

## Security Challenges to Libya's Quest for Democracy

The fragile progress towards a more pluralistic, if not yet democratic, Libya is threatened by several serious security problems. Car bombings, political assassinations of high ranking officials, attacks on foreign diplomatic staff and NGOs, and violent quarrels between armed militiamen have become daily events. It is in the interests of the United States and other members of the international community to aid Libya's nascent government in achieving national reconciliation to avoid an otherwise inevitable descent into anarchy.

Largely peaceful elections in July 2012, widely seen as credible by Libyans and international observers, for a General National Congress (GNC) created an institution with the democratic legitimacy missing from the self-appointed National Transitional Council (NTC) governing Libya since the revolution. Electoral legitimacy will allow the new government to tackle many issues that the NTC could not.

Unless the GNC confronts the deteriorating security situation, however, instability will undermine the nascent political transition and crucial economic development. Stopping such violence will be a tall order for the GNC, which must also cope with a fragmented political dynamic, rebuild the country's infrastructure, reform the justice system, and restart the economy. The inefficient and confusing structure of Libyan national security forces makes the problem all the more daunting.

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Libyan security officials believe that former Qaddafi regime loyalists carried out the recent car bombings in Tripoli and Benghazi. Preventing this descent into anarchy will require the development of a comprehensive and inclusive national reconciliation process similar to those adopted in many countries following civil wars. Such a process would allow the reintegration of hundreds of thousands of people accused of being supporters of the former regime, who are now at the margins of society and vulnerable to becoming involved in counter-revolutionary activities.

The United States and other members of the international community should devote significant attention to ensuring that the process of democratization succeeds and Libya becomes a responsible player in the international arena. They should recall the missed opportunity in Algeria during the late 1980s and early 1990s, in which the international community ignored critical moments that allowed the reemergence of an authoritarian regime. In a clear misunderstanding of the concept of international security,

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Western democracies misconstrued friendly dictators as the guarantors of security so long as the regime kept Islamists under control (at enormous human cost).

The United States has the unique capacity and responsibility to play a positive role in Libya. Among the most important and immediate steps, the United States can support a process of national reconciliation; press for a United Nations peacekeeping force; incentivize militia disarmament through education and infrastructure reconstruction activities; offer training and equipment to the national security force; and consider a mutual defense agreement that would guarantee the international security of Libya.

## **Security Challenges Inside Libya**

### **Resurgent Qaddafi Loyalists**

There are more than 500,000, perhaps as many as one million, Libyans in exile and many among them are former supporters of Qaddafi. A former soldier of the regime hiding in the Abu Salim neighborhood of Tripoli recently declared, “we are waiting for the right moment. We will not give up. If they [the new government] think we are a spent force they are mistaken.”<sup>1</sup> Reports indicate loyalists’ efforts to bribe tribal chiefs and militia leaders in exchange for rejecting the new government and supporting former regime members in their attempt to return to power. Many also fear that pro-Qaddafi personalities—rather than radical Islamist groups affiliated with al-Qaeda—coordinated the recent attacks on foreign institutions in order to warn or punish governments of other states that might consider repatriating loyalists. The likelihood that Qaddafi loyalists have access to vast sums of money with which to buy support inside the country causes great unease for the new Libyan government.

In order to mitigate some of these fears, Mustafa Abdul Jalil, chair of the NTC, empowered Islamist leader Ali Sallabi in May 2012 to mediate an agreement with exiled members of the former regime to dissuade them from undermining the nascent Libyan democracy. This ad hoc effort on the part of Sallabi, however, could never substitute for a genuine

national reconciliation process that incorporates all the major political factions, militias, and disgruntled members of the former regime. Mohammed Magarief, elected president of the GNC, would be well-placed to lead such an initiative. He declared in his first speech that the new government “should be a coalition government, a national reconciliation government,” clearly setting healing as a priority. Although difficult and unpopular, reconciliation provides a rare window of opportunity for international partners to support the development of democracy in Libya.

