. Members of vulnerable groups, particularly where humanitarian conditions are poor and humanitarian aid is less accessible, are at greater risk of serious harm.

2.3.10 Decision makers should consider the individual circumstances of each person. Each case must be considered on its facts and the onus is on the person to show that they would face a real risk of serious harm.

2.3.11 For guidance on consideration of Articles 15(a) and (b) / Articles 2 and 3 ECHR see the [Asylum Instruction on Humanitarian Protection](#).

c. Security situation

2.3.12 Article 15(c) of the Qualification Directive (serious and individual threat to a civilian's life or person because of indiscriminate violence) 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 The situation in Libya is volatile and changing. During 2017, multiple armed conflicts involving many different armed groups and militias contributed to a 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 comprised a high proportion of casualties from the use of explosive weapons in some populated areas (see Protagonists and Security situation – general).

2.3.14 In the country guidance case of ZMM (Article 15(c)) Libya CG [2017] UKUT 00263 (IAC) (28 June 2017), heard 3 May 2017, the Upper Tribunal issued guidance on the issue of Article 15(c) replacing the previous country guidance of FA (Libya: art 15(c)) Libya CG [2016] UKUT 00413 (IAC) in regard to the security situation only.

2.3.15 In ZMM, the Upper Tribunal (UT) held that: 'The violence in Libya has reached such a high level that substantial grounds are shown for believing that a returning civilian would, solely on account of his presence on the territory of that country or region, face a real risk of being subject to a threat to his life or person.' (Headnote).

2.3.16 The UT in ZMM also held that:

'In light of our findings we have not considered it necessary to conduct a region by region review. We do not doubt that there are in Libya today towns and villages which are relatively calm where, notwithstanding the absence of effective government, people are going about their 'normal' lives. We cannot however be satisfied that the peace in these oases is stable or durable, or that the notional returnee to Libya would be able to safely access such locations… The evidence before us indicates that the situation throughout Libya is extremely unstable, that lawlessness and violence are widespread, and that there is not a sufficiency of protection for the ordinary civilian. We are satisfied that the Article 15(c) risk is made out.' (paras 92-93)

2.3.17 There has not been a substantive change to the security situation since ZMM was heard in May 2017. Consequently, a person returning to Libya is likely, solely because of their presence in the country, to face a real risk of being subject to a threat to their life or person and a breach of Article 15(c) of the Qualification Directive.

2.3.18 If a person does not qualify for a grant of asylum, or a grant of humanitarian protection under articles 15(a) or 15(b) of the QD, and is not excluded from protection, they will qualify for humanitarian protection on the basis of a breach of Article 15(c) owing to the general security situation.

2.3.19   For guidance on consideration of Article 15(c) generally see Asylum
          Instruction on Humanitarian Protection and on assessing risk generally see
          Asylum Instruction on Assessing Credibility and Refugee Status.

2.4   Internal relocation

2.4.1   In ZMM the UT held that there is a risk of a breach of 15c throughout Libya
          (Headnote; para 93). Therefore, internal relocation will not be reasonable.

2.4.2   For further guidance on internal relocation and the factors to consider, see
          the Asylum Instruction on Assessing Credibility and Refugee Status.

2.5   Certification

2.5.1   Where a claim is 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   In general the humanitarian conditions are not at such a level as to make
          return a breach of Article 15(a) and (b) of the Qualification Directive / Articles
          2 and 3 of the ECHR but may do so in relation to some persons, particularly
          vulnerable people, e.g. displaced, female-headed households, children,
          persons with disabilities and the chronically ill.

3.1.2   Caselaw has found that the level of indiscriminate violence has reached
          such a high level that there are substantial grounds for believing that a
          returning civilian would, solely because of their presence in Libya, face a real
          risk of being subject to a threat to their life or person.

3.1.3   Therefore, a person will qualify for humanitarian protection on the basis of
          the general security situation **if they do not** qualify for a grant of asylum or a
          grant of humanitarian protection on the basis of a particular risk to them and
          are not excluded from a grant of protection.

3.1.4   Internal relocation is not a reasonable option.

Country information

4.   Evidence submitted in ZMM

4.1.1   The Upper Tribunal in the country guidance of [ZMM](#) considered background material and expert witness evidence up to 24 April 2017. A list of material submitted in the case is at Appendix B of the determination[1].

5.   Political situation

5.1.1   The US Congressional Research Service report, January 2018, noted:

'More than six years after a U.S.-led NATO military intervention helped Libyan rebels topple the authoritarian government of Muammar al Qadhafi, Libya remains politically fragmented. Its security is threatened by terrorist organizations and infighting among interim leaders and locally organized armed groups. Rival governing entities based in western and eastern Libya made little progress in overcoming their disputes after nominally agreeing in December 2015 to establish a Government of National Accord (GNA).

