

## **Libya :Entire families are forcefully evicted from their homes**

*5 April 2023*

More than one thousand civilians residing in residential buildings in Al-Qushi in Libya are being threatened with forceful eviction from their homes as we write. The Misrata Joint Forces, a state-financed militia reporting directly to the Prime Minister, is carrying out these evictions as part of a campaign of house demolitions. Similar operations have also been conducted by the Libyan Arab Armed Forces in the east of Libya.

### **Forced evictions and demolition of residential buildings in Al-Qushi**

Earlier this year, an anti-drug campaign was launched by the authorities to “clean” the Al-Qushi neighbourhood. This campaign was viewed positively by the residents, and they fully supported it. The authorities, taking this campaign as justification for their plans, started demolishing residential buildings in the neighbourhood on the 8th and 9th of March 2023. The Misrata Joint Forces notified the residents via megaphones, demanding the immediate evacuation of all buildings in Al-Qushi based on an official order issued by the Libyan Attorney General’s Office in Tripoli. The Misrata Joint Forces used coercive tactics and verbal abuse to intimidate the civilian population into immediately evacuating their homes slated for demolition without any timely official warning or clear plan from the government’s side.

Sources confirmed that as a result of the demolition of those buildings, 16 families were evicted and subjected to insults and threats by the Misrata Joint Forces. Residents fled with a few personal belongings, leaving behind many possessions because of the Joint Forces' threats. The planned demolition will result in the eviction of 447 families residing in a total of 68 buildings. Over 1,000 civilians will be affected by the operation.

The OMCT and the LAN monitored vigils organized by affected residents in front of the municipality building in the city of Misrata. On 18 March 2023, the evicted families met with the Attorney General, who offered them a financial compensation of 100,000 Libyan dinars (21,000 USD) and promised to convince the Misrata Joint Forces to delay the demolition until after Ramadan. However, the Libyan government has yet to issue an official announcement about the timing and manner of payment.

### **Widespread demolitions under the guise of “clean-up” campaigns**

To satisfy influential armed groups, the Libyan authorities are carrying out demolitions in the East and West of the country, that they call “neighbourhoods clean-up”. These operations are presented as “reconstruction” of the country and designed to polish the image of the two Governments ahead of anticipated elections. However, they pose a threat to civilian life, social stability, and the rights of vulnerable groups.

In the East, the Libyan Armed Forces have been taking over and demolishing the homes of many families forcibly displacing them as part of their “clean and reconstruct the of Benghazi” campaign since last year. While in the West, the Government of National Unity just launched a similar campaign in Al-Qushi without prior notice or clear solutions for the residents.

The Al-Qushi residential area is home to a diverse population which includes refugees from the conflict zone of Tawergha, and some foreign workers and migrants. These civilian families face enormous security and economic risks caused by the forced evictions and demolitions of their homes without

notice, and the Government's failure to provide decent housing, free of charge solutions or time to plan for alternative solutions. This is a violation of international human rights law and constitutes a serious safety threat for these now homeless families, especially among vulnerable displaced and impoverished groups. To this point, residents have not been provided with adequate information or support to deal with this situation, which will make finding new jobs and new schools for their children, as well as accessing their bank accounts, a real challenge.

### **Legal framework**

The evictions and demolition of houses happened in violation of the principles of legality, necessity, and proportionality that should govern such operations according to international law. In addition, the victims weren't guaranteed the right to promptly challenge the legality of these measures before an independent and impartial judicial authority.

Therefore, the evictions and demolition of houses should be considered violations of Articles 7, 12, and 17 of the International Covenant on Civil and Political Rights as well as Article 11 of the International Covenant on Economic, Social and Cultural Rights. These articles protect the right not to be submitted to cruel, inhumane, or degrading treatment; the right to freedom of movement; the right to a safe and secure residence; the right to privacy, family, and home; the right to adequate standard of living, including adequate food and housing. The right to property is also protected under Article 17 of the Universal Declaration of Human Rights. Forced evictions involve elements of discrimination and infringement upon the right to adequate housing, and in the context of an armed conflict, forced evictions may amount to war crimes under international law if systematically committed and potentially resulting in the large-scale displacement of civilians.

### **Recommendations**

Therefore, the OMCT and the LAN are calling for an immediate end to the forced evictions and the looting of civilian property by armed groups and government forces, and demand the following:

1. Should the Libyan authorities deem house demolitions unavoidable, it is crucial that both governments develop a comprehensive and transparent plan for rebuilding and improving the living conditions of citizens. Demolitions must not take place without a clear and publicly announced plan that guarantees protection and compensation for affected residents. The governments in the East and West must notify residents in a timely fashion, designate safe areas for relocation and provide enough time for families to move into decent housing, with minimal harm to their well-being.
2. Governments' proposed plans must be subjected to public scrutiny and approval before implementation. Ensuring access to salaries for affected residents and upholding the right to education for their children is crucial to safeguard civilians' fundamental human rights.
3. Governments must immediately halt any state-ordered practices that involve intimidation, threats, or disregard for the dignity of families, residing in these areas. Instead, they must uphold the principles of self-respect and human dignity and ensure the necessary protection and safe evacuation of civilians.
4. It is imperative for the Libyan governments to approach the reconstruction process with due regard for human rights. Forced evictions and demolition operations, disguised as "rebuilding and reconstruction", merely lead to the deprivation of civilians' fundamental rights. Such actions blatantly violate the rule of law and pose a threat to justice and to the respect for public and private rights.