### **Tribal and Inter-Militia Clashes**

Libya’s insecurity stems not only from the aftermath of a civil war, but also from the legacy of the NTC’s lack of popular legitimacy. After the fall of Qaddafi, the NTC and the interim government failed to unify the disparate rebel factions, which then split into militia groups that refused to disarm despite calls from the NTC, religious leaders, the public, and the international community. Although only a dozen or so have significant military power, more than 200 militia groups still exist across Libya. Privately organized and funded, some possess heavy weaponry including rocket launchers, antiaircraft guns and missiles, shoulder-fired surface-to-air missile systems, rocket-propelled grenades, Soviet-era tanks, Soviet-built Grad missiles, and mortars.

The lack of stability manifests itself in towns and cities across Libya, as clashes flare between rival militias jockeying for influence and power, nascent national forces formerly controlled by the NTC, and militias protecting their perceived political and territorial interests. Militia violence recently spread into the previously calm southern region of Libya where, since February 2012, factional fighting in the Sabha area alone resulted in the deaths of more than 400 people.

The fighting, likely sparked by disputes over the control of smuggling routes, remains a serious concern as the illegal weapons trade has increased dramatically since the fall of the regime. Without the military strength to control the illegal trade corridors, the government has resorted to facilitating agreements between the tribes who control the borders to prevent the arms smuggling that endangers domestic security.

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<sup>1</sup> “Gaddafi Loyalists Up In Arms,” Mel Frykberg, Inter Press Service, 14 Aug 2012, <http://www.ipsnews.net/2012/08/gaddafi-loyalists-up-in-arms/> (accessed 27 Aug 2012).

During its reign, the NTC had no control over the militias, but it did begin a rudimentary campaign to recruit former rebel fighters into the country's new official army and police forces. The plan failed for two main reasons:

- Some militias demanded to be incorporated into the army not as individual soldiers integrated into the force but as intact battalions. The government rejected the idea, recognizing the impracticality of a system that encouraged army contingents to remain loyal only to their commanders.
- Militia leaders understood that the creation of a stronger national army would tilt political power to the central leadership. In a system where personal rivalries dominate, no political leader would voluntarily relinquish their military advantage.

Local idiosyncrasies further hinder the disarmament, demobilization, and reintegration of the militias in Libya. Depending on the region, the government must apply different strategies to encourage militias to disarm and demobilize. This might mean encouraging elections for local councils and working closely with the recently elected ones, while simultaneously maintaining central control of the administration. Local city and town elders, elected governments, and in some cases tribal leaders might better control militias, but such reintegration of the militias into democratic participation must be forged through formal legal and political structures in order to guarantee their credibility.

On a more positive note, all militias have declared that they will accept the rule of the newly elected GNC and say they will be willing to disband and return to civilian life. This remains to be seen. Although the new GNC will undoubtedly enjoy the legitimacy absent from the interim government, it might follow the same narcissistic crony politics of nominating its ministers according to regional and tribal alliances instead of competence and capability. If so, one can expect the same power plays and distrust from the militias.

### **Disjointed and Weak National Security Forces**

National security forces remain embryonic and divided, unable to contain escalating security threats. The NTC and transitional government did not rely on the ministries of defense or interior to secure polling stations in July 2012,

but rather on a new, hybrid structure called the Supreme Security Committee (SSC). The SSC, created in September 2011, consists almost entirely of former militiamen who fought against Qaddafi and assumed key roles in the security apparatus. The SSC's mandate, reporting, and command structure remain unclear. Its insignia connects it directly to the NTC (now to the GNC), but its website ties it to the ministry of interior. Nonetheless, it recruits its officers independent of any other security service or police apparatus belonging to the ministry of interior.

The Shield of Libya Brigades, another force that falls outside the authority of the ministry, presents another challenge. Most of its members are former militiamen with some Islamist elements, and while the nature and the dynamics of the relations between the SSC and the Shield remain difficult to assess, foreseeable problems lie on the horizon. As the two organizations grow in size and influence, they might engage in either a power struggle or a tactical alliance. Many militia leaders are not enthusiastic about reestablishing the security and military forces as they see them as rivals to their militias and a future threat to their very existence.

