

# TRANSITIONING FROM MILITARY INTERVENTIONS TO LONG-TERM COUNTER-TERRORISM POLICY

The case of Libya (2011-2016)

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## Preface

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This report is part of a research project that assesses how military interventions can best prepare the ground for an effective long-term counter-terrorism policy. Three different cases have been studied, and they have each provided the input for the policy relevant recommendations that are presented in this report. The case studies concern the military intervention and transition in Afghanistan (2001), Libya (2011) and Mali (2013). The primary objectives of this research were:

- To identify key success factors and best practices to be able to transform a broad military intervention, whether using a counter-insurgency or comprehensive approach, into a more limited, both in size and scope, counter-terrorism policy.
- To identify elements for a longer-term counter-terrorism policy that would focus on alleviating the threat from terrorist groups, reinforcing host nation capacity and addressing some of the causes of radicalization and violent extremism.

This project was conducted by Leiden University, the Australian National University (ANU) and the International Centre for Counter-Terrorism – The Hague (ICCT). An initial workshop was organised to help formulate the research questions and structure the reports. Subsequently, for each case study a draft report formed the setting for a one day, high-level expert meeting. A mix of around thirty policy-makers (including several serving or retired generals), politicians (including two former Ministers of Defence) and international academics from different backgrounds attended the seminars and provided extremely valuable feedback on the draft reports.

The high-level expert meetings were organised as follows:

- Initial workshop to determine the framework study, held on 4 February 2015, Brussels, Belgium
- Libya, held on 29 June 2015 The Hague, The Netherlands
- Afghanistan, held on 10 September 2015, Brussels, Belgium
- Mali, held on 7 December 2015, Lille, France

The project has been made possible by NATO's Science for Peace and Security (SPS) Programme.

# Policy Recommendations

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## A. Pre-intervention phase: improving decision-making by governments

- 1. Prevention is better than intervention** A dearth of political will has notoriously thwarted attempts at preventing outbreaks of major conflict through binding decisions of the UN Security Council, but a range of other tools are available. These include measures to address factors such as the sponsorship of disruptive actors by states, looting of state resources by corrupt political leaders, and the spread of organised criminal activity.
- 2. Knowledge networks** When capacity is not in-house, a knowledge-network could ensure that relevant cultural, historical and linguistic knowledge is quickly made available and accessible when necessary. Trust, however, ‘has a face’ and networks need to be actively maintained. Furthermore, conflict situations are invariably complex, and it may be necessary to access a range of different kinds of expertise – political, economic, legal and anthropological – in order to secure a balanced picture.
- 3. Early warning and Intelligence** The world is full of potential conflicts and budding crises. There will always be surprises, but an early warning methodology can ensure that governments are not caught wholly unprepared. Good intelligence on potentially unstable regions and countries is indispensable to support decision-making during crisis-situations. While intelligence agencies naturally focus on identified and potential adversaries, a risk management approach necessitates capacity with respect to areas that may seem stable and benign, but are not. Whether within intelligence, Defence or the Ministry of Foreign Affairs, knowledge centres of specific crisis prone-regions should be nurtured. Making better use of existing early-warning networks and knowledge centres may be a low-cost way of accessing relevant information.
- 4. Meaning making** Once a crisis or conflict has erupted, it is important to discern what it is about and what is at stake. Through an in depth analysis of the drivers of conflict, organisations can take stock of the potential local, regional and international implications. A thorough answer to “what is happening and why is it important?” leads to a better preparation for the question “what should we do?” that is invariably posed by politicians and decision-makers. Meaning-making frames the situation and is vital for garnering national and international support for an active policy on the issue.
- 5. International support** Obtaining support from regional actors is very important in the pre-intervention phase, although some regions, such as Southwest Asia, lack strong

regional organizations. A broad support base can translate to a strong UN mandate for action. Nonetheless, the views of neighbouring countries can also be instructive. It is important also to note that support can dwindle over time; one way to minimise this risk is to have in place mechanisms of on-going engagement with regional actors.

6. **Mapping local partners** An intervening force will be judged at least in part by the company it chooses to keep. As a crisis develops and a military intervention becomes possible, local stakeholders and partners will need to be mapped. Some of these may prove to be reliable primary sources, possessing a situational awareness that national decision-makers and policy officers often lack. Others should best be avoided. International actors can end up inadvertently furthering the interests of unappetising local actors; this happened frequently in Afghanistan after 2001.
7. **Legal mandate** A precise legal mandate at the outset is vital to minimise the risk of subsequent disputes over exactly what actions a mission can properly involve. This is important in maintaining support for an intervention in intervening states. Furthermore, public disputes over the purpose of an intervention risk emboldening those whose activities the intervention is designed to disrupt.
8. **Establishing a strategic narrative** Framing and bias in the media coverage of events can affect public support for or against an intervention and can prevent decision-makers from receiving a balanced overview of the situation in theatre. This can be offset by clear and coherent strategic narratives articulated by state leaders and the spokespersons of alliances and international organizations. This was arguably lacking in Afghanistan until at least 2008-2009, in part because the invasion of Iraq in 2003 forced NATO countries to improvise in the Afghanistan theatre. It is therefore vital that any intervention be accompanied by appropriate strategies for the dissemination of information that can show how an intervention will serve the interests of the audience at home. In the host-nation state, the intervening powers will have to counter in a nuanced and sophisticated fashion the narratives being disseminated by opponents of the intervention. Too often, international actors focus simply on the spreading of images themselves doing what they think is good, rather than identifying the concerns of locals and responding to them.
9. **Contingency planning** Early contingency planning by the relevant government ministries, including Foreign Affairs and Defence, is a precondition for effective eventual deployment of military assets. While this might not seem politically opportune at the time, and send an escalatory signal if made public, militaries need a minimum time-frame to mobilize technically and prepare forces for deployment. In Libya, NATO had weeks to plan and prepare for the intervention, and this proved just enough to launch the attack when the executive ordered it. The case of Mali illustrated how different planning scenarios developed by the French Ministry of Defence proved

instrumental in allowing a rapid military response to a surprise jihadist attack on Southern Mali.

**10. Action over inaction** When the spectre of impending massacres (framed as a ‘Rwanda’ or ‘Srebrenica’) raises its head, politicians prefer action over inaction. The lack of available information or uncertainty pertaining to the long-term consequences of intervention, are of secondary consequence, just as a fire-fighter is not concerned by water damage. The Libyan intervention was in response to what was perceived to be an impending massacre at Benghazi, and the subsequent defeat of the rebels. While it inadvertently detracted from the Responsibility to Protect (R2P) doctrine, future crises could again test its underlying validity.

**11. Long-term implications** With fast news cycles and short term politics demanding rapid decisions, bureaucracies must reserve time and capacity to analyse the potential long-term implications of intervention or non-intervention. While ministerial departments exist to support the political course and line, a red-team construction or devil’s advocate office could offer an impartial dissenting opinion. Scenario planning would be an ideal instrument for high-level policy makers to illustrate possible outcomes or ‘end states’ of active involvement, and it is important to include non-military angles.