'In western Libya, officials nominated to lead the GNA have begun to administer some government agencies but did not consolidate control over government institutions nationally within the two-year time frame envisioned by the 2015 agreement. The leaders of the eastern Libya-based House of Representatives (HOR, elected in 2014) withheld endorsement of the GNA Presidency Council's proposed cabinet with the backing of Field Marshal Khalifa Haftar's eastern Libya-based Libyan National Army (LNA) movement. Haftar and his allies defeated Islamist militia in Benghazi after a three year battle and have asserted control over key oil infrastructure sites in east-central Libya, giving them considerable influence over the country's fiscal future.

'Various international efforts to mediate among Libyans have struggled to gain traction, and outside parties have pursued their own individual interests in the country. The U.N. Security Council has recognized the GNA as Libya's governing authority since 2015, even as Haftar and his supporters have increased their political-military influence. The LNA has grown in military strength with the support of outside actors, in spite of a U.N. arms embargo. The United States and the European Union have placed sanctions on some Libyan leaders for obstructing the implementation of the 2015 agreement, amid an evolving pattern of competition and dialogue between GNA leaders, eastern Libya-based figures, and other interest groups.

'The 2015 Libyan Political Agreement (LPA) outlining the GNA's makeup and authorities reached its original stated duration in December 2017, but the United Nations (U.N.) Security Council and U.S. government have restated

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[1] Upper Tribunal (Immigration and Asylum Chamber), ZMM (Article 15(c)) Libya CG [2017] UKUT 263 (IAC) (28 June 2017), http://www.bailii.org/cgi-bin/format.cgi?doc=/uk/cases/UKUT/IAC/2017/263.html&query=(zmm)+AND+(libya)#APPENDIXB. Accessed: 3 July 2017.

their endorsements of the LPA and the GNA as enduring reference points for the completion of the U.N.-backed 'Action Plan for Libya' launched in late 2017. This Action Plan aims to bring Libya's transition period to an end in 2018, but ongoing rivalries among Libyans and their competing foreign patrons make its prospects uncertain.

'The Action Plan's first step involves amending the 2015 LPA to address issues that prevented its implementation, such as differences over the size and role of a representative Presidency Council, the locus of executive authority, and the power to approve the leadership of national security bodies and civil service institutions. Amendments remain subject to debate. Next steps include the drafting and adoption of laws governing the holding of a constitutional referendum and national elections, followed by their implementation along with a reconciliation conference in 2018.'[2]

5.1.2   The CRS report considered that there have been three phases in Libya's political development since the toppling of former President Qadhafi in 2011:

'Developments in post-Qadhafi Libya have unfolded in three general phases, the third of which is still unfolding:

'1. an immediate post-Qadhafi period (October 2011 to July 2012) focused on identifying interim leaders and recovery from the 2011 conflict;

'2. a contested transitional period (July 2012 to May 2014) focused on legitimizing and testing the viability of interim institutions; and

'3. a period of confrontation and mediation (May 2014 to present) characterized by tension and violence among loose political-military coalitions, multifaceted conflict between their members and violent Islamist extremist groups, and enhanced efforts by third parties to promote reconciliation.'[3]

5.1.3   The Security Council Report website provides useful updates on political developments.

6.   Demography

6.1.1   The CIA World Fact-book (updated on 19 April 2016) reported that the population of Libya was estimated to be 6,541,948 with Tripoli, the capital, having 1.126 million people in 2015.[4]

6.1.2   Jane's suggested different population figures, and noted the population (which it estimated to be 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,

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[2] US Congressional Research Service, 'Libya: Transition and U.S. Policy' (p1), 8 January 2018, https://fas.org/sgp/crs/row/RL33142.pdf. Accessed: 10 January 2018
[3] US Congressional Research Service, 'Libya: Transition and U.S. Policy' (p5-6), 8 January 2018, https://fas.org/sgp/crs/row/RL33142.pdf. Accessed: 10 January 2018
[4] The CIA World Factbook: Libya: page updated 20 September 2016 https://www.cia.gov/library/publications/the-world-factbook/geos/ly.html. Accessed: 29 September 2016

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%.'[5]

6.1.3 Since 2014 transiting migrants – primarily from East and West Africa – have continued to exploit its political instability and weak border controls and use Libya as a primary departure point to migrate across the central Mediterranean to Europe[6].

6.1.4 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

6.1.5 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

7. Protagonists

7.1 Overview

7.1.1 A September 2015 report by the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) 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...

