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LIBYA: A COUNTRY ON THE BRINK. ROOT CAUSES OF THE CURRENT SITUATION AND POSSIBLE SOLUTIONS

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Due to several negative headlines made by Libya during the last few weeks it seems that the country is on the brink. The four major threats to a positive development are the inability of the government to impose its will and retain the monopoly on violence, the rising influence of radical Islamists, the legacy of the chaotic administration of the state under the Qaddafi regime and the numerous century old tribal conflicts in several parts of the country.

As these threats and problems are linked with each other a comprehensive approach is necessary to deal with them as a whole. The mid-term forecast does not look too bright. But proper initiatives could change the path that seems currently predetermined.

Not a single solution, but several are necessary including state building, a build-up of the security forces, a steady growth of the economy, an improvement of the infrastructure and reconciliation. As it is not possible to achieve progress at the same time all over the country, a step-by-step approach must be conducted. Libya is on the brink. On one side time is running out, on the other side patience is necessary.

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** The opinions expressed herein are strictly personal and do not reflect the position of the Austrian MoD.*

Introduction

On 2 January 2014 two western citizens got murdered in the vicinity of Sabratha. On 17 January two Italian workers got abducted close to Derna in the Cyrenaica. On 25 January the Libyan Health Ministry informed that 154 people were killed and 463 wounded during the previous two weeks in various clashes in several parts of the country. On 14 February the nominal commander of the land forces Major General Khalifa Heftar announced a coup d'état on TV.

Although a few key economic indicators have developed in a positive way, the economy of the oil-rich country is far from being on the way up.

It seems that Libya is on the brink and probably this is not entirely wrong.

This essay is not so much about describing the current situation (as this can be read in numerous other papers), but more about identifying the root causes of the problems, predicting future developments and proposing what could be done in order to change the path of the country for the better. At first it must be understood why things are going wrong.

The four most important threats to the future development of Libya and their root causes

There are currently *four major threats to a positive development of Libya*. An individual assessment of each of those is necessary in order to identify possible starting points for solutions.

The first major threat is the inability of the government to impose its will and retain the monopoly on violence.

Almost two and a half years after the end of the war there are still numerous larger and smaller militias with various agendas. Altogether they count probably more than 150.000 members although less than 80.000 were actually engaged in the struggle against the regime at the end of summer 2011. At the first glance it is surprising that most of them are still paid by the government. But there is no alternative. As several incidents proved, if the militias do not get their payment, they occupy government buildings or facilities of the hydrocarbon industry and force the government to pay.

There were several attempts to incorporate the militias into the security forces. At the end of 2011 a program to draft members of the militias in-

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dividually was not very successful. Therefore there was the decision to make many militias as a whole part of the National Army (e.g. from Misratah, from the Awlâd Sulaymân Tribe or the Toubou minority). Others became units of the Libyan Shield Brigades or the Supreme Security Committee (SSC)¹ who are considered as a support force for the National Army or the Police respectively.

But in reality the loyalty of almost all of them still belongs to their own leaders. This was again proved during the recent fighting in and around Sebha when neither Prime Minister Ali Zeidan nor Defense Minister Abdullah al-Thani were initially able to send a significant number of reinforcements from the coastal area to the south. Sometimes units of the National Army belonging to different tribes are fighting each other (e.g. recently in Sebha and around the Sarir oilfields in the Cyrenaica).

A huge amount of weapons is in the hands of individuals who are not members of a militia. There is the – frequently justified – perception that these weapons are necessary to protect themselves and their families. As long as this remains, a weapons collection program cannot work.

A *consequence* is that not even the capital is fully under control of the government. Its apparent weakness allows that various demands and political positions are underlined by forcible means. It is quite easy to put physical pressure on the GNC² and the government to force proper decisions. There is no real freedom of action to prepare and make decisions. A good example for this is the way how the “Political Isolation Law” came into existence in May 2013.

Another consequence of the lack of power of the government is that there is no real and unbiased law enforcement. This is one of the major factors facilitating the rise of crime.

A working DDR-program³ would be a key for the stability of the country, but unfortunately for the time being this is quite unrealistic.

There are various *root causes* for this first major threat. Most of the old police does not exist anymore. There is a lack of intelligence since the old services were – rightly – almost completely destroyed. Both could not be properly replaced yet. Most of the remaining elements of the old army that had changed the side early in the war do not have a high reputation as they did not play a significant role during the revolution. The progress of the build-up of the new police and army is very slow. There are still only a

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¹ Initially the SSC was founded by the National Transitional Council in October 2011 in order to fill the security vacuum in Tripoli by organizing several smaller militias into a security force.

² General National Congress, the interim legislative authority.

