A stable Libya would close the door to Daesh

Giovanni Faleg

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Key Points

Libya has proved to be a particularly hard case for peacebuilding. Since the fall of Gaddafi's regime in 2011, everything has seemed to conspire against the transition process. The idea of a stabilisation force for Libya has met political resistance in most European countries, because there is little appetite for long-term interventions that carry a high risk of casualties. The hard truth is, however, that ground forces are a necessary component of stabilisation in the country.

Recommendations

1. *Understand Libya's fragility.* Libya should not be seen as the battleground for Daesh and regional powers, but as a nation confronting fragility, tribal rivalries and endemic violence. Foreign powers should understand this, and act to address the causes of this fragility, because failing to do so would backfire against their national interests.

2. *European and US domestic politics should not get in the way of stabilisation.* There is no quick fix or low-cost, low-risk operation in Libya. Sustained commitment, adequate financial resources and a military force on the ground are required to stabilise the country in the long term. Political leaders should explain the implications of Libya becoming a 'Somalia in the Mediterranean' to their electorates.

3. *More diplomacy is needed to engage regional actors.* It is the responsibility of diplomats to solve political logjams. The combined diplomatic clout of the European Union and the United States is huge. EU member states must act together to engage with regional powers.

4. *Military plans should include a post-conflict peacebuilding strategy.* There must be a multidimensional and integrated post-conflict strategy to guarantee political and institutional development. Humanitarian, security and development actors should be allowed to operate in Libya. A UN protectorate could be the cornerstone of this framework. From being a hard case for peacebuilding, Libya has the potential to become a model of effective multilateralism, if key actors begin working on a division of labour.

The strategy that makes the most sense for everyone is often the hardest one to implement. Libya has proved to be a particularly hard case for peacebuilding. After the fall of Gaddafi's regime, everything seemed to conspire against the transition process in Libya: the division of the country among armed militias, divergent political interests of foreign powers, complex socio-historical conditions, and the tribal struggle for the control of natural resources. All this has made any post-conflict or state-building intervention by the international community virtually impossible.

While these conditions hampered plans after NATO's Operation Unified Protector in 2011, it is also true that Western policies and diplomacy fell short of what was needed to address the fragility in Libya. A NATO stabilisation force deployed immediately after Gaddafi's ousting could not work, as no one in the Arab world wanted a large Western force in Libya. Nevertheless, alternative options were not explored with sufficient zeal, such as a mix of an enhanced role for the UN in stabilisation, a deeper and more rapid EU presence to handle border and maritime security, and a policing role for Arab partners. The reasons for this failing are manifold. All legitimate governing authorities in post-revolution Libya have refused external interference in their territories. Economic worries, re-election campaigns and domestic political concerns distracted the British, French and Italian governments from pushing for the deployment of a basic security force. Instead, when the security situation deteriorated and the self-proclaimed Islamic State, or Daesh, formed an offshoot in Libya in November 2014, uncoordinated targeted military interventions, through the use of special forces, were planned and carried out by the US, the UK and France. Meanwhile, Arab partners such as Egypt and the UAE were also conducting bombing raids.

As the security situation in Libya spirals out of control, which includes the expansion of Daesh, there seems to be little choice now but to restore basic security conditions for a normal transition to resume, through the use of military force. As the UN Security Council is prevented by Russia (and China) from adopting a mandate by way of a binding resolution, a request from a legitimate Libyan government still seems to be the legal and political *conditio sine qua non* in many European capitals and in Washington for a military operation to be launched. However, as military preparations are already underway in Western capitals, it is important not to repeat the mistakes of the 2011 campaign. The idea that 'quick fix' air strikes or military force alone can save populations from atrocities committed by militant extremists has proved illusory. Re-engagement should be accompanied by a clearer vision for stabilisation on the ground, by reconstruction of the security system, and by appropriate support for a peaceful constitutional process.

The political stalemate

Since 2014, there has been a political schism in Libya, with two parliaments and two governments: an Islamist government in Tripoli, dominated by the Muslim Brotherhood's Libyan party and supported by Qatar and Turkey, and an anti-Islamist one in Tobruk, supported by the West, Egypt, Saudi Arabia and the UAE. An illustration of Libya's political rupture is Egypt's support for General Haftar. Haftar is seen in Cairo as the guarantor of stability and the main opponent of Islamist terrorism, but armed militias, fighters and Islamist factions aligned with the General National Congress in Tripoli fiercely oppose his inclusion in a unity government. Haftar is just one of the many 'elephants in the room' blocking reconciliation in a legitimate unified Libyan government.

International support to move the political process forward has been led by the United Nations Support Mission in Libya (UNSMIL), which since November 2015 has been headed by German diplomat Martin Kobler, and empowered by UN Resolution 2259. Efforts to bring the competing parliaments and their backers together in a Government of National Accord (GNA) were further supported through the Rome Communiqué of 13 December 2015, a political process led jointly by Italy and the United States.

