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Libya Fractured: The Struggle for Unity

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Chairman Ros-Lehtinen, Ranking Member Deutch, members of the subcommittee, it is a privilege to speak with you here today about Libya's ongoing struggle for stability, peace, and unity. I join you having visited western Libya in December of last year where I glimpsed firsthand the severity of the challenges the country faces: the growing power of its predatory armed groups and criminal networks, the plunder of its economy, and the potential for a re-emergence of radical militancy, to name but a few. Underpinning all of these afflictions is the weakness of governing institutions and a deterioration of basic services, which creates an incentive and justification for unscrupulous local actors like militia bosses to fill the void. Added to this is a yawning, national-level political divide, and continued meddling by outside states, to include the entry of fighters and weapons in contravention of the UN arms embargo.

Let me elaborate on some of the gravest hurdles Libya faces and ways that the United States can assist.

I'll start with my visit to a place that was the object of intense American focus last year in the campaign against the Islamic State, the central coastal city of Sirte. While the Islamic State was ousted from its stronghold there in December 2016, at the cost of over 700 Libyan lives, Sirte faces the daunting task of reconstruction and recovery. More than a year after its liberation, vast swathes of its downtown lie in rubble and displaced residents are furious at the Tripoli government's glacial response. While the United Nations Development Program has appropriately identified Sirte as the beneficiary of a sweeping aid effort, more remains to be done. Bridging the social fissures wrought by the Islamic State's divisive rule is especially crucial, as is restoring law and order.

The aftermath of Sirte also raises the question of the Islamic State's potential reemergence. Based on my discussions with Libyan officials, the Islamic State has fled to the desert southwest of the city where it remains dispersed, but still potent. It could easily exploit Libya's political divisions and the inability or unwillingness of Libya's armed groups to confront it. We have seen this before, when Libya's opposing factions were so focused on battling one another that they ignored the growing radical presence in their midst. This is why national level political reconciliation is so important, along with unifying and reforming the security sector.

Even further south, in the southwest corner of Libya near the Algerian border, extremists have a presence around the town of Ubari, where the United States conducted an airstrike last month against al-Qaeda. Transnational jihadists have exploited weak administration, porous border control, and economic despair to use the area as a logistic hub. But people in Ubari told me during a visit that the penetration of radicalism into their community is shallow and that any support for the jihadists is often highly transactional and opportunistic. So, here again, a lasting solution for the challenge of militancy lies in better governance and economic opportunities, which also holds true across southern Libya. The United States can play a role by redoubling its development assistance and supporting UN-led efforts, but also exercising greater leverage on the governments of Libya's Sahelian neighbors, who need to do more to stop the flow of fighters and illicit goods across their borders.

Another important component to denying the extremists space to remerge lies in the judicial and penal sector. As a recent United Nations report made shockingly clear, the widespread practice of

arbitrary detentions, torture, and killings in militia-run prisons is a potential space for breeding radicalism. The fact that some of these prisons are nominally “official” or quasi-official does nothing to lessen the gravity of the abuses. There is often minimal or non-existent due process in these cases: the prisoners are released at the whim of the militia wardens, if they are ever released at all. This must change.

While combatting extremism in Libya is important, this should not be the sole lens through which America views the country. Libyans I met in the city of Benghazi and across the country still recall with fondness the well-meaning efforts of American diplomats, especially the late Ambassador Chris Stevens, to engage with civil society groups and support Libyans in areas like education, citizenship, and media. While security conditions and the absence of an American diplomatic presence have constrained our ability to do this, there are still plentiful opportunities, especially at the level of municipalities.

City- and town-level governance in many areas is one of Libya’s rare bright spots: Libyans like to say that since national institutions are moribund and frozen in political conflict, it is up to elected town councils and mayors to manage on their own. And in many cases they enjoy strong legitimacy and have proven to be engines for reconciliation in a way that national actors are not, holding meetings with other towns to coordinate on shared economic and political interests. American support to municipalities is therefore a worthy investment in Libya’s future. Yet development at the town level is hampered by Libya’s endemic budgetary problems, which in turn are tied to corruption in national economic institutions.

Libya’s oil revenues are high, but the resulting revenue is not reaching the average Libyan in terms of better services. Libya’s financial institutions remain divided and beset by administrative shortfalls, namely the absence of a budget. But most important, Libya is afflicted by a culture of entitlement and predation by Libya’s armed groups, many of whom claim affiliation with the internationally recognized Government of National Accord. Acting as quasi-police, the funds diverted to these armed groups go well beyond salaries to members, including letters of credit from the Central Bank. The plunder of the Central Bank adds to the income these groups already derive from illicit activities like fuel smuggling and human trafficking. A lasting fix to this phenomenon requires sustained American diplomatic engagement with officials at the Central Bank and other institutions.