## **B. Entry phase: the military intervention**

**1. Clear political objective** An intervention should have a clear overarching political objective. Operation Serval in Mali serves as an example of a clear objective and mission. In response to the Malian government’s cry for help, the French military intervened to stop the Salafi-Jihadist attack on the South. The objective was to restore national territorial integrity, by reconquering the north from the three ‘occupying’ terrorist groups. NATO’s intervention in Libya was less clear-cut. It was mandated to impose a no-fly zone to protect civilians. The US, France and the UK were at pains to deny that ‘regime change’ was the objective, but emphasised that there could be no solution with Gaddafi remaining in power. This considerably complicated the military operation and the strategic narrative.

**2. Speed of decision-making** For escalating international conflict situations and crises, assuming that the intervening power works with a clear political objective and plans well, the faster an intervention is deployed, the greater its chances of success. Paradoxically, crises often have to attain a certain level of severity before enough political support in the intervening state can be mustered for active involvement. Appropriate contingency planning is essential if an intervention is to occur expeditiously.

3. **Military tactics subservient to political strategy** Once combat has started, Ministries of Defence tend to dominate policy on an intervention, often overshadowing Ministries of Foreign Affairs or the Cabinet Office. This risks an excessive focus on tactical military objectives, to the detriment of overarching strategic (political) goals. Joint planning for the transition is required from the moment the intervention starts, with appropriate input from interested parties such as police and the NGO sector.
4. **Light versus heavy footprint** A 'light footprint' with no boots on the ground will minimize risks of entanglement and maximize local ownership, but similarly limit the ability of the international community to provide security during the transition. A strong and decisive host nation government can compensate for this, but post-intervention Libya has illustrated how insecurity tends to be self-perpetuating, and Afghanistan suffered greatly from the failure to expand ISAF beyond Kabul in early 2002. Without a basic level of human security, attempts at state-building, basic humanitarian programmes or economic development will be stifled.
5. **End date or end state** A mission can be mandated for a fixed period of time or made conditional on certain achievements or criteria. The choice is an important one and determines the leeway for the political debate on an eventual prolongation of the mission. An 'end-date' mission provides a fixed timetable to exit and necessitates a renegotiation of the mandate if any kind of further involvement is deemed desirable, while an 'end state' mission offers more room for manoeuvre to adapt the mission to domestic or local circumstances. An 'end-date' model, if it proves overly-optimistic, can create real dilemmas over how properly to respond to unanticipated threats to an orderly transition.
6. **Collateral damage** Precise targeting to avoid collateral damage and civilian casualties is a *conditio sine qua non* for military interventions. This is not only dictated by humanitarian law (*ius in bello*); it is also essential for retaining public support. While civilian infrastructure such as power stations and media centres can in certain cases form legitimate military targets, their destruction will complicate later phases. During Operation Unified Protector in Libya, the oil and gas sector were wisely spared destruction and would provide the state, when not threatened by non-state actors, with essential income.
7. **Structuring intelligence cooperation** Sharing of intelligence is based on trust. The Five Eyes intelligence community has institutionalized sharing to a large extent, and during NATO's mission in Afghanistan much effort was devoted to changing mentalities from 'need to know' to 'need to share'. Intelligence sharing within NATO but outside the Five Eyes is often still *ad hoc*, and much can be gained by setting up a new intelligence hub at the start of the mission. While the Dutch were temporarily admitted to the Five Eyes community during their tenure as lead nation for Uruzgan

(Afghanistan), French requests to accede during the Libya operation were rebutted. Once the decision has been taken by a coalition to intervene, direct covenants and agreements between participating intelligence entities would greatly facilitate the exchange of data and information. Fusion cells and a focus that is not solely limited to 'enemy forces' would greatly increase the value of intelligence for decision-makers.

8. **Arming rebels** Arming factions on the ground, even when part of a seemingly secular opposition to a regime in Africa/the Middle East, entails both short and long-term risks. The choice for a light footprint intervention, such as the initial American overthrow of the Taliban regime and NATO's campaign in Libya, implies that local rebel forces must do the fighting and need arms and ammunition to succeed. In Libya, different rebel factions were armed covertly in order to avoid directly contravening the international arms embargo that had been imposed at the start of the conflict. Most importantly, the weapons – whether classified as 'light' or not – can end up in the wrong hands, or be turned on the wrong people as allied rebels become Islamist opponents.
9. **Addressing critical shortages** Since NATO's 1999 Operation Allied Force (Kosovo), several critical shortfalls in capacity, specifically on the European side, have been identified. These include Intelligence, Surveillance, Target Acquisition and Reconnaissance (ISTAR) platforms and capacity, aerial refuelling, precision munitions and strategic transport. These shortages have still not been alleviated. France's Operation Serval illustrated how national combat capacity proved sufficient to tackle the jihadist groups in Mali; but it was completely dependent on Allied logistical support to enable the operations. Addressing the shortages in Allied capacity will reduce the fragile foundations of intervention capacity, and allow for more efficient military operations.
10. **Analysing regional fallout** Before the intervention and during the transition, implications for the wider region need to be analysed. This can best be done through intra-interdepartmental task forces in Ministries of Foreign Affairs, that transcend organisational divides such as the MENA and Sub-Saharan categorizations. Interconnected relationship between countries, ethnic groups/tribes and regions need to be considered. The possible responses of regional 'spoilers' need to be taken very seriously: the continuing availability of operating sanctuaries in Pakistan for the Afghan Taliban gravely complicated efforts to stabilize Afghanistan.

## C. Transition phase: towards local ownership

1. **Maintain momentum** After the successful entry phase, high-level decision-makers can easily be distracted by other crises and lose interest in the slow process of transition. Libya provides the textbook example of a united front organising an intervention, and dissolving the moment that the military objective was met, with

multiple problems left unsolved that could potentially prove very damaging to the interests of the coalition's members.