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[5] Janes (subscription only), Sentinel Risk Assessment, Libya, Demography, updated August 2015, https://janes.ihs.com/NorthAfrica/Display/1303731, Accessed: 18 May 2016
[6] The CIA World Factbook: Libya: page updated 6 November 2017, https://www.cia.gov/library/publications/resources/the-world-factbook/geos/ly.html Accessed 15 November 2017

'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.'[7]

7.1.2   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 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...

'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…' [8]

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[7] 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 . Accessed: 23 February 2016

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

7.3   Libyan National Army (also known as Operation Dignity)

7.3.1   A Netherlands' Ministry of Foreign Affairs security situation report 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 confirm this alliance even though the relationship between the regular army and Operation Dignity remains unclear.'[10]

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[9] The Netherlands: 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 . Accessed: 24 February 2016

[10] The Netherlands: Ministry of Foreign Affairs, Libya: Security Situation, 19 December 2014, (3.2.2

7.3.2   A 15 February 2016 UN OHCHR report stated the Libyan National Army was

'[…] 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-Salam 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 al-Nadoory, and continue to support Major General al-Obaidy.'[11]

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.'[12]

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

Libyan National Army (LNA) / Operation Dignity p.13) available at: http://www.refworld.org/docid/54afd82d4.html. Accessed: 24 February 2016
[11] United Nations Human Rights Council: 'Investigation by the Office of the United Nations High Commissioner for Human Rights on Libya: detailed findings' published 15 February 2016 (IV. Armed actors in Libya paragraphs 55-56) http://www.refworld.org/docid/56d00d0f4.html. Accessed: 9 March 2016
[12] BBC News: 'Guide to key Libyan militias' updated 11 January 2016 http://www.bbc.co.uk/news/world-middle-east-19744533. Accessed: 29 September 2016

former Qadhafi regime. This coalition is broadly allied with Operation Dignity and General Haftar.'[13]

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'.[14]

7.5.2   The Netherlands report (Ministry of Foreign Affairs, Libya: Security Situation) 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-Sahati Brigade, the 319th Infantry Brigade, the Free Libya Martyrs Brigade, the Fakhri al-Sallabi Brigade and the Zintan Martyrs Brigade.'[15]

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.'[16]

7.6.2   The BBC News website stated:

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

'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.'[17]

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.' [18]

7.7   Toubou, Tuareg and Arab militias

7.7.1   The Netherlands report (Ministry of Foreign Affairs, Libya: Security Situation) 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

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[17] BBC News: 'Guide to key Libyan militias' updated 11 January 2016 http://www.bbc.co.uk/news/world-middle-east-19744533. Accessed: 24 February 2016
[18] 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 para 61) http://www.refworld.org/docid/56d00d0f4.html. Accessed: 9 March 2016

these militias is fuelled by their rivalry for political dominance and access to economic resources.'[19]

7.7.2 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 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.'[20]

7.8   Daesh (Islamic State)

7.8.1 The US Congressional Research Service observed in a report of October 2017 that:

'The Islamic State established a branch of its organization in Libya after Libyan fighters and foreigners arrived from Syria in 2014, generating significant concern among Libyans and the international community.37 IS supporters announced three affiliated wilayah (provinces) corresponding to Libya's three historic regions—Wilayat Tripolitania in the west, Wilayat Barqa in the east, and Wilayat Fezzan in the southwest—and took control of Muammar al Qadhafi's hometown—the central coastal city of Sirte—in mid-2015. By early 2016, senior U.S. officials estimated that the group's strength had grown to as many as 6,000 personnel across the country, among a larger community of Libyan Salafi-jihadist activists and militia members…

'As in other countries, IS supporters in Libya have faced resistance from a wide array of local armed groups—including Islamists—that do not share their beliefs or recognize the authority of IS leader and self-styled caliph Abu Bakr al Baghdadi. IS backers failed to impose their control on rivals in their original stronghold the city of Darnah in far eastern Libya, and were forced from the town by a coalition of other Islamists in late 2015. In Benghazi, isolated pockets of IS supporters were besieged and defeated in several areas of the city by various LNA-affiliated forces.