Sustained engagement ultimately means an American diplomatic return to the capital and the appointment of an Ambassador. In an encouraging sign, the United Nations has returned, and a number of other countries have either a permanent or rotating diplomatic presence. Yet as I saw last winter, security in Tripoli remains tenuous: the weak uniformed police conduct checkpoints and patrols but lack vital equipment like body armor, patrol cars, and a forensics capability. But more importantly, they are at the mercy of better-armed militias who control specific neighborhoods. These militias, of course, sometimes have their own agendas that diverge sharply from the enforcement of codified law, and their spontaneous clashes over power, money, and turf mean that Tripoli’s outward appearance of peace is often illusory.

Libyan officials rely upon armed groups for security and international actors rely upon them for tasks ranging from counter-terrorism to countering migrant trafficking. Such reliance, however, is a Faustian bargain: cooperation with militias on these immediate international concerns inflates their authority, which in turn undermines the Libyan government and perpetuates a cycle of instability.

International engagement on countering migrant smuggling is a particular concern: militias have often competed for access to state funds, and some former smugglers, when persuaded to abandon human trafficking, have simply switched to other illicit activity. Similarly, the enmeshment of militias in government police forces presents dilemmas for outside countries wishing to assist Libya's policing sector. The United Nations has instituted a policing assistance program that deserves American support, as does the European Union and a number of countries. But diligence is important, especially in vetting and proper training on rule of law and due process.

Beyond the police, Libya needs a uniformed national army. This has been an elusive goal ever since the revolution, when Libyans and their Western supporters were struggling with the legacy of Qadhafi's policy of neglecting the army, which left it a hollow and decrepit institution with a top-heavy rank structure. Adding to this challenge was the mushrooming of better-armed militias with access to state funds who opposed the creation of an army. Virtually every international effort to train and equip the Libyan army or reform its bureaucratic capability has foundered, principally because Libyans remain divided about the organization of the army and, crucially, the inclusion of armed groups. Limited and well-meaning training programs resulted in Libyan soldiers returning to Libya to find no defined army structure to join and often melting back to their town or militia. America and its NATO partners—Italy, Britain and Turkey—learned this painful lesson with the aborted General Purpose Force (GPF) program that began in 2013. To avoid a repeat of this episode, the U.S. should desist from any further training or assistance to the Libyan army until Libyans reach a political consensus among the various armed groups and develop an agreed-upon roadmap for disarming and demobilizing the militias.

All of these challenges I've outlined above hinge upon progress on the political front and on national reconciliation. Here, the U.S. must play a strong diplomatic role, particularly in persuading regional states to support the United Nations-led roadmap, which is crucial to prevent spoilers from disrupting the process. The United Nations has made amendments to the Libyan Political Agreement its priority and is also moving toward a national dialogue conference. It is also ready to support Libya's establishment of a strong legal framework through a constitution, which is vital to ending Libya's transition period. Finally, it is assisting in the convening of national presidential and parliamentary elections—an event that underscores Libyans' continued support for participatory politics, despite the turmoil of the past years.

Here, however, a word of caution is in order. If held hastily or without the presence of a constitutional framework, adequate security, and voting laws, elections risk a return to strife, either through the actions of spoilers or by producing yet another governing body that does not enjoy buy-in and is seen as transitional. We have seen Libyans' hopes for elections dashed in the past—in 2012 after the General National Congress elections and again in 2014 after voting for the House of Representatives, which both produced factional conflict in their aftermath. It is crucial to remember, therefore, that elections by themselves are not a panacea or a default fallback when other mechanisms are stuck.

Let me close with a few thoughts on Benghazi, a name that looms large in the American mind because of the tragedy of September 11th and 12th, 2012, which took the lives of four brave Americans. The Libyans I've met, especially in Benghazi, remember that night with sadness and regret, yet they are eager for America to move beyond the shadow of the attack. Benghazi, they would like to remind us, is also Libya's second largest city, home to a rich culture and distinguished

history that includes the Libyan drive for independence and, crucially, the Libyan struggle against Qadhafi. After that struggle, however, the city fell into neglect and violence, which the period after the 2012 attack and the departure of the international community only worsened. The city then saw three plus years of non-stop warfare, which displaced thousands and ruptured its social fabric.

Libyans in the city are therefore relishing a return to normalcy and are eager for the return of internationals and an American presence. America's interactions in the east, however, must be predicated on inclusive and democratic governance and not on one person or faction. The hospitalization of a central figure in Benghazi's recent history, General Khalifa Hiftar, who led a military campaign in the city against Islamists and other militias and then jockeyed for national political power, underscores the fallibility of placing too much stock in one personality. Hiftar's military coalition was always more divided than was commonly assumed, with tribes, militias, and religious actors attaching themselves to his operation for their own localized and self-interested goals. A diminishing of his influence or his disappearance from the scene could thrust eastern Libya into a new phase of uncertainty but also presents opportunities for renewed American diplomacy.

It is true that Libya is often overshadowed by a host of other crises and challenges that demand America's attention. But the country remains a place of great potential and resilience and it affects our interests and those of our European partners, beyond the threat of terrorism. I urge the subcommittee to support a durable strategy to helping this country realize the promise of its revolution.

Thank you for the opportunity to speak with you here today.