



Denmark responsible for civilian casualties in Libya

*In 2011, Danish airstrikes likely killed up to fourteen civilians in Libya, so [report](#) Rasmus Raun Westh, Joe Dyke and Maia Awada for *Altinget*. These events were known and attributed to NATO forces, but until today it was unclear which nation had been responsible. The media report now shows the Danish government was long aware it may have caused civilian casualties, all the while not disclosing this to the Parliament or wider public. Relatives of the airstrikes' victims were left with questions and no recourse to holding those responsible to account. This fits a larger pattern of limited transparency and accountability by Western militaries. It is now up to Denmark to finally make amends and to start making the necessary improvements to its civilian harm mitigation policies and practice.*

In March 2011, NATO began offensive operations in Libya to support opposition against the Gaddafi-led regime. Between March-October 2011, NATO forces flew close to 18,000 armed sorties in Libya. Throughout the mission, NATO has [maintained](#) it employed a “zero expectation” standard of its operations injuring or killing civilians. However, already during the conflict, reports emerged alleging that multiple NATO airstrikes had resulted in civilian casualties.

The UN established an International Commission of Inquiry (COI) on Libya to investigate some of these reports. Our military advisor, Marc Garlasco, then part of the COI, investigated 20 NATO airstrikes: conducting site visits, interviewing victims and witnesses, and analysing any military fragments that were left behind. His team found credible evidence that 60 civilians were killed and 55 injured across five different NATO operations. One of these operations concern airstrikes on Surman, a city in northern Libya, that *Altinget* today reported to have been conducted by the Danish military. Garlasco is quoted in the article as saying that the *Altinget's* revelations show “that Denmark killed civilians and hid it from us [the COI].”

During the night of 20-21 June, Danish warplanes targeted the residential complex of General El-Khawaidi el-Hamedi, reducing three buildings to rubble, and [killing](#) twelve civilians, including children. The General, who his family maintains was already retired at the time, survived. NATO has [maintained](#) its operations were justified as it said the residence served as a “military command and control node”. The COI was unable to definitively dispel or confirm this. In another airstrike on the city of Sirte, again involving Danish forces, two more civilians were killed, including a pregnant woman.

Even regardless of the question whether the airstrikes were within the law or not, it is troubling that no one has ever publicly taken responsibility: NATO redirected allegations to the individual Member States who, in turn, used the NATO structure to avoid individual accountability. This has made it near impossible for affected civilians to hold those responsible to account, as the public is generally kept in the dark about which military conducts which airstrikes. In the case of the attack on the Surman residence, one of the survivors unsuccessfully [sued](#) NATO over the loss of his wife and children.

Such lack of transparency and accountability regarding civilian casualties unfortunately is not unique to the Libya conflict. Civilian casualty estimates by monitoring organizations like [Airwars](#) regarding actions by the US-led International Coalition against ISIS show vastly higher civilian death tolls than the official accounts. There too, the Coalition structure long shielded individual nations from scrutiny, as evident from [Hawija](#) where a 2015 airstrike killed at least 85 civilians and caused long-term damage. Only in 2019 and after in-depth reporting by [NOS](#) and [NRC](#) did the Netherlands admit responsibility. To this day, it has not offered an apology or individual compensation.

While this is perhaps little consolation to the survivors and relatives of victims of past operations, both the United States and the Netherlands – following public exposure about civilian casualties caused by their operations – have embarked upon a significant rehaul of their military policies and practice with the intent to better mitigate harm in the future and to ensure more transparency and accountability when



harm is caused. Both states have actively sought out the expertise of organizations like ours in these processes. In the face of these latest revelations, Denmark should show a similar intent to do better in the future and initiate its own process, involving outside experts, to improve its civilian harm mitigation policies and practice. Meanwhile, it should also do what it can to still make amends for the harm it caused in Libya.