The Rome Communiqué is the basis of the UN-brokered Libyan Political Agreement (LPA)

reached at Skhirat on 16 December 2015. This agreement appeared to mark a turning point in Libya's post-revolution. Fayez al-Sarraj was designated prime minister, and a nine-member Presidency Council has been formed. However, when the Presidency Council presented a cabinet for approval by the House of Representatives in mid-January 2016, the House voted to endorse the LPA in principle, but it requested that the Presidency Council nominate a new and smaller cabinet. Disagreement persists over the number of ministries that should be created, their regional affiliation and who will work in key areas such as internal affairs and defence.

The security vacuum

The LPA impasse is preventing the reconstruction of Libya's security sector, and hence the provision of basic security to protect the civilian population. Furthermore, the conflict between rival governments in Tripoli and Tobruk[1] since 2014 has created a security vacuum that is too big to fill. Daesh made use of this vacuum to gain a foothold in November 2014, forming a Libyan branch with a force currently estimated by the American administration to number up to 5,000 men – but this figure is likely to increase as recruitment efforts are proving successful and a number of Libyan locals and militias are joining Daesh. Foreign jihadists from Daesh have also infiltrated the central section of Libya's coastline, exploiting rivalries between local militias and ethnic groups to expand their sphere of influence between the two Libyan governments. Libya has rapidly become the home of the largest Daesh-affiliated groups outside Iraq and Syria, headquartered in the town of Sirte. The presence of Daesh constitutes a major threat to the future of the transition, to the security of neighbouring countries in the Maghreb and the Sahel, and to Europe.

Besides the terrorist threat, criminal networks, and human smuggling rackets are booming. The situation is further exacerbated by the existence of several armed militias, which are allegedly affiliated to one of the two parliaments in Tobruk and Tripoli but are de facto autonomous and uncontrollable.[2] Reports by UNSMIL and UN OHCHR[3] on the human rights situation in Libya show that all parties involved in the conflict have been abusing human rights and violating international humanitarian law since 2014. An investigation by UN OHCHR released on 15 February 2016 shows that violations, including torture, summary executions, indiscriminate attacks and unlawful killings persist. The situation is particularly precarious for refugees and migrants. Some 440,000 Libyans have become internally displaced persons (IDPs) since 2011. Tens of thousands of non-Libyan migrants and refugees are said to reside in Libya. Each week 1,500 migrants and refugees arrive in Tripoli via the Western Sahara route.[4]

The stabilisation puzzle

The idea of a stabilisation force for Libya has so far met political resistance in most European countries, because of the limited appetite for long-term interventions and the high risk of casualties. The EU sent a small-scale border-assistance mission to Libya in 2013 – recently extended – consisting of 100 personnel and a paltry annual budget of €30 million, which relocated to Tunisia in April 2014. Their efforts were in vain. Libyan authorities – the National Transitional Council (2011-2012), the General National Congress (2012-2014) and the House of Representatives (2014-present) – have been reluctant to invite a more substantial stabilisation force, fearing a prolonged occupation like the ones stationed in

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[1] For a detailed account of Libya's second civil war (2014-present), see D. Gartenstein-Ross and N. Barr (2015), "Dignity and Dawn: Libya's escalating civil war", International Centre for Counter Terrorism Research Paper, February.

[2] See: the "Guide to Key Libyan Militias", BBC, 11 January 2016 (www.bbc.com/news/world-middle-east-19744533).

[3] See: UNSMIL/UNOHCHR (2015), "Report on the human rights situation in Libya", 16 November 2015.

[4] See: "Facts on the European Dimension of Displacement and Asylum: Libya", Bertelsmann Foundation, February 2016.

Afghanistan and Iraq. While it would have been unwise to deploy troops in Libya without the consent of the Libyans, the absence of basic security to support the transition process has ultimately caused its failure.

The worsening of the security situation since the formation of a Daesh branch in Libya has sparked a political debate in Western capitals about the need for renewed direct military action by a coalition to restore Libya's sovereignty and to protect the civilian population. It is now an open secret that American, British and French special forces have been present in the country, fighting Daesh, gathering intelligence and training Libyan forces.[5] As a formal intervention still depends on a request for assistance from a legitimate Libyan government, and agreement among rival parties has so far proved difficult, other options have been explored in European capitals and in Washington, moving beyond the LPA. A 'plan B' for Libya calls for the division of the country into three states: Tripolitania, Cyrenaica, and Fezzan. The plan may be a pragmatic solution to overcome the current political stalemate, to avoid the collapse of the transition process and to prevent an almost inevitable humanitarian disaster. The question is whether multiplying borders and creating new centres of power is an appropriate response, and what the implications for the Libyan people will be. A break-up would also establish a precedent in international law, with unknown consequences for other conflicts in Africa and elsewhere. A possible 'plan C' - unilateral intervention - is opposed by Italy, the UK and France, which do not wish to launch military action without the explicit request of the Libyan authorities. Intervention could also be opposed by the European public, and it could be difficult to complete any operation without the support, or at the very least the endorsement, of the Libyan people and the different factions in the country. This is quite apart from the likely reactions to this plan in other capitals, namely Moscow and Beijing.

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[5] See O. Guitta (2016) "ISIL's gains in Libya and the case for intervention", Al Jazeera, 3 March (www.aljazeera.com/indepth/opinion/2016/03/isil-gains-libya-case-intervention-isis-160301090505840.html).