2. **Ensuring the provision of security** Once the main combat phase is over, the authorities are expected to facilitate a quick return to normalcy and provide a modicum of security. A state that cannot manage this risks losing legitimacy in the eyes of the population. Without assistance from intervening powers, or an international security force, this can be an insurmountable challenge for the incoming government, as the case study of Libya illustrated. The stated NATO objective of protecting civilians effectively ceased once Gaddafi was killed, and while both the intervening powers and the host-nation state were adamant in not wanting 'foreign' boots on the ground, the security situation nosedived as a result.
3. **Do not hasten elections** The international community has indicated a strong preference for rapidly organising national elections in the host-nation state after the military intervention. This is to confer legitimacy on their new governmental partners, and to fulfil essential criteria allowing the transfer of aid and donor money. It is, however, folly to expect an inexperienced government, devoid of a functioning bureaucracy or a capable security force, to perform even elementary governmental functions in a complex post-conflict situation. While the newly elected might enjoy international legitimacy, they will have none at home if they cannot provide basic security and state services to the local population. In hindsight, the elections in Libya were held too early, with the government lacking essential capacity even to have a chance of success. Elections are divisive activities that create losers as well as winners; and they are rule-governed activities that lose all credibility if the key rules on candidature, voting and scrutiny cannot be dispassionately enforced.
4. **Whole of government approach** During the Libya intervention, the United Kingdom dispatched an "International Stabilisation Response Team" (ISRT) to the country, consisting of different experts in the fields of security, economy and justice. This concept of sending a multi-disciplinary team to take stock of the local situation, meet stakeholders and set out a transition plan deserves follow-up in future crises. Ideally the focus would not just be on the short term and there would have to be some follow-up. Integrating the approaches of diplomacy, development and defence (3D) combines the necessary skills-sets and ensures policy is aligned between the involved government departments. Such a comprehensive approach, which the Netherlands and Canada sought to follow in Afghanistan, is not a panacea, but it can improve the quality of performance on the ground.
5. **Counter-terrorism versus counterinsurgency** It is important to distinguish between insurgents, terrorists and criminals, as the designated label channels a policy reaction that is anchored in the very different fields of counter-terrorism and counter-

insurgency (COIN) or law enforcement, each centred around its own principles, dogmas and common practices. The COIN approach as conducted in Afghanistan became very military-centric, and more sequential (shape, clear, hold and build) than for instance the comprehensive approach, which could see simultaneous efforts of diplomats, aid workers and the military. A counter-terrorism approach that focuses on removing the drivers of radicalisation and violent extremism would ideally be civilian-led.

6. **Focus on good governance** In the long run, good governance probably matters more than infrastructural development, although it may be much harder to deliver. To the extent that international actors have any capacity to influence the form that governance takes in the aftermath of an intervention, they will need to show their hands early. There is typically only one chance to get things right, and if the structure and functioning of government prove dysfunctional, there are likely to be plenty of beneficiaries of the dysfunctional system who will fight hard to retain it. Afghanistan after 2001 provides an unhappily clear example of this.
7. **Security Sector Reform** It is important to start early and commit for the long run where SSR is concerned, building partnerships with key institutions and figures. An inclusive approach through a national dialogue campaign is essential. Failure on this front is likely to blight endeavours on many others, as the case of Libya clearly illustrates. Effort should focus not just on the technical capacity of the soldier or police officer, but also the organisation behind him or her. Without a sound HR-policy, a clear command and control structure and effective administrative and logistical procedures, trained units cannot be deployed or sustained.
8. **Strengthen human security not just state security** Much capacity building in the security sector is state-centric and focused on institutions and security organisations. In many conflict areas, including areas in Afghanistan and Mali, the police and military are the cause of insecurity and are distrusted by parts of the population. This needs to be recognised as a problem, since misbehaviour by agencies of the state will ultimately contaminate the state's reputation and legitimacy. The intervening powers will need to be aware of power structures and networks within the politico-security establishment, to prevent vested interests trumping human security in the country.
9. **Bottom up approach** In deeply tribal societies, once institutional deadlock has occurred, a top-down approach will not resolve the problem. Local stakeholders will need to be stimulated to cooperate and contribute to conflict resolution at the micro-level. To the extent that they can, international actors should resist the temptation to see a strong central state as 'the' solution to a country's problems. In any transition, there are troubling questions to be asked about the appropriate scope, strength, and structure of the state for the future. Rather than rushing discussion of these questions,

it is better if possible to address them through inclusive dialogue between many different social forces, with special attention to groups that might otherwise be marginalised, including women and ethnic minorities.

**10. Beware of militias** Militias can provide local security where government capacity is lacking, but the solution is short term. Militias are only accountable to the local strong-man, their interests do not align with those of the national government and their *modus operandi* often entails violation of basic human rights. In Libya, the militias refused the government's instruction to disarm, and there was no capacity or political will to enforce the order. They were subsequently integrated into the security structures, initially formalising their position and strengthening their capacity, and later causing the fracturing of the security apparatus along factional lines. In Afghanistan, some similar problems were encountered, partly because international actors were not particularly skilled at distinguishing local power holders with some degree of legitimacy from local power holders who were mainly coercive and extractive.

**11. Provision of basic state services** A population in a conflict area does not judge the government on its counter-terrorism strategy, but on the provision of basic state services such as electricity, drinking water, health care and education. If these are non-existent or seriously lacking, government legitimacy will suffer. In the north of Mali, two years after the French intervention, the state is still struggling to deliver these basic services. As a result, certain elements of the population are developing some nostalgia for the time that the jihadists were in control, and actually managed to ensure more consistent electricity provision than the state.

**12. Becoming a battlefield for regional powers** Weak states unwittingly invite strong neighbours to safeguard their own interests on their territory. This can take benign forms, but can also fuel local conflicts when foreign powers actively support their own proxies or allies. In Libya, both Qatar and Turkey have supported Islamist factions that oppose the elected government in Tobruk. In Afghanistan, Pakistan has played a nefarious role in consistently providing a safe-haven to the strategic leadership of the Taliban. While in the latter case, the US and NATO have deliberately chosen not to confront their ally, strong international diplomacy could have limited external involvement in Libya. Addressing this challenge can require frank and difficult conversations with close allies.

**13. Metrics for progress** Quality data can be very useful for appraising aspects of a transition process, especially if they are gathered with sensitivity to local complexity, and can be analysed in a statistically-sophisticated fashion. At the same time, over reliance on rigidly-structured metrics, such as enemy killed in action or territory nominally under control of the government, risks neglecting important factors that

may not lend themselves easily to quantification, such as patron-client relationships within elites. The best data are likely to be those gathered after careful consultation with specialists on the countries or areas under discussion. The right metrics need to be determined at the beginning of the deployment, as changing criteria will pollute databases and render comparisons difficult.

**14. Military exit is not end of involvement** Public discourse revolves around ‘exit strategies’, ‘entanglement’ and ‘bringing the boys home’. This frame is misleading, as involvement in and engagement with the host-nation typically does not end, but takes on a different, civilian shape. The earlier the civilian effort has been part of the intervention, the easier it will be to reduce the military element and maintain continuity. An integrated approach from the outset has more to offer than an attempt to mount a sudden ‘civilian surge’; appropriate personnel may not be available for the latter, and expectations of what can result may be unrealistically high.

**15. The problem of narcotics** The drug trade can play an enormous role in fuelling local conflict and increasing insecurity. Drugs, however, are not the most significant part in the revenue model of the Salafi-Jihadist groups in Mali (hostage ransoms), Afghanistan (funds from *awqaf* and wealthy donors in the Gulf) or Libya (crime and other traffic). Local governments play a more important role in the drug trade, often promoting or facilitating the traffic of drugs or preventing the prosecution of smugglers. Approaching the drug trade through the prism of counter-terrorism is therefore counterproductive, as the primary effort must be focused on reforming government institutions and cultures. The Afghanistan case suggests that at a certain point it can become very difficult to crack down on narcotics because of the risk that large numbers of small producers and labourers might be driven straight into the arms of the armed opposition.