## **Outside Libya**

Libya's domestic instability is not only a threat to the development of democracy, but also has serious and immediate consequences for other countries, in Africa, Europe and beyond.

### **Smuggled Weapons and Fighters Impact Neighboring States**

Porous borders and the NTC's lack of control have enabled outflows of weapons and mercenaries from Qaddafi's former army. The UN expressed concern that weapons have already found their way into the hands of extremist groups in the region, such as al-Qaeda in the Islamic Maghreb (AQIM) and Boko Haram in northern Nigeria, placing additional pressure on US allies in the region including Mali, Algeria, Egypt, and Tunisia.

The most severe outcome of Libyan weapons proliferation has been the crisis in Mali, one of the few functioning democratic countries in Africa. Tuareg mercenaries from Qaddafi's army fled Libya with large weapons caches and joined a growing Tuareg separatist rebellion in northern Mali. Military officers, upset over the Malian government's

poor handling of the Tuareg insurrection in the country, stormed the presidential palace in March 2012 and ousted the democratically elected president. The Tuareg rebels recently declared an independent Tuareg state, unrecognized by its neighbors or the international community, in northern Mali called the Azawad.<sup>2</sup> Presumably, the rebels would never have taken such audacious steps without significant arms acquisition and financial resources to sustain the rebellion. The influx of weapons from Libya has thereby directly threatened the stability of the Malian regime, which had proven to be an important US ally in counterterrorism cooperation in the region.

The proliferation of conventional weapon stockpiles, including vast numbers of unaccounted for man-portable air defense systems (MANPADS) and other types of other heavy weaponry from the Qaddafi regime, remains a concern. In particular, weapons traffickers have smuggled Libyan arms—used in attacks against Egyptian and Israeli security forces—into the Sinai Peninsula.<sup>3</sup> Recent news reports indicate Somali pirates have now acquired rocket-propelled grenades and land mines from Libya, further destabilizing the security situation in the Gulf of Aden and international shipping lanes.

The role of Algeria, whose government did not support the Libyan revolution, remains ambiguous. On one hand, the Algerian government has foiled several attempts of weapons smuggling from Libya into Algeria to Islamist militant groups.<sup>4</sup> On the other, there are widespread rumors that the powerful secret military service, the Département du Renseignement et de la Sécurité (DRS), allows the movement of weapons and terrorist gangs in order to justify the maintenance of emergency laws and the excessive role of the army in the life of the Algerian state.

The spread of the remaining arms from Libya's chemical weapons program also gives pause. The NTC discovered a chemical weapons stockpile, consisting of large amounts of

sulfur mustard, in the spring of 2012. While this particular stockpile is now known, the lack of information and the possibility that mechanisms to secure such materials have been compromised raise fears that rogue militias or members of AQIM could attain chemical weapons. Though the former regime was in the process of destroying its chemical weapons stockpile and capabilities, the government halted the process due to a malfunction of the facility. While scheduled to resume in March 2013, up to this point Libya has only destroyed 55 percent of its declared stockpiles of sulfur mustard and 40 percent of its precursor chemicals, leaving nearly half of both stockpiles available for potential discovery and use.<sup>5</sup>

## Fertile Ground for Islamist Militants

The possibility that various Islamist groups, militias, or AQIM could acquire chemical and conventional weapons poses a new threat to regional stability. Although the level of collaboration between AQIM and Libyan cells remains unclear, terrorist organizations linked to al-Qaeda can more easily establish bases and cells in Libya given the lack of state control and link them to its affiliates in Morocco, Algeria, and Tunisia. Al-Qaeda's *modus operandi* is to prey on weak states and co-opt bands of militias, enticing them with money and weapons when resources run out. By establishing bases in Libya, AQIM would aim to destabilize the country and infiltrate terrorist groups in the neighboring regions in order to gain territorial control. Today's Libya perfectly matches al-Qaeda's preferred environment.