'While grappling with western and eastern Libyan forces in parallel attempts to expand their territory elsewhere, IS fighters pressed for control over national oil and water infrastructure assets along the country's central coast in 2016. After related clashes damaged vital national oil infrastructure and Sirte-based IS fighters launched more aggressive attacks to the west, pro-

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[19] The Netherlands: 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 . Accessed: 24 February 2016

[20] United Nations Human Rights Council: 'Investigation by the Office of the United Nations High Commissioner for Human Rights on Libya: detailed findings' published 15 February 2016 (IV. Armed actors in Libya paragraph 63) http://www.refworld.org/docid/56d00d0f4.html . Accessed: 9 March 2016

GNA militia forces from Misrata and surrounding areas mobilized to confront the group in and around Sirte... In March 2017, U.S. AFRICOM Commander General Waldhauser described IS forces in Libya as scattered and attempting to regroup... In August [2017], the U.N. Secretary-General described the group as "no longer in control of territory in Libya although it continues to be active within the country.""[21]

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8.   Security situation

8.1   Nature of the violence

8.1.1   The US Department of State noted

'Forces aligned with both the government and its opponents were responsible for the disappearance of civilians in conflict areas, although in most cases the details remained obscure. In the eastern region, a campaign of killings, kidnappings, and intimidation continued to target activists, journalists, former government officials, and the security forces. Kidnappings remained a daily occurrence in many cities.'[22]

8.1.2   The website of the UK Foreign Office updated in November 2017 stated that the situation remains unpredictable:

'The political situation in Libya remains fragile and the security situation remains dangerous and unpredictable. Fighting can break out anywhere without warning, including between local militia groups, and many civilians have been killed in outbreaks of conflict in residential areas.

'There's a high risk of civilians, including journalists, humanitarian and medical workers, being caught in indiscriminate gunfire or shelling, including air strikes, in all areas where there is fighting.

'There has been heavy conflict during 2016 and 2017 in several areas, including parts of Tripoli, Benghazi, Zawiyah, Sabratha, Dernah, and in central Libya at Barak al Shati, Sebha, As-Sidra and Jufra. These conflicts include pro-Government of National Accord (GNA) forces, troops under the control of General Heftar, local militias and also extremist groups such as Ansar Al Sharia and affiliates of Daesh and Al Qaeda in the Islamic Maghreb (AQ-M). Derna (1300km east of Tripoli) is under a state of siege by the Libyan National Army with all routes in and out closed, and civilians have been killed in air attacks on the city.

'Reports of violence, reprisal killings, looting and human rights abuses continue across the country.'[23]

8.1.3   The FCO also noted on their Libya Travel Advice for UK nationals updated November 2017 that:

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[21] US Congressional Research Service, 'Libya: Transition and U.S. Policy' (p1), 2 October 2017, https://fas.org/sgp/crs/row/RL33142.pdf. Accessed: 24 November 2017
[22] US State Department, 'Country Reports on Human Rights Practices for 2016', Libya, 3 March 2017, http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dlid=265510. Accessed 10 January 2018.
[23] Foreign Office: Libya – foreign travel advice – Safety & Security – updated 17 November 2017 https://www.gov.uk/foreign-travel-advice/libya/safety-and-security Accessed 10 January 2018

'Terrorists are very likely to try to carry out attacks in Libya. Attacks could be indiscriminate, including in places visited by foreigners. Extremist groups including Daesh (formerly referred to as ISIL) are responsible for the majority of attacks, which have targeted foreign and diplomatic personnel and premises, international hotels, commercial and oil installations, and government and other official security institutions.

'Although GNA- aligned forces, supported by U.S. airstrikes, declared the end of operations against Daesh in Sirte in January [2017], Daesh remain a serious threat to security in Libya.

'On 4 October 2017, at least 4 people were killed and many were wounded in a Daesh suicide bomb attack at the main court building in the city of Misrata. On 23 August 2017, at least 11 were killed in a Daesh attack on a checkpoint in the central Jufra region. On 2 October 2016, a Dutch journalist was killed in Sirte, while reporting on the fighting between pro-GNA forces and Daesh. In Dernah, there's an ongoing conflict between the Libyan National Army and local armed groups.

'Terrorist groups in southern and south-west Libya are also of concern and are using the area as a safe haven and transit route. Attacks have been launched in Libya and across the wider region, for example the In Amenas attack in Algeria in January 2013. Armed groups remain largely autonomous due the unstable political and security situation across large areas of Libya.

'Travel in border regions is especially risky. Regional extremist groups, including Al Qaeda in the Islamic Maghreb, operate in the border areas of northern Mali, Niger and Algeria. They have a proven capability of travelling long distances to carry out attacks, including in neighbouring countries and Libya…

'Foreign nationals have recently been kidnapped in the south-west of Libya. There remains a continuing high threat of kidnap from criminal gangs and armed groups across the whole of Libya.

'This includes Daesh and Al Qaida affiliated groups who have murdered large numbers of those they have abducted. The kidnap threat is very high across the entire country, not just confined to terrorist strongholds.