**16. Managing expectations** Too often, interventions lead to unrealistically high expectations which are then disappointed. Rather than fuelling such expectations, it is better to try to create low expectations, and then exceed them. Interventions create their own momentum, and can result in unintended consequences that are greater than the envisaged ones. Avoiding rigidity, the intervening powers and host nation state will need to navigate crises while continuing to work towards a politically inclusive settlement. Both the tasks of rebuilding conflict-stricken societies and addressing the causes that contribute to terrorism are long-term efforts, requiring time, perseverance and a dose of good fortune.

# 1 Introduction

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This paper forms part of a project conducted by Leiden University and Australian National University for NATO's Science for Peace Project. The project strives to provide insight into the process of transitioning from military interventions to long-term counter-terrorism policy, and the reports will formulate both key success factors and lessons learned that could be of help when planning such a transition. Given the topic of this project, the case of Libya is somewhat peculiar. In contrast to the other two case studies in this project, the military operations in Afghanistan (2001-2016) and Mali (2013-2016), the intervention in Libya was not a response to a terrorist threat. Rather, the mission was first and foremost aimed at protecting Libyan civilians from the Gaddafi regime, and was also justified as such by the intervening powers. At the same time, however, during the military intervention, the US, France and UK made it clear that protecting civilians would require overthrowing the Gaddafi regime. The day after Gaddafi was captured and killed in October 2011, NATO Secretary General Anders Fogh Rasmussen announced that the mission would be terminated. A military intervention aimed at protecting civilians does not necessarily need to transform into long-term counter-terrorism policy.

Unfortunately, in today's Libya, terrorism is a greater threat than it was prior to the intervention. The country is currently embroiled in civil war, enabling terrorist groups like Islamic State (IS) to gain a foothold. The case of Libya was unique in the sense that the mission had a so-called 'light-footprint strategy' and that post-intervention efforts were limited. No international peacekeeping force was deployed. The continued involvement of the intervening powers was mostly limited to the United Nations Support Mission in Libya (UNSMIL), which started its mission in 2011, one month before Gaddafi was killed. The mission explicitly focused on "support[ing] the country's new transitional authorities in their post-conflict efforts".<sup>1</sup> The mandate has been extended several times, most recently in September 2015, when the Security Council authorised its presence up to March 2016.<sup>2</sup>

At the end of NATO's military intervention, assessments were initially optimistic. In March 2012, Ivo Daalder, U.S. Permanent Representative on the Council of NATO, and James G. Stavridis, NATO's Supreme Allied Commander Europe (SACEUR) wrote an article in Foreign Affairs, opening with the statement that "NATO's operation in Libya has rightly been

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<sup>1</sup> UNSMIL, <http://unsmil.unmissions.org/Default.aspx?tabid=3545&language=en-US>, accessed on May 12, 2015.

<sup>2</sup> United Nations Security Council Resolution 2238 (2015), [http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_res\\_2238.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2238.pdf).

hailed as a model intervention”.<sup>3</sup> Four years later it can be argued that the lessons of Afghanistan and Iraq were perhaps overlearned with the light footprint in Libya. Due to a combination of different factors, the intervening powers only provided a minimum of post-conflict aid and assistance, remaining on the sidelines as Libya descended into chaos and internal conflict. The security situation continues to deteriorate and has already led to the death of more than 4.500 people.<sup>4</sup> Institutions are deadlocked with two separate governments, one in Tobruk in the east of Libya and another in Tripoli in the west, both claiming to be the legitimate authority. Adding to this volatile situation is the fact that Islamic State (IS) has consolidated its presence in Libya over the past year. This worsening security situation has led to speculation that another military intervention is being considered, this time reportedly led by the US and France, and supported by Italy and the UK.<sup>5</sup> It has been reported that, amongst others, French Special Forces have already been involved in covert operations against the group Islamic State in Libya.<sup>6</sup>

In August 2014, during a frank and open interview with Op-Ed columnist Thomas L. Friedman, President Obama reflected on some of the lessons he learned in foreign policy. Intervening in Libya to prevent a massacre was the right thing to do, he argued, but doing it without sufficient follow-up on the ground to manage Libya’s transition to more democratic politics was probably his biggest foreign policy regret.

*Had we not intervened, it’s likely that Libya would be Syria. ... And so there would be more death, more disruption, more destruction. But what is also true is that I think we [and] our European partners underestimated the need to come in full force if you’re going to do this. Then it’s the day after Qaddafi is gone, when everybody is feeling good and everybody is holding up posters saying, ‘Thank you, America.’ At that moment, there has to be a much more aggressive effort to rebuild societies that didn’t have any civic traditions. ... So that’s a lesson that I now apply every time I ask the question, ‘Should we intervene, militarily? Do we have an answer [for] the day after?’*

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<sup>3</sup> Ivo Daalder and James G. Stavridis, “NATO’s Victory in Libya: The Right Way to Run an Intervention”, *Foreign Affairs*, vol. 91, no. 2. March/April 2012.

<sup>4</sup> Libya Body Count, <http://www.libyabodycount.org/>, accessed on March 9, 2016.

<sup>5</sup> Mattia Toaldo, “March to Folly 2.0: The Next Western Intervention in Libya”, European Council on Foreign Relations, February 2, 2016.

<sup>6</sup> “Top news: French special forces waging secret war in Libya”, *Atlantic Council*, February 24, 2016.

<sup>7</sup> Thomas Friedman, “Obama on the World”, *The New York Times*, 8 August 2014, [http://www.nytimes.com/2014/08/09/opinion/president-obama-thomas-l-friedman-iraq-and-world-affairs.html?\\_r=0](http://www.nytimes.com/2014/08/09/opinion/president-obama-thomas-l-friedman-iraq-and-world-affairs.html?_r=0).

## 2 Country and conflict

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### 2.1 National and international context

On February 15, 2011, Libyan human rights activist Fethi Tarbel was arrested. Hundreds of people took to the streets in Benghazi to protest. Within a week, a popular revolt had spread to other cities in the country, marking the beginning of what would be called the Libyan Revolution. Libya's man in power, Muammar Gaddafi, made it clear that he would not accept a rebellion and would not shy away from using force to suppress it. The events in Libya did not stand on their own. The Libyan people saw the strongman on their western border – the Tunisian Zine El Abedine Ben Ali – fall from power in January 2011, soon followed by Egyptian Hosni Mubarak on their eastern frontier in February. Inspired by these events, the Libyans felt confident to rise against Gaddafi's repressive regime. When the protests continued on 17 February, two days after the initial protest in Benghazi, Gaddafi-forces fired into the crowds, killing a number of protesters.<sup>8</sup> Soon, rebel forces were formed, nominally joining forces under the National Transitional Council (NTC). In essence these forces constituted, as Jason Pack argues, multiple uprisings, each run by different factions with diverging interests, but one common enemy: Gaddafi.<sup>9</sup> These rebel forces were able to depose Gaddafi after several months of conflict, with help from France, the United Kingdom, the United States and later the allies partaking in the NATO Operation Unified Protector.