³ **Disarmament**, Demobilization and Reintegration.

few reliable units, by far too few to counter-balance the militias. They have by no means the power to conduct a successful coup d'état.

The poor economic development results in too few attractive jobs being available for the young Libyans. A high rate of unemployment is the consequence. Being member of a militia means a reliable source of income. On the other side many cities, tribes and groups have the perception that they need their own armed militias to protect their interests anyway.

The second major threat is the rising influence of radical Islamists.

They are not to be mixed up with the moderate Islamists such as the Muslim Brotherhood, although the boundaries are blurred. There are various groups active, some of them influenced by al-Qaida. The aim of the radical Islamists is a fundamentalist Islamic state with a strict application of the Sharia, probably as a stepping stone for further expansion towards other countries. They want to prove that the current path to democracy is a mistake. To this end they undermine any positive development⁴ and try to destabilize the country even more. On the other side charitable work is simultaneously undertaken by several militant groups (e.g. Ansar al-Sharia) to care for the families of the martyrs and other people in need. The radical Islamists want to convince the population that their law & order and Islamic welfare approach is the only alternative to the current insecurity, crime and corruption.

The southwest of the country is used by AQIM⁵ as a safe haven and as a logistics base in order to facilitate their operations in the neighboring countries. As the unhindered use of this area is of major importance for the terrorists there are – for the time being – no offensive activities of the AQIM in the Fezzan.

There is also credible information about terrorist training camps in the Jabal Akhdar in the northern Cyrenaica, although it is difficult to differentiate from outside between ordinary militia training camps and “terrorist training camps”.

The *consequence* of the unsatisfying situation in Libya is that the Islamists' agenda is becoming more and more attractive for the population. This is in particular valid for the Cyrenaica, but the number of their followers is increasing in several cities in northern Tripolitania too. Jihadists from Libya are already involved in the wars in Syria and Mali and are active in several other countries in North Africa. Eventually these Jihadists could also become a threat to other countries outside of the region, including Europe.

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⁴ This is also the reason why the American Ambassador Chris Stevens was killed.

⁵ Al-Qaida in the Islamic Maghreb.

The major *root cause* for this threat is the widespread disappointment of the population with the outcome of the revolution, with the extensive corruption and crime as well as with the abuse of alcohol and drugs.

Furthermore many people are more and more upset with the behavior of several “thuwar”⁶, many of whom did not even participate in the war. On the other side most of the Islamist militias are quite disciplined.

The government cannot guarantee the basic security requirements of the population. Several parts of the country are completely out of control. There is no protection from the targeted assassination campaign of the radical Islamists. Outspoken critics are amongst their preferred targets.

The *third major threat is the legacy of the chaotic administration of the state under the Gaddafi regime.*

The administration of the country does not work properly. Corruption is even worse than before the revolution. There is no proper legal system – although almost all the civil courts and roughly 75% of the criminal courts are in theory operational. Basic supplies like electricity, fuel and water cannot be guaranteed.

The *consequence* is an increasing frustration of the population as the state is not able to fulfill the basic needs of the population.

The first *root cause* for this situation is Muammar al-Gaddafi’s “chaos-approach”. He changed the administrative system of his “Jamahiriya” several times, created or combined ministries and disbanded them shortly thereafter in order “to give the power to the people”. Furthermore he frequently changed the prime minister, the ministers and senior people in the administration. Only a few members of his inner circle remained constantly in important positions. He used this “rule by chaos” approach by intent in order to prevent the development of any efficient structures that could have become dangerous to him. This included even the army, most of whose units remained neglected after the Chad disaster⁷, and the ordinary police. The only well organized structures were some elite army / police units and the most trusted parts of the secret services. Wide spread corruption was already like the plague.

The second root cause is that many key members of the Gaddafi “administration” fled or were killed during or after the revolution. Others who stayed were replaced by people with even less knowledge who also wanted to get their “slice of the cake”.

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⁶ Arab word, means roughly “revolutionaries” .

⁷ Gaddafi’s intervention in the Chad in the 70s and 80s was a military disaster.

The fourth major threat are the numerous century old tribal conflicts in several parts of the country.

In addition, key tribes and cities of the *thumar* are still in a conflict against former mainly loyalist tribes and cities. There are many examples for this. The most prominent are found in the in the southern part of the country (Toubou / Touareg against Arab tribes) and around the Jabal Nafusah (e.g. Zintani against the Mashashiya), but also in the coastal plain (e.g. Berber vs. Mahâmîd or Wrishfâna vs. Zawiyah) and around Misratah (Misratah vs. Warfallah and Misratah vs. Tawurgha).