'Terrorist groups including Daesh, Al Qaida and their affiliates, routinely use kidnapping as a tactic and are capable of conducting kidnappings across borders.'[24]

8.2 Level of violence and number of casualties

8.2.1 The Report of the Secretary-General on the United Nations Support Mission in Libya noted in August 2017:

'During the period under review [May to July 2017], all parties to the conflict committed violations of international human rights and humanitarian law. Victims had little avenue for redress due to a general state of lawlessness and the weakness of judicial institutions.

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[24] Foreign & Commonwealth Office: Libya Travel Advice – Terrorism, updated October 2017 https://www.gov.uk/foreign-travel-advice/libya/terrorism. Accessed: 24 November 2017

'Ongoing violence also continued to cause civilian casualties. From 4 April to 21 July 2017, UNSMIL documented a total of 144 civilian casualties, 66 deaths and 78 injuries. Leading causes of death included gunfire, airstrikes, shelling and the use of explosive remnants of war and improvised explosive devices.

'Attacks on health-care facilities and medical personnel continued across the country, including in Zawiyah, Benghazi, Tripoli and Sabha. During the reporting period, the main hospital in Zawiyah was closed three times because of armed clashes in its vicinity. The attacks on health-care facilities have a strong impact on women, who constitute 56 per cent of employees at hospitals across the three Libyan regions.'[25]

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8.3   Statistics

8.3.1   UNSMIL publishes monthly figures providing numbers of civilian deaths and casualties for the country as a whole. It records only verifiable incidents; therefore the numbers are not necessarily indicative of the total number. Further information and statistics on civilian deaths and casualties may be accessed on the UNSMIL website.

8.3.2   Using data collated by ACLED, ACCORD[26] reported that 163 incidents involving violence which resulted in 404 fatalities in Libya between April and June 2017. ACCORD created the following table[27] based on ACLED data covering the period June 2015 to June 2017:

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[25] UN Security Council, 'Report of the Secretary-General on the United Nations Support Mission in Libya' (paras 24-26), 22 August 2017, https://unsmil.unmissions.org/sites/default/files/n1725784.pdf, Accessed 24 November 2017.

[26] ACCORD, Libya, Second Quarter 2017: Update on incidents according to the Armed Conflict Location & Event Data Project (ACLED), 14 September 2017, https://www.ecoi.net/file_upload/5734_1506329939_2017q2libya-en.pdf. Accessed 24 November 2017.

[27] ACCORD, Libya, Second Quarter 2017: Update on incidents according to the Armed Conflict Location & Event Data Project (ACLED), 14 September 2017, https://www.ecoi.net/file_upload/5734_1506329939_2017q2libya-en.pdf. Accessed 24 November 2017.

Development of conflict incidents from June 2015 to June 2017
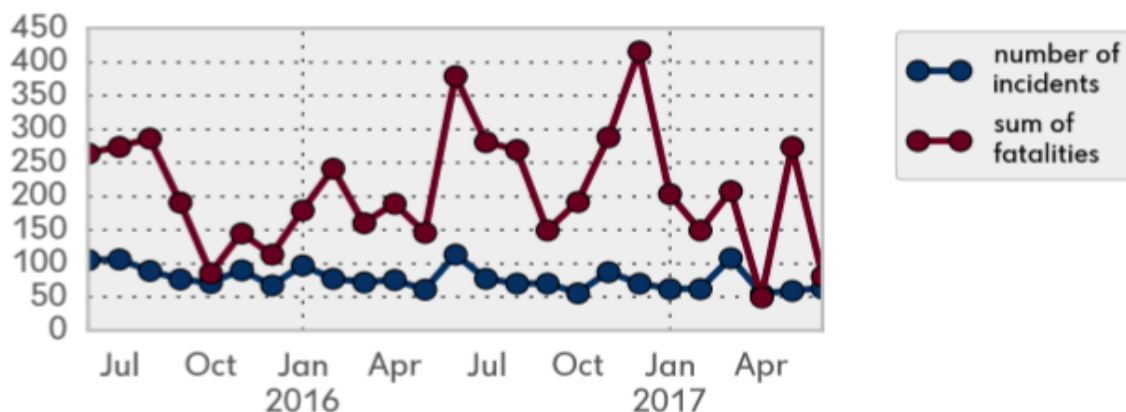
This graph is based on data from the Armed Conflict Location & Event Data Project (datasets used: ACLED, January 2017, and ACLED, 9 September 2017).

8.3.3   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.

8.3.4   Maps and tables compiled by ACCORD based on reported security incidents collated by ACLED provide a break down of violence by region and location are available on the ecoi.net website. ACLED also provides a 'dashboard' of the number of 'events' and a summary of the security situation. Additionally, UNSMIL collates data on the number on casualties which are released in monthly reports.