Although effectively putting an end to the country's dictatorship, Gaddafi's death did not mark the beginning of a stable and peaceful future for Libya. The country quickly descended into civil war. At the time of writing, Libya has two governments: one seated in the capital of Tripoli and the other in the Eastern city of Tobruk, representing the so-called 'Dawn' and 'Dignity' factions. Both claim to be the legitimate rulers of post-revolutionary Libya. The current lack of a central government has also allowed jihadist groups like Islamic State (IS) to take advantage of the situation and establish a presence in the country.<sup>10</sup> As a result, the country is highly unstable.

While far from being democratic, Libya had been a moderately stable country under Gaddafi's reign. On the Fragile States Index (the former Failed States Index) by the Fund for Peace, it was consistently among the better half of the world's ranked countries. In 2010, Libya was ranked 111 out of 177 (with 1 being the 'most failed' state), outperforming countries such as Iran (32), Syria (48), Egypt (49), Russia (80), Turkey (89), Mexico (96) or

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<sup>8</sup> Ian Black and Owen Bowcott, "Libya protests: massacres reported as Gaddafi imposes news blackout", *The Guardian*, February 18, 2011, <http://www.theguardian.com/world/2011/feb/18/libya-protests-massacres-reported>.

<sup>9</sup> Jason Pack, editor of *The 2011 Libyan Uprisings and the Struggle for the Post-Qadhafi Future*.

<sup>10</sup> Ulf Lassing, "Gaddafi's home town falls to Islamic State in anarchic Libya", Reuters, May 21, 2015, <http://www.reuters.com/article/2015/05/21/us-libya-security-insight-idUSKBN00610M20150521>.

Ukraine (109).<sup>11</sup> Two years later, Libya set the record for “the most severe year-on worsening of a country in the history of the index”, falling from its 111<sup>th</sup> place in 2011 to the 50<sup>th</sup> place in 2012.<sup>12</sup>

This relatively good score prior to the revolution is somewhat misleading. For instance, it does not accurately convey how the concept of Libya as a unified state proved difficult to maintain. Historically, Libya was a compilation of three regions – Tripolitania in the north-west, Fezzan in the south-west, and Cyrenaica in the east. When Libya was part of the Ottoman Empire (from 1551 to 1911), these regions were separate provinces. The regional entities continued to exist during Italian rule until World War II and in the period from independence up to 1963. After the 2011 revolution, once the militias no longer needed to cooperate in the fight against their common enemy, geographical and ethnical differences re-emerged as divisive factors. As such the on-going political and armed struggle in Libya is primarily about power and resources, with the ideological element secondary to these two.<sup>13</sup>

## 2.2 History

After being part of the Ottoman Empire for four centuries, the three provinces of Cyrenaica, Tripolitania and Fezzan came under Italian control in 1911. While first known as Italian North Africa, the country received its current name in 1934. The Italian presence came to an end during World War II and after the defeat of Italian troops in 1943, Libya was administered by the Allies until 1951. The British administrated the two former Italian provinces of Tripolitania and Cyrenaica, while the French administered the province of Fezzan. In 1951 Libya gained its independence, and was subsequently ruled by King Idris for the following 18 years. His reign came to an abrupt end in 1969 after a coup d'état by a group of colonels, among them Muammar Gaddafi. The discovery of oil and a perceived rise in Western influence had led to growing public discontent with the monarchy.<sup>14</sup> The discovery of oil in the late 1950s contributed to a rise in national income; revenue that was nonetheless not equally shared between most of Libya's citizens, resulting in a widespread feeling of inequality.

When Gaddafi took power, he was initially one of the strongest supporters of Pan-Arabism and the Egyptian President Gamal Abdel Nasser, and was disillusioned by the Arab defeat during the Six Days War of 1967.<sup>15</sup> Gaddafi tried to unite Libya with other Arab states on multiple occasions, albeit without success. The three key words of Gaddafi's new programme,

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<sup>11</sup> The Fund for Peace, The Failed State Index: 2010, 2011, p.6. <http://www.fundforpeace.org/global/library/cr-10-99-fs-failedstatesindex2010-1103g.pdf>.

<sup>12</sup> The Fund for Peace, The Failed State Index: 2012, 2013, p.14. <http://library.fundforpeace.org/library/cfsir1210-failedstatesindex2012-06p.pdf>.

<sup>13</sup> High-level expert meeting, 29 June 2015, The Hague. ‘The military intervention and transition in Libya’.

<sup>14</sup> Helen Metz (ed.), *Libya: A Country Study*. Washington, DC: GPO for the Library of Congress (1989), p.10.

<sup>15</sup> Ibid.

outlined in his 'Green Book', were freedom, socialism and unity. He also promoted Islam in Sub-Saharan Africa.<sup>16</sup> This combination of socialism and religion was one of the reasons why Libya did not align with either the Western or Communist Bloc during the Cold War. Rather, it saw itself as an important player in the Non Aligned Movement. In this context, Gaddafi consistently supported revolutionary movements of all sorts.<sup>17</sup> This not only included support for Islamist revolutionary movements, such as the Moro Islamic Liberation Front in the Philippines<sup>18</sup>, but went as far as to support separatist and leftist terrorist organisations, such as the Irish Republican Army, the Red Army Faction, the Red Brigades or the Colombian FARC. He also intervened in Chad on multiple occasions, attempting unsuccessfully to annex the Aouzou strip in northern Chad between 1978 and 1987.

The UN imposed sanctions on the country after Gaddafi refused to cooperate with investigations into the Lockerbie bombing of 1988 that killed 270 people and the bombing of the French UTA flight 772 over Niger in 1989.<sup>19</sup> Only in 2003, when the Libyan suspects were tried, were these sanctions lifted.<sup>20</sup> That year marked a turn in diplomatic relations between Gaddafi and the West. The removal of Saddam Hussein's regime, plus the US intelligence operations that uncovered Gaddafi's covert weapons of mass destruction programme, helped convince him to abandon these programmes. Considered a pariah since 1988, Gaddafi was rehabilitated and could now restore diplomatic relations with the West. Bilateral relations with many countries improved, energy and arms contracts were sealed and Libya was regarded a potential ally in the war against terrorism after 9/11.<sup>21</sup>

## 2.3 Localism and tribalism

Two concepts were important in shaping Libyan society: localism and tribalism. According to Alison Pargeter, localism - the prioritisation of the local level in contrast to the centralised state - in North African countries contributed to increasing radicalization in eastern Libya, which considered itself distinct from the rest of this country. This region also avoided taxation during the rule of the Ottoman Empire and fiercely rebelled against Italian colonial rule. Libya's history of the three separate provinces thus prevented the establishment of a strong sense of national identity.<sup>22</sup>

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<sup>16</sup> Ibid, p.11.

