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Subcommittee on the Middle East and North Africa

"Libya Fractured: The Struggle for Unity"

A Testimony by:

Alice Hunt Friend

Senior Fellow

Center for Strategic and International Studies

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2172 Rayburn House Office Building

Introduction

The complexity of the civil war in Libya is rivaled only by the complexity of the related crises it breeds. The diversity and ferocity of the country's domestic politics create obstacles for terrorists attempting to establish havens, but also make the role of Islam in governance a central and contentious object of Libyan politics, amplifying Libya's salience to global Islamist terrorism. Libya's oil resources, proximity to Europe, and cultural connections to the Middle East make it a strategic prize for multiple powerful outside actors, and its three competing governments and myriad militias fuel an international race for Libyan proxies that includes Russia, Turkey, Egypt, the Gulf States, and others. In the midst of it all, an historic volume of migrants is coming both from and through Libya, fleeing into the Mediterranean and overwhelming European and broader international resources.

Ending major violence and stabilizing Libyan politics to the point where powerful actors accept a single government will be the most durable way to address terrorism and humanitarian needs. Yet the path to political equilibrium will likely be longer than one U.S. presidential term. The international community, including the United States, will have to adopt a patient and realistic approach to Libyan politics that also accounts for Libyan internal security concerns. The current challenge for the U.S. is knowing whom and how to engage among the constantly-shifting array of power brokers and would-be national leaders to encourage political accommodations and meaningfully address the humanitarian crisis. Even if the policy remains narrowly focused on countering terrorism and, within that category, ISIS and al Qaeda in particular, the U.S. will need to determine ways to sustain pressure on terrorist groups without undermining the prospects for Libya's stability.

The Dynamics of Libya's Civil War: Critical Events and Key Players

It has been said that a state is defined by its ability to monopolize the legitimate control of violence within its own territory.[1] Typically, this occurs by marrying rule of law to a national armed force subordinate to state control and able to operate throughout the country. Contemporary Libya, however, is an amalgam of dozens of political groups and hundreds of militias engaged in civil war characterized by competition for urban centers and provincial territorial blocs.

The international community has attempted to forge unity among Libya's various competing groups.[2] But it is useful to keep in mind that unity across the three main regions of Libya would be an historical anomaly, something imposed only fleetingly by external actors and artificially by the country's late dictator, Muamar Qaddafi. Moreover, in states with a population that is heterogeneous along multiple axes, regardless of domestic unrest, the notion of unity is not

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[1] Max Weber. 1946. "Politics as a Vocation." In *Essays in Sociology*, ed. H.H. Garth and C.W. Mills. New York: Macmillian.

[2] The European Council on Foreign Relations' Mattia Toaldo put together a helpful compendium in his "A Quick Guide to Libya's Main Players" accessible at: http://www.ecfr.eu/mena/mapping_libya_conflict. For an excellent summary of Islamist groups, see Cameron Glenn. "Libya's Islamists: Who They Are – And What They Want." Woodrow Wilson Center, August 8, 2017. https://www.wilsoncenter.org/article/libyas-islamists-who-they-are-and-what-they-want

as useful as the concept of coalition.[3] A coalition links together a variety of actors with similar, but not necessarily identically overlapping, goals. The mechanism that creates a coalition combines power and opportunity: Where actors and groups see benefits to their own power in given circumstances, they will ally with others. And in civil war, until one coalition manages to accumulate the preponderance of power—or power distributes equally among a small number of groups to the point of stalemate—the fighting will endure, and coalitions will continue to splinter and realign.

Recent History

Beginning soon after the rebel victory in the uprisings of 2011, clashes among and between regionally based militias that never disarmed after Qaddafi's ouster marked struggles for political autonomy within the nascent national framework. Throughout 2012 and 2013, networks of militias centered around the eastern city of Benghazi and the western city of Zintan built power and influence among emerging political parties, effectively preventing nationwide security institutions from developing.