The way forward

As things stand, doing nothing in Libya would do harm and endanger refugees. Leaving Libya in a state of chaos and allowing Daesh to gain more ground is not an option the international community can afford to contemplate. This is the underlying argument in support of the military operations that are currently being planned – and it is a fairly reasonable one.

Post-conflict stabilisation is still as much of a challenge in Libya as it was four years ago, despite the obvious need for a post-Gaddafi transition to build trust, develop institutions and engage tribal and social forces in the country. The underlying problem of Libyan sovereignty, or sovereignties, is difficult to solve.

Bearing in mind that no action can guarantee a positive outcome in foreign and security policy, four practical recommendations could help to change the game and mitigate the problems in Libya.

1. *Understand Libya's fragility*. Libya should not be seen as a battleground for Daesh and regional powers, but as a country riven by conflict and violence. The root causes of Libya's fragility are manifold and interconnected: the fight for control of the country's rich oil and energy resources; rival and tribal claims to legitimacy over territories; religious conflict between Islamist and non-Islamist groups; social violence; poverty and lack of governance. Foreign powers should understand and act to address the causes of this fragility, because failing to do so will only backfire on their national interests, directly or indirectly. Currently, they neither understand nor address this fragility, but it is an underlying fact that diplomats and military planners should hang on their office walls to guide any action they take.

2. *The domestic politics of intervening powers should not prevent stabilisation.* There is no quick fix or low-cost, low-risk operation in Libya. Sustained commitment, adequate financial resources and a military force on the ground are required to achieve the

stabilisation of Libya in the long term, which would allow security, humanitarian and development actors to operate in the country. In Europe and in the US, public opinion remains largely opposed to the deployment of ground troops overseas. The hard truth is that boots on the ground are a necessary element of stabilisation, however politically toxic this argument can be. Air power cannot help to stabilise a country, but neither can small-scale special operations. Political leaders should explain the implications of Libya becoming a 'Somalia in the Mediterranean' to their electorates. An effective communication strategy is therefore paramount for Western public opinion to accept a long and costly involvement in conflict. The domestic factor bears particular relevance for countries that are approaching elections: the UK will hold a referendum on EU membership in June 2016, and 2017 will see presidential elections in France and federal elections in Germany. Last but not least, Libya could affect the presidential race in the United States, namely Hillary Clinton's campaign, given the role she played in supporting opposition groups during the 2011 revolution against Gaddafi and the political responsibility she bears for the attacks in Benghazi.

3. *More diplomacy is needed to engage regional powers.* It is the responsibility of diplomacy to identify creative solutions to political logjams. This is desperately needed in Libya, whether it means exploring the possibility of a three-state plan, or pushing local parties to accept a UN protectorate. The diplomatic capacity of the EU and the US combined is huge; it is high time to refocus and allocate all necessary resources to resolving Libya's political impasse. EU member states must act in synergy, as this will also impact on their capacity to engage with regional powers, namely Egypt, Turkey, the UAE, Qatar, and Saudi Arabia. This logic also applies to other crises in Syria and Yemen.

4. *Military plans should include a post-conflict peacebuilding strategy.* Planning for stabilisation ahead cannot be neglected this time. Libya will not heal itself after five years

of civil war if the root causes are not addressed. There *must* be multidimensional and integrated post-conflict security measures to guarantee a stable process of political and institutional development. It should be the task of political leaders to push more proactively for those measures to be implemented. A UN protectorate could be a cornerstone of this framework, monitoring and fostering the transition towards an effective governance system by supporting the political process of reconciliation; coordinating assistance (namely humanitarian, in the short term) from other international agencies; jumpstarting basic administrative functions and service delivery; overseeing access to energy sources and energy security. Its mandate should also include engagement in confidence-building and facilitation measures at the national and local levels to foster social cohesion and dialogue among tribes; the coordination of security system reform and disarmament; demobilisation and reintegration of armed militias; and other security-related tasks, together with other international agencies. There could be room for a greater EU role in maritime and border security, for instance, by expanding the mandates of EUNAVFOR MED (Operation Sophia) and EUBAM Libya, providing them with the necessary capacities to deliver appropriate assistance. The presence of multiple international actors, including regional organisations and financial institutions, may be the game-changer that pushes Libyans to accept a broader stabilisation framework and deliver post-conflict reconstruction.

Prompt disbursement of financial aid to rebuild essential infrastructures and public sectors could play a pacifying role, and create incentives for Libyan leaders to make a political agreement work. From being a hard case for peacebuilding, Libya has the potential to become a model of effective multilateralism, if actors begin working on a division of labour.

Conclusion

Despite all the limitations and conditions on the ground, tackling Libya's fragility ultimately demands a change of mindset. In essence: one cannot expect Libyans to be united if international actors supporting them are divided over who should rule. Military action will not bring about security without a sustained process of reconstructing the security system. The ultimate goal of a military campaign should not only be to defeat Daesh, but to provide Libyans with a stable, secure and inclusive society. This would be the most powerful weapon against terrorism in the country.