<sup>17</sup> Ibid.

<sup>18</sup> Spencer C. Tucker, *Encyclopedia of Insurgency and Counterinsurgency: A New Era of Modern Warfare*, ABC-CLIO, LCC (2013), p.366.

<sup>19</sup> Security Council lifts sanctions imposed on Libya after terrorist bombings OF Pan Am 103, UTA 772, 12 September 2003, <http://www.un.org/press/en/2003/sc7868.doc.htm>.

<sup>20</sup> Security Council Lifts Sanctions Imposed On Libya After Terrorist Bombings Of PAN AM 103, UTA 772, 12 September 2003, <http://www.un.org/press/en/2003/sc7868.doc.htm>.

<sup>21</sup> Richard Norton-Taylor, "Gaddafi seen as ally in war on terrorism", *The Guardian*, August 9, 2002, <http://www.smh.com.au/articles/2002/08/08/1028157991952.html>.

<sup>22</sup> Alison Pargeter, "Localism and radicalization in North Africa: Local factors and the development of political Islam in Morocco, Tunisia and Libya", *International Affairs* 85:5 (2009), pp.1031-1044, p.1033.

Another pillar of Libyan society is its tribal composition, with approximately 20 major tribes vying for power, resources and influence. During the 2011 uprising, differences between tribes and regions were often temporarily bridged to pursue their common goal of overthrowing the Gaddafi regime. After the disappearance of this common enemy, tribal identities and localism once again became highly salient.<sup>23</sup>

## 2.4 Radical Islam and terrorism

Although Libya had never been confronted with large-scale terrorist campaigns, radical Islam had been able to gain a foothold in parts of the country. Especially in the eastern region of Cyrenaica, radical Islamist groups have taken root. The Libyan branch of the Muslim Brotherhood, as well as other militant cells, originated mostly from eastern cities such as Benghazi, Derna and Ajdabia. Although some of the commanders of these groups came from Tripoli, the large majority of the members, as well as most of the sympathisers, could be found in the eastern part of the country.<sup>24</sup> Recently, however, much of the support, logistics and planning for Islamist groups is shifting westward, and at the last three elections in Libya, Islamists performed better in places like Misrata, Tripoli and Zawia than in eastern cities, such as Benghazi, Tobruk and Ejdabya.<sup>25</sup>

During the 1980s and 1990s, many foreign fighters from Libya attended training camps in Afghanistan or joined the global jihad. It has been estimated that at least 500 Libyans joined the Arab-Afghans who were fighting the Soviet Union in the 1980s.<sup>26</sup> Some fighters returned to Libya but others moved on to different conflict zones, training, for example, with Al Qaeda in Sudan. Gaddafi, while supporting terrorist groups in other countries, violently repressed Islamist groups in his own country. According to an analysis by the Jamestown Foundation, a combination of factors in the early 1990s paved the way for an Islamist uprising: Gaddafi's devious interpretation of Islam according to the Salafists, endemic corruption, economic mismanagement, and the 1992 UN Sanctions taken after the Lockerbie Bombing.<sup>27</sup> Between 1992 and 1996, Islamist opposition began to organise and several groups were involved in successful attacks against the regime, on occasion liberating detained Islamists from Gaddafi's prisons. The Libyan Islamic Fighting Group (LIFG) was responsible for most terrorist attacks in Libya, but Gaddafi's violent crackdown killed or imprisoned most of its fighters by the end of the millennium.<sup>28</sup>

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<sup>23</sup> Wolfram Lacher, "Families, Tribes and Cities in the Libyan Revolution", *Middle East Policy*, vol. XVIII, no. 4, (2011), p.140.

<sup>24</sup> Pargeter, "Localism and radicalization in North Africa, p.1031.

<sup>25</sup> High-level expert meeting, 29 June 2015, The Hague. 'The military intervention and transition in Libya'.

<sup>26</sup> Gary Gambill, "The Libyan Islamic Fighting Group (LIFG)", *Terrorism Monitor*, vol. 3, no. 6, The Jamestown Foundation (2005).

<sup>27</sup> Gambill, "The Libyan Islamic Fighting Group".

<sup>28</sup> Ibid.

Overall, the Global Terrorism Database only registered 16 terrorist incidents in Libya between 1970 and 2011.<sup>29</sup> Although incidents are probably underreported, it is clear that the threat posed by terrorist groups in Libya was limited compared to neighbouring countries. Egypt, for instance, witnessed 489 incidents in the same period. Although the LIFG was more or less inactive in Libya in the 2000s, this did not mean Islamism in Libya had vanished. Many Libyan foreign fighters travelled to Iraq between 2003 and 2008 to fight American troops. According to the Global Terrorism Database, more than 60% came from Derna and 24% from Benghazi, both in the east of the country.<sup>30</sup> During the 2011 revolution, many dormant Islamist groups joined the uprising against Gaddafi while others resumed their activities once Gaddafi's repressive regime was gone. Some former LIFG members formed the Abu Salim Martyrs' Brigade that began to control parts of Derna following the revolution.<sup>31</sup> Another well-known Islamist group created by former members of pre-revolution Islamist groups is Ansar al-Sharia. Some of its members were allegedly involved in the 2012 attack on the US consulate in Benghazi that killed US Ambassador Christopher Stevens.<sup>32</sup>

## 2.5 Conflict causes

When analysing the origins of a conflict, in hindsight it is always relatively simple to identify the trigger events and proximate causes. In the case of Libya, the arrest of a human rights activist was the direct trigger that activated a spiral of escalating violence, and the context of the Arab Spring was the proximate cause. It is, however, much more difficult to identify indirect and structural causes for the revolt against the Gaddafi regime.

According to Emanuela Paoletti, the uprising in Libya took most observers by surprise, but revealed long-standing internal divisions in the country.<sup>33</sup> These internal divisions mainly revolved around the socio-economic differences between the regions in the country. Not all areas enjoyed the same living standards and levels of development. Some argue that the eastern region of Cyrenaica had been punished for Islamic extremism by the Gaddafi regime, by being kept in a state of poverty and underdevelopment.<sup>34</sup> It was also in this region, in the city of Benghazi, that the 2011 uprising started. These regional differences had a negative impact on the formation of a national, shared identity.

Besides the absence of a strong national identity, there was also a clear absence of a functioning state. This was in part due to the autocratic and idiosyncratic traits of Gaddafi and his governance style. However, Libya also provides a confirmatory case study of the concept

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<sup>29</sup> The Global Terrorism Database, National Consortium for the Study of Terrorism and Responses to Terrorism, accessed on May 25, 2015, <https://www.start.umd.edu/gtd/>.

<sup>30</sup> Pargeter, "Localism and radicalization in North Africa", p.1044.

<sup>31</sup> Frederic Wehrey, "The Struggle for Security in Eastern Libya", *The Carnegie Papers, Middle East* (September 2012), p.11.