8.3.5   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

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9.   Humanitarian situation

9.1.1   The website of the European Commission (European Civil Protection and Humanitarian Aid Operations), last updated on 16 August 2017, stated:

'The situation in Libya remains volatile and civilians are suffering the direct consequences of the protracted violence. Primary health care and essential medicines are the first priority needs for the displaced and returnees, along with protection and food.

'Very limited access to primary health care, clean water and sanitation and other basic services are the main concerns…Thousands have been forcibly displaced in regions where most humanitarian actors do not have adequate access. Many organisations have relocated for security reasons, which has resulted in irregular access to affected areas while hampering needs assessments and delivery of timely relief assistance. The health system has practically collapsed, with less than 20% of public health facilities functioning in districts affected by the conflict.'[28]

9.1.2   According to the website of the World Food Programme, accessed on 28 April 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 centres, 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.' [29]

9.1.3   On 27-28 September 2016, the Special Representative of the Secretary-General and head of UNSMIL addressed the 33rd session of the Human Rights Council:

'...The Government is spending 93% of its total budget on subsidies and salaries, including those of members of armed groups that are not under the control of the Government.   People face daily hardships, putting up with prolonged power cuts and lack of cash. People are queuing for hours, every day, to withdraw limited amount of money...

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[28] European Commission: European Civil Protection and Humanitarian Aid Operations – Libya – last updated 16 August 2017 http://ec.europa.eu/echo/files/aid/countries/factsheets/libya_en.pdf Accessed 22 November 2017

[29] 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. Accessed: 28 April 2016

'The medical system is broken and many schools are out of use. What should be a wealthy and developed country is increasingly struggling with providing basic services to its people.'[30]

9.1.4   UNICEF noted, in their Libya Humanitarian Situation report for August 2016:

'On 11 August, the Presidency Council announced military advances in the fight against the Islamic State in the city of Sirte. Returns of displaced populations are expected to accelerate once the Government of National Accord announces military success in the city of Sirte. Families returning to the city are facing difficult conditions, with reports of an urgent need for drinking water and basic supplies, including food stocks. Health services have been severely disrupted with lack of life-saving medicine. Explosive remnants of war and explosive devices are of particular concern...

'In Tripoli, several protests and strikes were reported, mainly due to the increasing frequency of lengthy electricity and water outages. In some areas where conflict has ended, delays in the repair of schools and roads and in restoring access to water have impeded the process of the return of IDPS...

'During the month of August, IOM identified a total of 348,372 Internally Displaced Persons, 310,265 returnees and '276,957 migrants in Libya, while UNHCR reports that the agency has registered to date 37,744 individuals, among which 28,444 are asylum seekers while 9,300 are refugees.'[31]

9.1.5   The Humanitarian Response Plan for 2017, published in November 2016, confirmed that approximately 1.3 million people continue to require humanitarian assistance, with an emphasis on food, healthcare and shelter.[32]

9.1.6   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

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9.2   Healthcare

9.2.1   The World Health Organisation (WHO) summarised the level of healthcare in Libya, in July 2017:

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[30] Address of the Special Representative of the Secretary General and Head of the United Nations Support Mission in Libya (UNSMIL) pursuant to Human Rights Council Resolution 31/27 27-28 September 2016 http://unsmil.unmissions.org/Portals/unsmil/Images/Articles_Images/20160927-01.jpg. Accessed: 14 October 2016
[31] UNICEF: Libya – Humanitarian Situation Report – August 2016 published September 2016 http://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20Libya%20Humanitarian%20Situation%20Report-August%202016.pdf. Accessed: 19 October 2016
[32] UNOCHA: Humanitarian Response Plan – 2017 published November 2016 https://www.humanitarianresponse.info/system/files/documents/files/2017_libya_hrp_final.pdf Accessed '22 November 2017

'Health is a major concern in Libya. Historically incapacitated, Libya's health system is further deteriorated due to fragmented governance, limited financial resources, deficient human resources, acute shortage of lifesaving medicines and basic equipment, a debilitated primary health-care (PHC) network, and neglected health services. The repeated emergencies have not allowed a proper recovery of public sector services. A Service Availability and Readiness Assessment survey, conducted by WHO and MOH, showed that 17 out of 97 hospitals are closed and only 4 hospitals are functional between 75-80% of its capacity. Over 20% primary health care facilities are closed and the rest are not well ready for service delivery. Health needs of IDPs, refugees and migrants have increased manifold as well as their vulnerabilities in detention centres.[33]

9.3   Education

9.3.1   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.'[34]

9.3.2   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, occupied by internally displaced persons, converted into military or detention facilities, or otherwise dangerous to reach…

