

HUMAN RIGHTS WATCH

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February 5, 2020

Field Marshall Khalifa Hiftar
Commander Libyan National Army forces
Al-Marj, Libya
[REDACTED]

Subject: Use of Cluster Bombs during Tripoli Fighting

Sir,

I am writing to you, in your capacity as commander of the Libyan National Army (LNA) to request information about the possible use of cluster bombs by LNA forces or forces supporting the LNA that Human Rights Watch has recently documented in Tripoli.

Human Rights Watch has been tracking human rights conditions in Libya since before the 2011 uprising. Our researchers were on the ground to document the situation from the first days of the revolution. We have continued to document violations in Benghazi by all sides since the beginning in May 2014 of hostilities that continue until this day.

Research

In December 2019, Human Rights Watch visited a residential area in the southern suburbs of Tripoli and documented the following:

According to witnesses, on or around December 2, 2019, a jet aircraft carrying at least four munitions conducted an attack in the area close to Asfah Road, near Tripoli International Airport. Researchers visited the site, spoke with witnesses, and documented the remnants of the bombs.

Technical Details

The remnants found by Human Rights Watch at the site included tail units, cargo sections, and fuze rings of submunitions from at least two RBK-250 PTAB-2.5M cluster bombs. In addition to the remnants of the cluster bombs, we observed two larger impact craters indicating the detonation of unitary air-dropped bombs containing high explosives. Witnesses to the attack said that these remnants and craters appeared only after the attack of December 2.

Request for Information

We respectfully ask you to answer the following questions:

1. Given that forces linked with the Government of National Accord did not have the capacity to conduct air operations at the time of the incident, we believe that the LNA or forces supporting the LNA conducted the strike. If this is accurate, please tell us which type of aircraft was involved in the attack and to which country did it belong?
2. Please indicate the source of these weapons and in which timeframe they were delivered to the LNA?
3. The use of cluster bombs is prohibited under international law because of their inaccuracy and unreliability. Should the LNA or any of its allies be in possession of more cluster bombs, do you have plans to destroy them, and if so, please indicate how this will be carried out? Further, what will you do to make sure there is no further use of cluster bombs by LNA or allied forces?
4. According to the United Nations Panel of Experts report from December 2019, there was another incident of use of cluster bombs by LNA forces in August 2019 at Zuwara airport. Did you order an investigation into that incident and what were the results? Could you share any further incidents when the LNA or allied forces used cluster bombs during the armed conflict that started in April 2019?
5. In your capacity as commander of the LNA, have you made sure that all units fighting under the LNA and groups affiliated with the LNA have been made aware of the international ban on use of cluster bombs?

Thank you for your attention. We plan to publicly release our findings in a report in the coming weeks. We will reflect your responses to this letter in our publication as long as we receive them by February 11, 2020, and will issue an update to the report if we receive a response from your office after that date.

In case of questions or concerns, you may contact Hanan Salah at [REDACTED], or phone [REDACTED].

Respectfully,

[REDACTED]

Eric Goldstein
Acting Director
Middle East and North Africa
Human Rights Watch