<sup>32</sup> Wehrey, "The Struggle for Security in Eastern Libya", p.11.

<sup>33</sup> Emanuela Paoletti, "Libya: Roots of a Civil Conflict", *Mediterranean Politics*, vol. 16, no. 2, pp.313-319 (2011), p.313.

<sup>34</sup> Pargeter, "Localism and radicalization in North Africa", p.1036.

of the so-called resource curse<sup>35</sup>, which argues that natural wealth (Libya's enormous oil reserves) can lead to less democracy. In Libya there was, a) a lack of export diversification, and b) no need to invest in state structure. As a result of the enormous revenues that were generated by oil export, Gaddafi saw no need in developing other sectors or diversifying the economy, although he did invest in agriculture.<sup>36</sup> It has been estimated that in the mid-2000s, 95 per cent of the export earnings originated from the oil sector and that it accounted for 80 per cent of all government revenues.<sup>37</sup> Unemployment was around 20 per cent in 2008 and 16 per cent lived below the poverty line.<sup>38</sup> Consequently, Libya's economy remained underdeveloped and vulnerable. As a result of the abundance of oil, the Libyan 'social contract' was one where few taxes were paid, and few services were expected in return. Nonetheless, Gaddafi's Green Book preached socialism, and he did invest in infrastructure, irrigation projects, health care and education, albeit to limited extent.<sup>39</sup> Fuel and many foodstuffs were also heavily subsidised.

Perhaps the main factor that fuelled the uprising was the frustration with clientelism. Gaddafi reigned Libya with an iron fist, with all power centralized. On lower levels, power was mainly concentrated in the hands of just a few chosen tribes: the Wadhafa (Gaddafi's own tribe), Warfalla and Magariha.<sup>40</sup> The level just below Gaddafi – his advisors – were known as the "men of the tent" and were very much dependent on family and tribal relations.<sup>41</sup> Good (indirect) personal relations with the regime were essential for those aspiring to a career within the Libyan government apparatus. Those that were excluded from these networks would, as part of a large group of 'have-nots', support the overthrow of Gaddafi.

Still, it is important not to overestimate the importance of tribal relations in Libya. Although the tribal system was effectively employed by Gaddafi, the importance of tribes had decreased since the 1970s, mainly as a result of rapid urbanisation. Also, in cities like Tripoli, prominent families rather than tribes play a significant role.<sup>42</sup> According to Lacher, "[t]owns and cities were at least as important as the tribes as the reference units of mobilization for the revolutionary struggle".<sup>43</sup>

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<sup>35</sup> Richard M. Auty, *Sustaining Development in Mineral Economies: The resource curse thesis*, Routledge: London (1993).

<sup>36</sup> Henelito A. Sevilla, Jr, "From "Silent Protest" to Humanitarian Intervention: the Case of Libya", *Area Studies: A Journal of International Studies and Analysis*, vol. 7, no. 1 (2013), p.117.

<sup>37</sup> Sevilla, "From "Silent Protest" to Humanitarian Intervention", p.118.

<sup>38</sup> Ibid, p.118.

<sup>39</sup> Ibid, p.117-118.

<sup>40</sup> Paoletti, "Libya: Roots of a Civil Conflict", p.317.

<sup>41</sup> Ibid, p.316.

<sup>42</sup> Lacher, "Families, Tribes and Cities in the Libyan Revolution", p.146

<sup>43</sup> Ibid, p.146.

## 3 Pre-intervention phase

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### 3.1 Pre-entry phase: Decision-making & political context

The decision to intervene in Libya was neither easy, nor was it immediately expected at the first signs of the rebellion. Initially, the odds seemed to be largely against any intervention. For one, a foreign intervention was simply deemed unnecessary by the West. Uprisings in neighbouring Egypt and Tunisia resulted relatively quickly in the removal of their former leaders. In the first weeks of the Libyan uprising, there was no reason to think this case would be any different. There were also several external factors that did not favour an intervention.

The first of those was the enormous drain of the missions in Iraq and Afghanistan. In 2011, NATO's efforts still fielded a significant force in Afghanistan and disillusionment with the results on the ground was creeping in. There was neither political nor public support in most Western countries for another adventure on foreign soil.<sup>44</sup> As US Secretary of Defence Robert Gates put it bluntly on 24 February, "any future defence secretary who advises the president to again send a big American land army into Asia or into the Middle East or Africa should have his head examined".<sup>45</sup> This argument resonated particularly strongly in the United States, which had borne the brunt of these missions.

A second external reason was the financial crisis in Europe. Many European countries had significantly cut their defence budgets over the past years, in contrast to the US.<sup>46</sup> The reluctance of the European allies in NATO to invest in defence had always been a contentious point. Since the end of the Cold War, the US increasingly argued for a more balanced level of burden-sharing between the allies. The US shirked from an overly pro-active role in Libya – Europe's neighbour, after all – as it could send out the wrong signal, allowing European partners to again lean on the US and let it shoulder the responsibility for action.

The Western non-interventionist attitude was turned on its head by internal developments in Libya. It soon became clear that the rebels were unable to accomplish a quick military victory. The humanitarian situation deteriorated quickly. Gaddafi's public call on February 22 to "cleanse Libya house by house", "alley to alley" (the famous "zenga zenga" phrase) to drive

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<sup>44</sup> See for instance the Pew Research Center poll on public support in the USA, "Public Wary of Military Intervention in Libya: Broad Concern that U.S. Military is Overcommitted", Pew Research Center, March 14, 2011, <http://www.people-press.org/2011/03/14/public-wary-of-military-intervention-in-libya/>.

<sup>45</sup> Christopher S. Chivvis, "Libya and the Future of Liberal Intervention", *Survival: Global Politics and Strategy*, vol. 54, no. 6 (December 2012-January 2013), pp. 69-92, p.70.

<sup>46</sup> Jeffrey H. Michaels, "Able but not willing: a critical assessment of NATO's Libya's intervention" in: Kjell Engelbrekt, Marcus Mohlin and Charlotte Wagnsson (ed.), *The NATO Intervention in Libya: Lessons learned from the campaign*, New York: Routledge (2014), p.18.

out the “rats” and “cockroaches” seemed to warn of an impending massacre.<sup>47</sup> With this statement, the Responsibility to Protect (R2P)-doctrine suddenly became an issue within the United Nations. In 2005, the United Nations General Assembly adopted Resolution 60/1 following the World Summit, forming the basis of this idea of a *Responsibility to Protect*. In this resolution paragraph 139, the UNGA stipulated that

*the international community (...) has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means (...) to help to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council (...), should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity.*<sup>48</sup>

This R2P-doctrine was formed as a reaction to the international community’s failure to prevent the genocides in Rwanda (1994) and Srebrenica (1995). As much as the interventions in Afghanistan and Iraq illustrated the limits of Western military involvement, the examples of Rwanda and Srebrenica symbolised the risks of non-intervention. Former US President Bill Clinton has mentioned on many occasions that his decision to not intervene in Rwanda was one of his greatest regrets; this situation is something that both French President Nicholas Sarkozy and British Prime Minister David Cameron wanted to avoid.<sup>49</sup> As reports of gross human rights violations in Libya were being published by the media, and an impending massacre in Benghazi seemed forthcoming, many within the UN argued that the R2P-doctrine was applicable. Although some now debate the accurateness of the view of impending genocide in Libya – as Alan Kuperman does in his article “Lessons from Libya: How Not to Intervene”<sup>50</sup> - it is without doubt that at that time the international community did fear an impending massacre.

