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Libya: Civilian deaths from NATO airstrikes must be properly investigated

NATO has so far failed to investigate the killing of scores of civilians in Libya in airstrikes carried out by its forces, Amnesty International said today in a new briefing paper released a year after the first strike sorties took place.

[*Libya: The forgotten victims of NATO Strikes*](#) says that scores of Libyan civilians who were not involved in the fighting were killed and many more injured, most in their homes, as a result of NATO airstrikes. Amnesty International said that NATO has not conducted necessary investigations or even tried to establish contact with survivors and relatives of those killed.

The organization said that adequate investigations must be carried out and full reparation provided to victims and their families.

"It is deeply disappointing that more than four months since the end of the military campaign, victims and relatives of those killed by NATO airstrikes remain in the dark about what happened and who was responsible" said Donatella Rovera, Senior Crisis Response Adviser at Amnesty International.

"NATO officials repeatedly stressed their commitment to protecting civilians. They cannot now brush aside the deaths of scores of civilians with some vague statement of regret without properly investigating these deadly incidents.

NATO appears to have made significant efforts to minimize the risk of causing civilian casualties, including by using precision guided munitions, and in some cases by issuing prior warnings to inhabitants of the areas targeted. But this does not absolve NATO from adequately investigating the strikes which killed and injured scores of civilians and from providing reparation to the victims and their families.

Investigations must look into whether civilian casualties resulted from violations of international law and if so those responsible must be brought to justice.

The organization has documented 55 cases of named civilians, including 16 children and 14 women, killed in airstrikes in Tripoli, Zlitan, Majer, Sirte and Brega.

Many of the deaths occurred as a result of airstrikes on private homes where Amnesty International and others have found no evidence to indicate that the homes had been used for military purposes at the time they were attacked.

In the evening of 8 August 2011 two houses belonging to the Gafez and al-Jaarud families were struck in Majer, west of Misratah. According to members of the family who survived the attack, 34 civilians, including eight children and eight women, were killed and several were injured in three separate strikes. The family said they had not been aware of the presence of any persons or of any activities near their

homes which could explain the attacks.

In its latest response to Amnesty International, on 13 March, NATO stated that it "deeply regrets any harm that may have been caused by those air strikes but has had no mandate to conduct any activities in Libya following OUPs (Operation Unified Protector) termination on 31 October 2011 and that the primary responsibility for investigating rests with the Libyan authorities.

"NATO's response is tantamount to refusing to take responsibility for its actions. It leaves victims and their families feeling that they have been forgotten and that they have no recourse to justice," said Donatella Rovera.

Moreover, NATO did not take any steps to conduct investigations into reports of death and injury of civilians resulting from its strikes in areas which had come under the control of the new Libyan authorities (the National Transitional Council, NTC) prior to 31 October 2011 and which were thus safely accessible. All the survivors and relatives of those killed in NATO strikes interviewed by Amnesty International said that they had never been contacted either by NATO or by the Libyan NTC.

NATO must ensure that prompt, independent, impartial and thorough investigations are conducted into any allegations of serious violations of international law by participants in Operation Unified Protector and that the findings be publicly disclosed. Wherever there is sufficient admissible evidence, suspects should be prosecuted.

Background

According to NATO, the seven-month air and sea military campaign in Libya comprised more than 9,700 strike sorties and destroyed over 5,900 military targets. NATO's military operations had to comply with the rules of international humanitarian law applicable in international armed conflict. Particularly relevant to NATO's air campaign are the precautions necessary to avoid, or at least minimise, harm to civilians. These include:

- everything feasible must be done to verify that targets are military objectives;
- the type of weapons and method of attack must be selected with a view to minimizing harm to civilians and civilian objects;
- the proportionality of a planned attack must be assessed; an attack must be cancelled or suspended if it becomes apparent it is wrongly-directed or disproportionate; and
- effective advance warning must be given of attacks which may affect the civilian population, unless circumstances do not permit.

Notes for editors

In January and February Amnesty International visited several locations of NATO airstrikes, inspecting the damage and remains of munitions, interviewing survivors and other witnesses and obtaining copies of death certificates of victims.

Amnesty International **spokespeople** are available for interview on this briefing paper:

- Donatella Rovera (English, French Spanish, Italian), Senior Crisis Response Adviser, who led Amnesty International's investigation in Libya
- Carsten Jurgensen (English and German), Researcher on Libya, from Berlin

Amnesty International can on request provide **images** of the sites of airstrikes included in the briefing paper.

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