The *consequence* is a smoldering hatred with a frequent outbreak of open fighting

The *roots* of many of the conflicts are several centuries old. There has been a struggle of the coastal city of Misratah with the hinterland since the middle ages. The fight of Arab tribes against the original inhabitants of the Sahara, the Touareg and the Toubou is rooted in the struggle about the control of the ancient trade/smuggling routes and the newer ones in the Cyrenaica, which got importance when it became necessary to bypass the Nile Valley during the conflicts in the Sudan in the 19th century. There are old troubles between the tribes loyal to the Ottoman rulers, who were sometimes used as taxmen, with the others. There have been disputes between nomads and peasants about land and water. Sometimes these conflicts were fueled by Gaddafi by intent (e.g. settling the nomadic Mashashiya in the traditional tribal areas of the Zintani and other tribes or settling Arabs in the Berber territories). Frequently these tribes were also on different sides during the revolution.

In addition to these four major threats for the development of Libya there are some other areas of concern, but they are mostly a consequence of the major threats mentioned above.

How much of a threat is federalism?

The rise of federalism is a consequence of the neglect of the Cyrenaica by the Gaddafi-regime and the perceived neglect of this region by the current government. The aim of the federalists is a state in accordance with the 1951 constitution⁸.

The federalists are split in at least two fractions: Sheik Ahmed Zubair al-Senussi's "Council of Cyrenaica in Libya" (CCL) and Ibrahim Sayid

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⁸ "The Libyan constitution of 1951 calls for a federal constitutional monarchy that grants much authority to the provinces" (Democracy Reporting International, "Assessment Of The 1951 Libyan Constitution According To International Standards", Briefing paper 28, July 2012, http://www.democracy-reporting.org/files/dri-ly-bp28-1951_libya_constitution.pdf).

Al-Jadhran's "Political Bureau" (PB).

The CCL is quite well represented in Marj, Al Jaghbûb and (partially) in Tobruk – mainly amongst the 'Ibidât, Brâ'asa, Awlâd Alî and Minifa Jirâra⁹ tribes. The bulk of the PB supporters are in Ras Lanuf, Ajdabiya, Bregha and also in Tobruk. They belong mainly to the Al Magharba and 'Awâqîr tribes. But none of these tribes and cities stands behind the federalists as a whole. In Benghazi they are still relatively weak. It is quite likely that a major part of the people in the Cyrenaica who are disappointed by the government and have no tendency to join the radical Islamists will sooner or later turn to the federalists.

In particular the Salafists are firmly opposed to federalism. If a semi-independent province of "Barqa"¹⁰ becomes reality, it can be assumed that the Salafists will use force against it.

Meanwhile there is a similar movement for federalism in the Fezzan, but they are much less influential. This is also due to the fact that the Fezzan is tied to Tripolitania by its geographic location whereas the Cyrenaica could be self-sufficient.

If Libya ends up as a federal state this is no major problem – as long as this process is a peaceful one. But there are many pitfalls on the way. The concrete border between Tripolitania and the Cyrenaica could be disputed. Would it be at the historic site of the "Marble Arch" (destroyed by Gaddafi in 1973) or does the Cyrenaica extend "from the central coastal city of Sirte [Wadi Al-Ahmar] to the Egyptian border" as claimed by the CCL? The difference would be that all the hydrocarbon industry facilities in Sidra and Ras Lanuf as well as the fields in the Sirte Basin would belong entirely to the Cyrenaica.

Assassinations in Benghazi and Derna

There is neither a single group behind the assassinations nor there is a single reason for the killings. In descending order the motivations are:

- revenge on former regime followers, in particular on former members of the security apparatus (mainly conducted by Salafists, who were the former main victims; number of incidents decreasing),
- murder out of personal motivation (various killers are behind these),
- murder of exposed political opponents of the Salafists (incl. journalists, moderate imams, members of the security forces loyal to

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⁹ This was the tribe of Omar al-Mukhtâr, the leader of the resistance against Italy in the 1920s.

¹⁰ Barqa is the Arabic name for the Cyrenaica.

- the GNC and/or the federalists; conducted by Salafists),
- murder out of criminal reasons,
- murder of Salafists (i.e. counter-attacks by federalists).

Western people are targets of opportunity. They are attacked if they are considered an obstacle for the Salafist agenda. There is no indication that the situation is getting better. Recently there is a shift of the targets, away from the former regime followers as there are fewer and fewer left.

It can be expected that the wave of assassinations will move slowly to the west.

Return of the Gaddafi-loyalists?