In 2014, the mandate for the Tripoli-based General National Congress (GNC) expired with no clear successor organization. A vacuum of national legitimacy gave way to increased struggles for power in the Tripolitania and Cyrenaica regions, and disputed elections over the summer did nothing to resolve tensions. The government split in two, with the Islamist-dominated GNC in Tripoli and an internationally-recognized House of Representatives (HoR) in the far eastern city of Tobruk. That same year, a former Libyan army general named Khalifa Haftar organized the Libyan National Army (LNA) in opposition to the Islamist militias running Benghazi. Eventually given formal command of the armed forces by the HoR, Haftar became a major military and political power center in his own right, with rumored designs on control of national governance. By the end of 2015, the UN had brokered a new Government of National Accord (GNA), headed by a Presidential Council initially based in Tunisia but eventually moving to Tripoli. However, large elements of both the GNC and the HoR refused to recognize this third government, and the process for the integration of the three governments has stalled.

Meanwhile, the Islamic State saw an opening. Beginning in the port of Derna and expanding into Sirte, the group proceeded with its infamously brutal tactics, including releasing a video of group members beheading 21 Coptic Christians. From the end of 2014 to mid-2017, Egypt, Misratan militias, Haftar's LNA, and the United States all mounted campaigns against ISIS' Libyan affiliate, eventually driving organized elements from Sirte, Derna, and Benghazi and into the southwestern Fezzan province.[4]

Thus, in the post-2011 confusion around national governance, still-armed militias gathered power and territory, and coalesced around particular actors and regions. After 2014, one

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[3] My views are greatly shaped by the work of Fontini Christia's excellent 2012 book, Alliance Formation in Civil Wars. New York: Cambridge University Press.

[4] For more on the dynamics in Fezzan, see International Crisis Group's report, "How Libya's Fezzan Became Europe's New Border." Middle East and North Africa Report No. 179, July 31, 2017. https://www.crisisgroup.org/middle-east-north-africa/north-africa/libya/179-how-libyas-fezzan-became-europes-new-border

government became three, with varying attachments to Islam, secularism, and militia loyalists but none with a national military or the ability to impose legal authority over the entirety of Libya. Nor has any one figure or organization been able to amass enough power to either attract or compel de-facto national-level loyalty. This has meant not only ongoing and violent struggles for federal power, but also frequent re-alignments among power blocs in attempts to generate such authority and control. It has also meant that ISIS and al Qaeda are just two fish in a sea of violent groups, and that the fight against them has tended to involve a mix of militia campaigns, Haftar's LNA, and unilateral outsider action rather than pressure directed from any of the governing centers of the country.

Dynamics Today

Today, a coalition of politicians in the Presidential Council of the GNA bring together Misratan, Zintani, Petroleum Facilities Guard, and other armed groups and political parties (including the Muslim Brotherhood). Recognized by the international community, the GNA is an alignment of actors who might compete more openly with each other absent greater threats outside the architecture of the GNA. For example, Haftar and the GNA's Minister of Defense, Mahdi al-Barghathi, are political rivals.

At the same time, the protracted and fractured nature of the conflict has generated both demand for outside assistance and opportunities for strategic advantage among international actors. Libya's proximity to Europe and Mediterranean ports, its borders with Egypt and sub-Saharan African countries, its energy resources and its Muslim population all attract a variety of outsiders. Of chief concern to the U.S. is ISIS' enduring toehold in Libya, the spillover of the Gulf crisis into Libyan proxy competition, and Russia's overtures to Libyan power brokers.

First, North African states have long-term connections to global Islamism and to the Arab world, both of which made Libya a natural outlet for ISIS militants. It also has historic connections with civilizations south of the Sahara and links al Qaeda's Sahelian affiliates with access to illicit economic opportunities and strategic depth away from both the Algerian government and Western counterterrorism forces. Although a combination of Misratan militia attacks and U.S. airstrikes drove ISIS from its coastal enclave in Sirte in 2016 while Haftar's LNA conducted an unrelated offensive against ISIS and other groups in Benghazi, the Islamic State is still a scattered presence in the East and South, and the commander of Africa Command testified that the U.S. conducted eight strikes against ISIS targets in late 2017 and early 2018.[5]

Regional rivalries also have an outlet in Libya. Egypt plays two sides of the war, formally recognizing and rhetorically supporting the UN's efforts via the GNA but materially supporting the Tobruk government and Haftar. It appears that Egypt's endgame is to generate enough independence in the anti-Islamist government in the east to stave off Muslim Brotherhood encroachments near Egyptian territory, but also to allow stability in the west and avoid international diplomatic difficulties. The United Arab Emirates have also been known to provide

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[5] General Thomas Waldhauser, House Armed Services Committee Hearing, "National Security Challenges and U.S. Military Activities in Africa," March 6, 2018. https://armedservices.house.gov/legislation/hearings/national-security-challenges-and-us-military-activities-africa

weapons to both GNA-affiliated militias and Haftar. The GNA enjoys unmitigated support from Qatar, and a limited relationship exists between the GNC and Turkey, which also supports the GNA.