'Amongst the cases investigated by OHCHR was, for instance, the use of a primary school in Benghazi as a base and a detention facility by an armed group. UNOSAT satellite imagery of the school obtained as at August 2015 showed the presence of several cargo vehicles, possibly used for military purposes. 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.'[35]

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[33] World Health Organisation: Libya – Health Emergencies and Humanitarian Update published July 2017 http://www.who.int/hac/crises/lby/en/ Accessed 23 November 2017

[34] United Nations Human Rights Council: 'Investigation by the Office of the United Nations High Commissioner for Human Rights on Libya: detailed findings' published 15 February 2016 (11. Children paragraph 307) http://www.refworld.org/docid/56d00d0f4.html . Accessed: 9 March 2016

[35] United Nations Human Rights Council: 'Investigation by the Office of the United Nations High

9.3.3   The UNICEF – Libya Humanitarian Situation report for August, 2016, stated:

'The education sector continues the provision of education and recreation support activities with particular support to IDPs and highly affected cities. Through partnership with local partners, a total of 3,741 children (2,119 boys and 1,622 girls) attended catch up classes for out of school children in Benghazi city, and remedial education classes and recreational activities for children at risk of dropping out from schools in 10 cities... 'Ministry of Education data shows that 558 schools in different regions of the country are not functional, affecting approximately 279,000 school-aged children. Recent data collected from the Ministry's offices in the cities of Sirte, Bani Walid and Tarhuna revealed that a total of 223 schools (54 per cent) need some type of maintenance among which 108 schools need heavy construction work maintenance. UNICEF signed an agreement with the national NGO, Libyan Association for Youth and Development, to provide assistance and recreational activities to 691 students who dropped out of school in five cities from the South...'[36]

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9.4   Sanitation

9.4.1   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.'[37]

9.4.2   The UNICEF Libya Humanitarian Situation – Midyear report 2016, noted: 'UNICEF and its WASH partners, the Libyan society for Charity work and ACTED have been working to provide equitable, sustainable and adequate access to safe water supply, sanitation and hygiene for conflict affected populations in Libya, especially women and children...'[38]

9.4.3   For further details regarding hygiene and sanitation in Libya, please refer to the Unicef Humanitarian Situation reports for Libya, which are updated regularly.

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Commissioner for Human Rights on Libya: detailed findings' 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 . Accessed: 9 March 2016
[36] UNICEF: Libya – Humanitarian Situation Report – August 2016 published September 2016 http://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20Libya%20Humanitarian%20Situation%20Report-August%202016.pdf. Accessed: 19 October 2016
[37] 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
[38] UNICEF Libya Humanitarian Situation Midyear report 2016 published http://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20Libya%20%20Humanitarian%20Situation%20Report%20%28Mid-Year%202016%29.pdf. Accessed: 19 October 2016

9.5 Internal displacement

9.5.1 In its September 2015, Humanitarian Needs Overview UNOCHA considered:

'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 centres within host communities, with just over 100,000 living in collective centres 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.'[39]

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

'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.

'While new displacement is ongoing, some IDPs have been able to return to their place of origin, often, however, to unsustainable conditions. Ongoing insecurity in many parts of the country, the destruction of homes and infrastructure as well as the presence of landmines and unexploded ordnance prevent the return of many IDPs, as a result of which their displacement situation is at risk of becoming protracted.'[40]

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[39] 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. Accessed: 5 May 2016

[40] UN High Commissioner for Refugees (UNHCR), UNHCR Position on Returns to Libya - Update I,

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

'The person[s] 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.'[41]

9.5.4   USAID observed in its 1 December 2017 update:

'As of October 2017, IOM had identified approximately 199,000 IDPs and 304,300 returnees in Libya. Approximately 93 percent of surveyed IDPs cited the threat or fear of conflict and presence of armed groups as reasons for leaving areas of origin; IDPs in more than 60 percent of municipalities reported the same reasons for not returning to areas of origin, according to the October report. IDPs also identified damaged public infrastructure, the threat or presence of ERW [explosive remnants of war], and economic factors as reasons for continued displacement. Benghazi, Misrata, and Tripoli districts continue to host the majority of IDPs.

'Although nearly 50 percent of IDPs in 2016 fled insecurity in northern Libya's Sirte District, the majority of IDPs returned to areas of origin in Sirte, as well as to Benghazi, Al Jabal Al Gharbi, Misrata, and Ubari districts, in September and October 2017.'[42]

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October 2015, (paragraphs 10, 14 and 18) available at: http://www.refworld.org/docid/561cd8804.html Date accessed 18 February 2016

[41] 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. Accessed: 5 May 2016

[42] USAID, 'Libya - complex emergency', 1 December 2017, https://www.usaid.gov/sites/default/files/documents/1866/libya_ce_fs01_12-01-2017.pdf. Accessed 10 January 2018.

