

The Conflict in Libya

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Chairman Deutch, Ranking Member Wilson, Members of the Committee, it is an honor to testify before you about the always complex topic of Libya. I served at the National Security Council from 2011-2013 during NATO's intervention in Libya, the end of the Qaddafi's 42-year regime, and the initial stages of Libya's political transition. I have followed Libya as an analyst ever since. I care deeply about the fate of Libya and its people and want to see the country develop into the peaceful, prosperous, and free country it deserves. Unfortunately, that future has never been more under threat. At the same time, the United States lacks a clear policy and strategy toward Libya, which makes this hearing especially timely.

I will focus my remarks on U.S. policy in Libya and how we got to the current situation where neither our partners nor the Libyan people understand this administration's position. I will also offer some steps that I believe the U.S. can take that offer the best chance to at least stop the civil war and give Libyan an opportunity to return to active peace negotiations.

Clarifying U.S. Interest and Objectives

Although Libya rightly does not rank in the top tier of issues that impact critical U.S. priorities in Middle East, such as Iran and stability of Persian Gulf, Libya remains central to U.S. interests through the nexus of geography, terrorism, and energy. Libya's fate impacts the Southern Mediterranean, our NATO allies, and our partners in Tunisia and Egypt. Libya has already demonstrated how it can become a terrorist safe-haven when ISIS took control over the city of Sirte in 2016. Even without further investment, Libya can provide around 1.3 million barrels of oil per day to the global market, something the Trump administration should consider at a time when it continues to take Iranian oil off the market. And Libya serves as a key hub in migration routes between Africa and Europe, which no anti-immigrant policies in Europe can abate because of economic and demographic trends in Africa.

In short, ongoing chaos in Libya has the potential to radiate outward to its neighbors in North Africa and Europe. Conversely, a stable Libya with a functioning government and economy could provide a source of relief to neighboring Tunisia and Egypt, enable counter-terrorism cooperation with the U.S., and contribute to regional stability in North Africa.

From the onset of Libya's transition in late 2011, U.S. policy toward Libya has been relatively consistent. The U.S. has always supported the United Nations Support Mission in Libya (UNSMIL) help guide the Libyans, through ups and downs, three elections, several transitional governments, and multiple peace initiatives. This was the policy of the Obama administration,

and until recently, the Trump administration. U.S. support for a U.N.-led political process has varied in intensity and focus depending on the circumstances on the ground in Libya, among our allies, and the emergence of terrorist threats. Those efforts continued through civil war, oil strikes, monetary crises, regional and outside interference – and even U.S. domestic politics in the wake of the Benghazi tragedy and the 2016 presidential election. But in the end, there could be no doubt that the clout of the United States stood behind UNSMIL and the broader international community’s efforts to support stability in Libya.¹

Even the Trump administration, which I have consistently urged to pay more attention to Libya, helped support Ghassan Salame, the head of UNSMIL, initiate his 2017 Action Plan to reinvigorate Libya stalled transition. The U.S. administration consistently supported relevant Security Council Resolutions endorsing Salame and the Government of National Accord (GNA) as the legitimate government of Libya, helped organize multilateral meetings to address Libya’s ongoing economic challenges, and played an instrumental role in preventing Khalifa Haftar, the commander of the eastern-based Libyan National Army (LNA), from selling oil outside the national system in July 2018. Additionally, the U.S. continued strikes against Al-Qaida and Islamic State-linked targets, “in coordination with the Government of National Accord,” as every press release from the United States Africa Command (AFRICOM) stresses.²

The administration seemed on track to maintain this policy after Haftar launched his brazen offensive against Tripoli on April 4th, likely because there is no doubt that Haftar instigated the current crisis. He attacked the very day UN Secretary-General Antonio Guterres was visiting Tripoli to finalize arrangements for the UN-sponsored National Dialogue later in April, a key component of Salame’s Action Plan. Instead of dialogue, Haftar chose war, even after Secretary-General Guterres appealed directly to Haftar to halt his operations.

On April 7, Secretary of State Pompeo thus called on Haftar to halt his offensive and even declared the United States’ opposition to the move. Pompeo emphasized, “There is no military solution to the Libya conflict. This is why the United States continues to press Libyan leaders, together with our international partners, to return to political negotiations mediated by UN Special Representative of the Secretary-General Ghassan Salame. A political solution is the only way to unify the country and provide a plan for security, stability, and prosperity for all Libyans.”³

President Trump’s Intervention

That was U.S. policy toward Libya as of Friday, April 19, when the White House revealed that President Trump called General Haftar the previous Monday – a bizarre sequence, especially since the readout was delivered to Reuters instead of through an official White House release.⁴ During the call, President Trump acknowledged Haftar’s role in securing Libya’s oil and fighting terrorism. There was apparently no mention of encouraging a halt in fighting or returning to

¹ For more, see Ben Fishman, “United States: Reluctant Engagement,” in Karim Mezran and Arturo Varvelli, 2017

² For example, <https://www.africom.mil/media-room/pressrelease/31202/u-s-conducts-precision-strike-in-libya>

³ <https://www.state.gov/secretary/remarks/2019/04/290949.htm>

⁴ <https://www.reuters.com/article/us-libya-security-trump/white-house-says-trump-spoke-to-libyan-commander-haftar-on-monday-idUSKCN1RV0WW>

negotiations, or even of the UN-led efforts. Following the phone call, the U.S. apparently refused to support a UN Security Council Resolution calling for a ceasefire – ironically joining the Russians in their existing support for Haftar and allowing the violence to continue.