Another jihadist group (not officially affiliated with al-Qaeda) claimed responsibility for a June 2012 attack on the US diplomatic mission, which occurred three days before a vehicle carrying the UK ambassador to Libya came under attack. The latest in a string of raids on foreign missions was the June 18 attack on the Tunisian consulate in Benghazi, reportedly carried out by the Libyan Salafist

<sup>2</sup> "Instability Reigns Supreme in Post-Gaddafi Libya," Bernhard Schell, IDN-InDepthNews, 17 Aug 2012, <http://www.indepthnews.info/index.php/global-issues/1105-instability-reigns-in-post-gaddafi-libya>

<sup>3</sup> ABC News, "Egypt seizes weapons smuggled from Libya," <http://abcnews.go.com/International/wireStory/>

<sup>4</sup> The Washington Post, "Smuggled Libyan weapons flood into Egypt," [http://www.washingtonpost.com/world/libyan-weapons-flooded-egypts-black-weaponsmarket/2011/10/12/gIQA2YQufL\\_story.htm](http://www.washingtonpost.com/world/libyan-weapons-flooded-egypts-black-weaponsmarket/2011/10/12/gIQA2YQufL_story.htm)egypt-confiscates-weapons-smuggled-libya-16678860, <http://www.rt.com/news/missiles-algeria-security-libya-801/>, Libya Herald, "Libya weapons fueling Sinai conflict as casualties mount," <http://www.libyaherald.com/?p=12478>

<sup>5</sup> Organisation for the Prohibition of Chemical Weapons, "Libya: Facts and Figures," <http://www.opcw.org/the-opcw-and-libya/libya-fact-and-figures/>

group Ansar al-Sharia.<sup>6</sup> The three attacks on the US, UK, and Tunisian foreign diplomatic missions may signify the re-emergence of radical Islamist militants in eastern Libya.

A spate of assassinations of former Qaddafi regime officials since July 2012 also suggest terrorist activity in eastern Libya. Suleiman Buzraidah, a senior Qaddafi regime and military intelligence official who was killed on July 28, defected early in the revolt and worked for the National Transitional Council. On July 29, gunmen fired on the convoy in which General Khalifa Hafter, commander of Libyan ground forces, was travelling. Hafter—who had split from Qaddafi more than twenty-five years ago but nonetheless was blamed by many Libyans for the war Qaddafi unleashed in Chad in the 1980s—was unhurt. Sources near the office of the prime minister blame an unknown Islamist group, which reportedly has a list of 106 Qaddafi-era figures marked for death. Another possibility is that Qaddafians in exile perpetrated these attacks; given extremist Islamists' and Qaddafians' convergent short term goals of exacting revenge and destabilizing the country, it is possible both hypotheses are correct.

## Recommendations for the United States and the International Community

The United States and Europe have a stake in Libya's future for several reasons. First, they will want to show that NATO's intervention was ultimately successful in helping the Libyan people establish a democratic state and build security and economic prosperity. Second, they will want to prevent direct threats to the security of allies in Africa, the Middle East, and Europe from weapons, terrorists, mercenaries, and uncontrolled emigration emanating from a chaotic Libya. Third, Europe (and the global market) will want to ensure the continued flow of Libya's light sweet crude. Fourth, the reconstruction and development of Libya offers unparalleled economic opportunities to the international community.

The United States has a unique opportunity to exert constructive leadership in Libya. Anti-American sentiment does not exist to the same degree in Libya as in other

countries in the Middle East and North Africa.<sup>7</sup> On the contrary, the Libyan public's goodwill toward the United States dates back to US support for Libyan independence in 1951 and anti-Qaddafi stance since the 1970s.

US participation in the NATO intervention and its support for the NTC garnered additional Libyan favor for the United States.

How then, can the United States and the international community use their influence to help increase security and create stability in Libya?