Finally, Russia has long made efforts to influence both the outcome of the domestic struggle for power and the ultimate holder of that power. Although there are allegations of various Russian efforts to arm militias in exchange for oil and other favors, Russia (or Russian actors)[6] seem to have put many of their chips on Haftar—a move now complicated by Haftar's ambiguous but apparently serious health condition taking him out of Libya entirely for the time being.[7] Like the Egyptians, Russia has also made overtures to the leader of the GNA's Presidential Council, Fayez al-Serraj. It seems clear that access is Russia's highest priority in Libya, with little principle attached to the ultimate outcome of the civil war.

The United States, for its part, has generally tried to support whichever government has the backing of the UN. As the security situation in Libya deteriorated throughout 2013 and 2014, and the American Embassy finally withdrew along with many other international missions in Tripoli, Washington's practical ability to implement assistance programs was also reduced, although it continues to conduct its diplomatic and assistance efforts from neighboring Tunisia. U.S. Africa Command made various attempts over the course of the Obama administration to bolster the security capacity of forces allied with the internationally recognized government.[8] AFRICOM has stated that efforts to help build the GNA's security capacity have continued into the Trump administration, although recent press reporting suggests there has been a temporary halt to all "military" assistance.[9]

The challenge for outside sponsors, especially those trying to enable security forces through equipping, is that both success and failure risk undermining durable political equilibria. Externally sponsored military success can mean domestic groups outpace the growth of their political legitimacy, empowering a leader or group whose goals and relationships might not otherwise allow them to achieve broad-based influence. In such a case, groups are not positioned to command national authority credibly. On the other hand, failure can simply spin wheels or freeze a conflict in place.

Humanitarian Consequences

The political ambiguity and violent undercurrents in Libya have taken a toll on its citizenry. Human Rights Watch has reported that ongoing struggles between militia blocs have led to an

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[6] Jo Becker and Eric Schmitt. "As Trump Wavers on Libya, an ISIS Haven, Russia Presses On. The New York Times, February 7, 2018. https://www.nytimes.com/2018/02/07/world/africa/trump-libya-policy-russia.html

[7] As of this writing, Haftar's condition is still unclear, although sporadic reports of his death in a Paris hospital over the weekend of April 14th and 15th appear to be have been incorrect.

[8] Defense Security Cooperation Agency New Release. "Libya – General Purpose Force Training." January 22, 2014. http://www.dsca.mil/sites/default/files/mas/libya_13-74.pdf and Missy Ryan. "U.S. Establishes Libyan Outposts with Eye Toward Offensive Against Islamic State." *Washington Post*, May 12, 2016.

[9] Jack Detsch. "U.S. Freezes Military Aid to Chaotic Libya." *Al-Monitor*, April 10, 2018. https://www.al-monitor.com/pulse/originals/2018/04/us-freeze-military-aid-chaotic-libya.html

environment of impunity for violence, degrading major social and legal services across the country, and displacing more than 200,000 Libyans.[10]

More visible to Western audiences has been the trans-Mediterranean migration crisis. Libya has long been a transit country for migrants originating south of the Sahara Desert. Using many of the same ancient caravan routes across present-day Mali, Algeria, Niger, and Chad as those smuggling weapons, drugs, fuel, cigarettes, and other black-market goods, migratory populations aimed for Libyan ports as their penultimate destination prior to crossing into Europe.[11] Domestic resentment in Libya pushed Qaddafi's government toward draconian suppression measures and set a precedent for discounting migrants' human rights.