The effect of the Trump call signaled American ambivalence toward the latest Libyan civil war and an outright disregard to UN-led negotiations. Moreover, President Trump elevated Haftar to a head of state level, playing to his ego with the likely impact of spurring on his offensive. The press has reported on the likely origins of the call; Trump was likely urged on by Haftar's regional allies in Cairo, Abu Dhabi, and Riyadh.⁵ But speculation as to the president's intentions and purpose are pointless.

That is why the White House must make a definitive policy statement on Libya as soon as possible. Without clarification, the rest of the U.S. government will remain paralyzed, torn between vaguely supporting the internationally-recognized GNA and not wanting to undermine the president's outreach to Haftar. Moreover, different Libyan factions can interpret American policy to fit their ends, an already divided Europe has no further incentive to come together to drive Libya's unification, and the outside actors who continue to fuel the conflict will continue to do so – and claim they have the blessing of President Trump to support Haftar.

For the Libyan people, the violence only continues. The fight for Tripoli is now in its 41st day. My colleague Meghan Doherty will detail the broader humanitarian impact, but in sum, hundreds have been killed, including civilians, and thousands have been displaced. Migrants and refugees trapped in Libya, who were facing their own crisis before April, are now in immediate duress. A city that largely survived NATO bombing and the 2014-2015 civil war is now under threat to critical infrastructure. The warring factions are resorting to the importation of more weapons and technologies in violation of the ongoing UN-imposed arms embargo, nominally in place to prevent such a situation. And most worrisome, the longer the conflict persists, the harder it will be to recreate an environment where negotiations and a political solution will be acceptable to either side.

Policy Options

First and foremost, the White House needs to establish a clear policy toward Libya. Is it in favor of Haftar and his operation against Tripoli? Does it support an immediate ceasefire and return to the UN-led negotiations? Or some other option? Either way, it must express a clear set of preferences.

A good beginning would be to echo the following: “It is important the United States reinforce its commitment to a political solution in Libya and reject efforts by any party for a military takeover. The administration, in my view, needs to reaffirm past statements rejecting a military solution in Libya and pushing for political reconciliation⁶.” Senator Lindsey Graham said that on April 30 after calling the GNA's Prime Minister Fayez Sarraj. No member of the Trump

⁵ <https://www.wsj.com/articles/trump-backed-libyan-warlord-after-saudi-arabia-and-egypt-lobbied-him-11557668581>

⁶ <https://www.lgraham.senate.gov/public/index.cfm/press-releases?ID=3844A1B9-C8AD-4D5D-B5B4-BBD0D9D188F5>

Administration has called Sarraj during the current crisis, at least not publicly. And even if Secretary Pompeo called Sarraj, the fact that the president called Haftar would be a message itself.

Senator Graham also suggested that the U.S. “lead the political reconciliation process,” which is something the Trump administration – and even the Obama administration before it – has been loath to do. But there is much room between appointing a Libya envoy or hosting a White House summit, and decisively backing a revived U.N.-led negotiation.

- The first priority should be halting the violence. The U.S. should lead an effort to impose an unconditional ceasefire at the UN Security Council. Now that six weeks of fighting has produced little territorial movement, Haftar should withdraw his forces to their lines before April; the GNA’s militia forces from outside Tripoli should also return to their cities of origin, as the UN negotiated last September when inter-militia rivalries threatened the capital.
- Second, the U.S. needs to conduct a serious effort to end outside support to Libya’s warring factions. The introduction of new weapons and technologies, such as strike-capable Chinese-made drones on Haftar’s side, not only threatens continued escalation and civilian casualties, but brazenly violates the UN Arms Embargo in place – but not enforced – since 2011.
 - Historically, diplomatic efforts to prevent the illegal flow of arms to Libya have had minimal effect. The U.S. can change this dynamic if it threatens sanctions against violators of the UN arms embargo, which it has the authority to do under Executive Order 13726 designed to target individuals or entities who “threaten the peace, security, and stability of Libya.”⁷ Sanctioning a shipping company, aircraft company, or individuals involved in the arms trade would lend a much-needed boost to the long-dormant arms embargo.
 - Further, the U.S. should organize within NATO, which enforced the 2011 arms embargo during the intervention against Qaddafi, to reconstitute an enforcement effort, which at a minimum, could limit the supply of large shipments to the warring factions. Absent an enforcement mechanism, diplomatic appeals to cut off the weapons supplies will fall on deaf ears.
- Finally, the U.S. has to be at the table represented by senior officials when a negotiating process resumes. The U.S. has played the most constructive role in Libya when it engages in daily diplomacy with the array of influential Libyan actors who have the potential to stabilize the country. In the three international summits hosted by French President Macron and Italian Prime Minister Conte since 2017, the U.S. was not represented at a high enough level to influence the outcome. A more intense level of U.S.

⁷ While President Obama authored the Executive Order, the Trump Administration has applied it three times, targeting actors who militia leaders and human traffickers. https://www.treasury.gov/resource-center/sanctions/Programs/Documents/libya_eo_20160419.pdf

engagement on Libya is necessary if the UN will be able to reconstitute its peace and unity efforts.

There are no easy solutions to Libya's current crisis or its longer search for stability. What is clear is that an absence of U.S. diplomacy allows other actors to fill the void. If the current crisis persists, one can easily envision a prolonged Libyan civil war leaving space for ISIS and other extremists to thrive and/or Russia to exploit the situation to establish a base on NATO's southern flank. Such an outcome would leave the United States in a much worse strategic position the Middle East, North Africa, and Mediterranean.

Thank you for this opportunity and I look forward to your questions.