1. **Rally international support for reconciliation** – The United States should support a reconciliation process in Libya by offering to help put together an international committee to support an initiative led by major Libyan figures such as GNC President Mohammed Magarief and Islamist leader Ali Sallabi. Possible participants could include Tunisian Islamist leader Rashid Gannouchi, Egypt's Sheikh of al Azhar Ahmed al-Tayeb, Prince Hassan of Jordan, and others of equivalent moral and cultural status. This committee, supported by functional staff, could work authoritatively, fairly, and efficiently to guarantee the success of the effort. International participation is needed to give this committee the appearance of neutrality and equilibrium. In today's political climate, all Libyans are suspicious of each other's loyalties. A committee made only of Libyans may be continuously accused of siding with one of the groups they are trying to reconcile.
2. **Press for UN Peacekeeping in Libya** – The NTC rejected a UN peacekeeping mission in the country, which means that the current UN Support Mission in Libya (UNSMIL) is fairly small and adds little value in helping to restore stability and security to Libya. The United States should use its influence and goodwill to advance the argument that a UN force could ease the security burden to the Libyan government in regaining control of the territory. While only a temporary solution, UN support would buy time to strengthen and train Libyan security forces to assume this mandate within the shortest time possible. A neutral UN presence could provide added

<sup>6</sup> "Gunmen attack Tunisian consulate in Benghazi," Mohamed al-Tommy; Hadeel Al-Shalchi; Myra MacDonald, Reuters, 18 Jun 2012, <http://www.reuters.com/article/2012/06/18/us-libya-gunmen-tunisia-idUSBRE85H1V620120618> (accessed 28 Aug 2012).

<sup>7</sup> Jay Loschky, "Opinion Briefing: Libyans Eye New Relations with the West." <http://www.gallup.com/poll/156539/Opinion-Briefing-Libyans-Eye-New-Relations-West.aspx>

incentive to armed militias for disarmament and reassurance to ordinary Libyans that their security is being adequately protected. The original opposition of the NTC was directed against a foreign military presence, but no opposition has been leveled against a UN police force to support the Libyan one.

3. **Incentivize Militia Disarmament** – The United States can help the interim government pursue militia disarmament without having to engage in or sponsor a politically fraught DDR (Disarmament, Demobilization, and Reintegration) process. This could be done in one or both of the following ways:

- The United States, through the Department of Education, could offer education or vocational training to a large number of Libyan youths currently involved in the militias. The cost of such a program could be paid by using frozen Libyan assets in the United States, of which there are some \$3 billion remaining.<sup>8</sup> The US administration would be able to negotiate the parameters of such a program directly with a willing Libyan government. This program should not only be limited to members of the militias but also to women who have participated in the revolution.
- The United States could help the Libyan government formulate and implement a comprehensive reconstruction plan for particular sectors of dilapidated infrastructure. This plan should include European and Gulf allies in the process so as to give it maximum economic effect. A commission of selected international institutions and independent

entities could provide the necessary third party-neutral oversight functions, overseeing the bid assignment process, and ensuring all legal requirements are met. A major successful reconstruction initiative would buttress the strength and legitimacy of the Libyan government vis-a-vis the militias and place more public pressure on them to disarm. Moreover, it would create badly-needed jobs by acting as a driver for the economy. The sponsorship of the US government would further cement a positive image of United States in Libya and with future Libyan governments after the transitional process is complete.

4. **Offer Defense Cooperation and Assistance** – The United States should increase its support for clearing unexploded ordnance and destroy unsecured conventional weapons, including MANPADS as well as the chemical weapons still in the country. The United States should also engage the government of Libya with technical assistance focused on land border security by furnishing equipment as well as training personnel. The United States should also consider entering with the new Libyan government into an agreement of assistance that would imply US intervention in case of a foreign attack against Libyan territory. Such an agreement may allow the Libyan government to concentrate efforts and resources in building a strong domestic security force to re-establish public order rather than wasting them in building an army for the defense of the territory against foreign states.

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<sup>8</sup> Lakshmanan, Indira, Bloomberg, "Libya Seeks US Investment in Areas From Oil to Tourism," <http://www.bloomberg.com/news/2012-06-21/libya-seeks-u-s-investment-in-areas-from-oil-to-tourism.html>

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