Since 2011, law enforcement is less of an impediment to crossing through Libya but migrants face greater danger. They are at the mercy of their traffickers, and are often abused, with little access to food or water. Most repugnant, CNN and other news organizations revealed last fall that many have become prey to a slavery economy.[12] European policy for many years has focused on maritime operations with the goals of saving those attempting transit in non-seaworthy craft and repatriating those ineligible for asylum back to North Africa. With the EU brokering a more pointed agreement with the GNA in 2017 to build Libyan capacity to keep migrants from escaping Libyan shores, the number of people successfully completing the crossing has dropped considerably,[13] meaning that a growing population of displaced Africans challenges the legal authority and humanitarian interests of the array of Libyan governing factions.[14]

Possible Resolutions

Given their contentious history, the major players in Libya do not trust each other enough to allow the vulnerability that cooperation and eventual disarmament—or at least, centralization of arms into national institutions—requires. Yet absent compromise and nationwide coalition-building, the only solution to the problem of violent competition is stalemate at best and more violence at worst. If a compromise has a chance of lasting, it must address mutual security vulnerabilities and generate a legitimate architecture for national security services.

There is no immediate reason this cannot be achieved under the framework of the 2015 Libyan Political Agreement, which established the GNA and calls for a variety of desirable security arrangements, to be implemented by the temporary security committee. What is less clear is how Libya will make the leap from fractured, militia-based security to the national army and

[10] Human Rights Watch World Report 2018. "Libya" https://www.hrw.org/world-report/2018/country-chapters/libya
[11] Hein de Haas. "Trans-Saharan Migration to North Africa and the EU: Historical Roots and Current Trends." https://www.migrationpolicy.org/article/trans-saharan-migration-north-africa-and-eu-historical-roots-and-current-trends
[12] Nima Elbagir, et al. "People for Sale" CNN Video: https://www.cnn.com/2017/11/14/africa/libya-migrant-auctions/index.html and David D. Kirkpatrick. "Europe Wanted Migrants Stopped. Now Some are Being Sold as Slaves." *The New York Times*, November 30, 2017.
[13] Claudia Gazzini. "Quick Fixes Won't Block Libya's People Smugglers for Long." International Crisis Group Commentary, September 14, 2017. https://www.crisisgroup.org/middle-east-north-africa/north-africa/libya/quick-fixes-wont-block-libyas-people-smugglers-long
[14] Elizabeth Collett. "New EU Partnerships in North Africa: Potential to Backfire?" Migration Policy Institute Commentary, February 2017. https://www.migrationpolicy.org/news/new-eu-partnerships-north-africa-potential-backfire

police forces laid out in the agreement. Myriad arrangements and assurances must be made to incentivize armed groups to reorganize under new institutions and leadership. Given that Haftar himself recently declared the LPA null and void, such incentives are clearly not uniformly in place.

Still, such a transition is a possible dream. Militias are already inclined to align with powerful politicians and cooperate with each other when beneficial. UN-led talks on the security sector are further proof that coalition-building is possible. The question is whether the GNA can manage a true integration of the myriad militias. Given developments over the past 18 months or so, continued coalition building among armed groups and political parties may need to continue within regions before a cooperative trans-regional architecture is possible. Much depends on what happens in the east without Haftar. Regardless, any transition from militias to an army and police force should be slow and proceed in phases, taking care to sequence the major urban areas and their affiliated militia groups on their own timelines.

Available Options for U.S. Policy

Continued negotiations and implementation of the LPA is best accomplished with the support of the U.S., not only as a direct enabler of a national army and police force through its assistance, but also in a role supporting UN Security Council resolutions prohibiting outside actors from disrupting constructive intra-Libyan balances of power. This latter effort would require deft diplomacy, especially with Gulf partners and Russia given the issue linkages elsewhere. But it would be the kind of international leadership only the U.S. can provide.

If the administration chooses to maintain its narrow policy focus on disrupting and dismantling ISIS' operations in Libya, then there is little else it can do beyond the current offshore pressure campaign and its counterterrorism capacity-building efforts among Libya's neighbors. Given the wide range of actors and their constantly shifting political fortunes, DoD is limited in the possible depths and breadth of its Libyan relationships at present. Military officials must take special care about empowering local groups at the wrong moment for national coalition-building purposes. Given the LPA's strong orientation against terrorism, the U.S. has an enduring interest in doing what it can to help the resulting government succeed—even if only by doing it no harm.