10.   Freedom of movement

10.1.1   Travel within the country continued to be difficult, due to the presence of Islamist and other militia checkpoints. The USSD report for 2016 noted:

'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"…

'The government did not exercise control over in-country movement, although the LNA 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.

'There were also multiple reports of women who could not depart from western Libyan airports controlled by pro-GNA militias due to a lack of a "male guardian," which is not a legal requirement in the country'.[43]

10.1.2   Freedom House, in their 2016 Freedom in the World – Libya report, noted:

'Airports in Benghazi, Tripoli, Sabha, and Misrata have been attacked and destroyed, severely limiting access to air travel. As of September 2015, UNHCR estimated that 435,000 people were internally displaced in Libya, and hundreds of thousands have reportedly sought safety in neighbouring Tunisia and Egypt. Government and militia checkpoints also restrict movement within Libya, while poor security conditions more generally affect movement as well as access to work and education...'[44] The number of displaced persons has now reduced to approximately 313,236, according to the International Office of Migration's Displacement Tracking Matrix.[45]

10.1.3   The Freedom in the World Libya report for 2017 stated:

'The 2011 constitutional declaration guarantees freedom of movement, but violence has disrupted normal activity in major cities. Airports in Benghazi, Tripoli, Sabha, and Misrata have been attacked and destroyed, severely limiting access to air travel. The UN Office for Humanitarian Affairs has estimated that 1.3 million people in Libya will need humanitarian assistance in 2017, including more than 313,000 who are internally displaced. Many

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[43] USSD Country Report on Human Rights Practices – Libya – published 3 March 2017 https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper Accessed 23 November 2017
[44] Freedom House, Freedom in the World 2016, Libya, https://freedomhouse.org/report/freedom-world/2016/libya,. Accessed: on 10 October 2016
[45] International Office of Migration: Libya Crisis – IOM Response Situation Report October 2016 Displacement Tracking Matrix. October 2016 https://www.iom.int/sites/default/files/situation_reports/file/IOM_Libya_Situation_Report_2016_October.pdf. Accessed: 15 December 2016

others have reportedly sought safety in neighbouring Tunisia and Egypt. Government and militia checkpoints also restrict movement within Libya, while poor security conditions more generally affect movement as well as access to healthcare, education, and work.'[46]

10.1.4 FCO travel advice for UK nationals updated in November 2017 noted:

'Road travel within Libya remains highly dangerous. There continues to be a risk of being caught up in outbreaks of hostilities. There's also a high risk of carjacking and robbery. The coastal road between Zawiyah and Tripoli presents an elevated risk. There's a risk of striking unexploded ordnance off-road… Chad and Niger have closed their border with Libya on several occasions in 2017 without warning, in response to the activity of armed groups in the area. Tunisian border crossings are affected by frequent clashes along the coastal road in west Libya and are often inaccessible.

'… On 13 July 2014, Tripoli International Airport was closed following clashes that broke out between armed groups in the area surrounding the airport. Other airports may change their flight schedule without notice. Contact your airline or travel company for further information before travelling.

'Benghazi airport was closed between May 2014 and July 2017. It's now slowly reopening to commercial flights but its security provision remains untested. Tripoli Mitiga Airport has been temporarily closed due to nearby violence several times in 2017, but usually reopens soon after violence subsides.

'Due to a number of ongoing safety concerns, the European Union has agreed with the Libyan authorities to continue a voluntary restriction on Libyan airlines flying into the EU. However, some Libyan airlines operate flights to the EU using aircraft leased from other airlines.'[47]

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[46] Freedom House: Freedom in the World – Libya – 2017 Published 12 July 2017 Accessed 21 November 2017
[47] Foreign Office, 'Libya – Foreign travel advice' (Safety & Security), updated 17 November 2017 https://www.gov.uk/foreign-travel-advice/libya/safety-and-security Accessed 10 January 2018

Version control and contacts

Contacts

If you have any questions about this note and your line manager, senior caseworker or technical specialist cannot help you, or you think that this note has factual errors then email the Country Policy and Information Team.

If you notice any formatting errors in this note (broken links, spelling mistakes and so on) or have any comments about the layout or navigability you can email the Guidance, Rules and Forms Team.

Clearance

Below is information on when this note was cleared:

- version **3.0**
- valid from 10 January 2018

Changes from last version of this guidance

New Country Guidance case (ZMM Libya) reflected in the policy guidance section.

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