The government and many other Libyans were pretty quick to blame the recent fighting around Sebha and in northern Tripolitania on “Gaddafi loyalists”. Whereas it is true that fighters from tribes formerly loyal to Gaddafi were heavily involved, this is not an organized campaign in order to turn the wheel back and recreate a “Jamahiriya”. Keeping the treatment of these tribes by the victorious thumar in mind, it is no surprise that they used the opportunity provided by the tactical military success of the Toubou against the Awlâd Sulaymân tribe. The former loyalists took up the arms to seek revenge and protect their own living areas in a better way. A fully fledged offensive is quite unlikely. There is also no suitable leader available to organize an insurgency that could be a real threat to the new Libya.

Obviously all these major threats and problems are at least partially linked with each other. It is impossible to handle them separately. A comprehensive approach is necessary to deal with the problem as a whole.

The future developments – a mid-term forecast

Based on an in-depth analysis of the key indicators for the future development of Libya the mid-term forecast¹¹ for the country presents the following picture:

With regard to security, only a slow progress can be anticipated for the build-up of security forces. No lasting solutions can be expected for the vast majority of the numerous local conflicts. The threat by radical Islamists will grow and the overall situation will become more difficult. Polarization of the population and federalism will lead to some more tensions. In general, with regard to security, at best the situation could remain the same.

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¹¹ The presentation of a detailed previous (2012), but still quite accurate forecast can be found here: http://www.iai.it/pdf/convegna/Pusztai_121207.pdf. An update is currently in progress by the author.

Governance will improve slowly over time.

If the current quarrels about the oil exports can be overcome and the security of the hydrocarbon industry can be guaranteed, the economy will also improve slowly, but steadily. If the oil exports cannot be resumed soon, some experts expect Libya to face a cash-crisis within a few months (although this is contested by others). The government could be unable to pay the wages of the numerous state employees (and the militias). This would have a significant impact on the stability of country.

In step with the eventually improving economy social standards will also increase slowly over time.

So altogether the near future of Libya does not look too bright. But this is not a fixed given. Proper initiatives could change the path that seems currently predetermined.

Possible solutions for Libya's problems

Not a single solution, but several are necessary for the overarching and regional problems of the country. There must be progress in several different fields simultaneously. The most important issues are:

- *state building*, including all different sectors from administration about finance and judicial to parliamentary and the constitution; the aim is good governance,
- *security*, including police, military, border guards and perhaps also paramilitary forces (a "National Guard"),
- *economy*, ensuring at first a continuous income from the hydrocarbon resources and providing jobs for the workforce of the country,
- *infrastructure*, ensuring the provision with basic supplies, traffic and communication,
- seeking *solutions for the regional conflicts*, local reconciliation must take place first, but it must be also sought on a national level.

Obviously it is impossible to accomplish this entire task at the same time all over the country. Therefore it is necessary to focus at first at the capital, Benghazi and Sebha and on regions where success could be rather "easily" achieved.

Crucial is the step-by-step build-up of security forces. A thorough training program, preferably abroad, sufficiently long in order to create an internal cohesion of the units is necessary. The participants in the training must be carefully selected. This is probably one of the most difficult tasks as it is crucial to create a new force whose loyalty is not doubtful and to include in each unit recruits from all over the country. Once available the newly

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created forces must be concentrated at first in the region of greater Tripoli to stabilize the security situation in and around the capital. Thereafter the focus must be Benghazi, subsequently Sebha and other cities/parts of the country. Scattering the units all over the country would be a road to failure. The current training initiative for a “general purpose force” by the USA, Italy and several other countries could be a major step into the right direction in order to create a force capable of protecting the institutions, facilities and the infrastructure of Libya as well as keeping peace and security.

A particular emphasis must be on state building. Unfortunately there are only a few nations who are really engaged in this. Italy, a country that understood the significance of a stable Libya, is in the forefront. But keeping the fact in mind, that working state institutions are almost not existing, this is altogether by far too little. Other nations and the EU must do more.

Drafting a constitution that is acceptable to all the stakeholders is an extremely challenging, next to impossible task. Major issues include the form of the state, the grade of influence of Islam¹², the amount of decentralization and minority rights. If there is a draft anytime soon, it will most probably be a weak compromise.

An improvement of the situation of the population is necessary. This includes the rule of law, the socio-economic sector and the infrastructure. The people must feel that the situation is getting better. They must feel that they have something worth fighting for. This progress can also only be ensured sequentially, not at the same time all over the country. It must be in line with the improvement of the security situation.

As a next step the government could dare to really end financing the militias, again area by area.

Libya is on the brink! On one side time is running out, on the other side patience is necessary. Although there are a few good initiatives on the way, currently it does not look like a sufficient number of suitable programs will take place as the bulk of the EU and the bulk of the European countries did not (yet?) realize the threat that could emerge from a lasting unstable Libya.

¹² e.g. Is the Sharia a source of law or the only one?