With the benefit of hindsight there are always facts and indicators that refute the accuracy of the expectation at the time, but decision-makers had to decide quickly, under great pressure and on the basis of limited information. Considering Gaddafi’s personal record and the threats

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<sup>47</sup> “Libya protests: Defiant Gaddafi refuses to quit”, *BBC News*, February 22, 2011, <http://www.bbc.com/news/world-middle-east-12544624>.

<sup>48</sup> United Nations General Assembly, Resolution 60/1. World Summit 2005 Outcome, October 2005, <http://www.un.org/en/preventgenocide/adviser/pdf/World%20Summit%20Outcome%20Document.pdf#page=30>.

<sup>49</sup> On 20 February 2011, Sarkozy requested his Cabinet to produce a note on how Srebrenica managed to take place, see Jean-Christophe Notin, *La vérité sur notre guerre en Libye*, Fayard (2012), p. 57.

<sup>50</sup> Kuperman describes that although Gaddafi responded with military force to suppress the rebels, he claims that Gaddafi “never intentionally targeted civilians or resorted to “indiscriminate” force, as Western media claimed. Early press accounts exaggerated the death toll by a factor of ten, citing “more than 2,000 deaths” in Benghazi during the initial days of the conflict, whereas Human Rights Watch (HRW) later documented only 233 deaths across all of Libya in that period”, see Alan J. Kuperman, “Lessons from Libya: How Not to Intervene”, *Policy Brief*, Harvard Kennedy School - Belfer Center for Science and International Affairs, Sep 2013, pp.1-2.

he made, the case for an intervention can be argued still. Recent research has confirmed reporting bias in the coverage of the Libyan conflict, with media in democracies demonstrating a pro-challenger, opposition bias, and media in non-democracies confirming a pro-incumbency bias.<sup>51</sup> In Western democracies, over-reporting of the insurgents' case and their suffering at the hands of Gaddafi, framed with sympathy for their cause, might have played a significant role in nudging decision-makers towards military intervention.

### 3.2 France and the United Kingdom

The two countries that initially pushed most for an international military intervention were France and the United Kingdom, with a particularly strong role for French President Sarkozy. Sarkozy's political style was characterized by initiative, impulse and action, and in 2008 he had been instrumental in leading EU attempts to broker a ceasefire between Georgia and Russia. In the first months of 2011, his poll ratings were low and an anonymous group of diplomats (*le groupe Marly*) criticised his international policy as extremely impulsive and amateurish.<sup>52</sup> As the Arab Spring seemed to spread, his government was caught wrong-footed with Foreign Minister Michèle Alliot-Marie speaking in support of Tunisian strongman Ben Ali, saying that French security forces had the *savoir faire* to help combat the riots. Sarkozy was therefore quick to act on Libya, and the first one to call for a no-fly zone over the country at the end of February 2011. The media personality Bernard-Henri Lévy (BHL) proved to be a driving force for intervention and had direct access to Sarkozy. Most importantly, France became the first country on 10 March 2011 to officially recognise the National Transition Council (NTC) – the collection of rebel movements that had been formed only two weeks earlier.<sup>53</sup> This political act was intended to create a *fait-accompli*, and surprised not only international leaders like Merkel and Cameron, but even the French Foreign Ministry.<sup>54</sup>

In both France and the UK it was the president and the prime minister – Sarkozy and Cameron – who were most supportive of a military option, while military officials were more reluctant and cautious in their outlook. For the UK it was also important to support the Anglo-French Defense treaty that was signed a year before. Cameron was apparently also afraid of another Srebrenica and asked his defence officials to plan for military options.<sup>55</sup> However, he also involved an attorney general to all the National Security Council's meetings and tasked Development Secretary Andrew Mitchell with drawing up a stabilisation plan for Libya,

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<sup>51</sup> Matthew A. Baum and Yuri M. Zhukov, "Filtering revolution: Reporting bias in international newspaper coverage of the Libyan civil war", *Journal of Peace Research* (2015).

<sup>52</sup> La voix de la France a disparu dans le monde", *Le Monde*, February 22, 2011, [http://www.lemonde.fr/idees/article/2011/02/22/on-ne-s-improvise-pas-diplomate\\_1483517\\_3232.html](http://www.lemonde.fr/idees/article/2011/02/22/on-ne-s-improvise-pas-diplomate_1483517_3232.html).

<sup>53</sup> Alan Cowell and Steven Erlanger, "France Becomes First Country to Recognize Libyan Rebels", *The New York Times*, March 10, 2011, <http://www.nytimes.com/2011/03/11/world/europe/11france.html>.

<sup>54</sup> Notin, *La vérité sur notre guerre en Libye*, pp. 88-89.

<sup>55</sup> Michaels, "Able but not willing", p.20.

incorporating lessons learned from Iraq.<sup>56</sup> The French and the British had, however, a different position on who should take the lead in a military mission. Although both supported the involvement of the US, the British sought a NATO-lead whereas the French initially preferred not to involve NATO. The French reasoning was based on external perceptions, considering that NATO was perceived to have an aggressive image in the Arab world.<sup>57</sup> The aspect of regional support was also deemed essential by the UK, which laid out three conditions for their support of a military action:

- 1) Demonstrable need for military action
- 2) Sound legal basis
- 3) Strong regional support<sup>58</sup>

Eventually, the British and French agreed on a joint action plan. With the UK in favour of a NATO- lead, and other allies, such as Italy, ruling out participation if it was not under NATO-flag, France agreed with the mission being transferred to NATO. From a practical military perspective this was easier than keeping a Franco-British lead. The different missions became NATO Unified Protector on 31 March 2011. In both the US and the UK, it was the Foreign Office and State Department that were pushing for an intervention, with Defence ministries much more reluctant to get involved.

### 3.3 The United States

The US administration was initially split on the issue of intervening in Libya. Secretary of State Hillary Clinton was a cautious proponent for intervention, whilst Defence Secretary Robert Gates was sceptical. In his memoir, Gates recalled that Obama told him it was a “51-49” decision.<sup>59</sup> As the humanitarian situation deteriorated in Libya, the US was edged into action by the perception of an imminent threat to civilians in Benghazi.<sup>60</sup> This was only possible after the support of regional players, the UNSC-resolution, plus the French and British promise to take the lead in the intervention. Key to the Allied decision to intervene was the standpoint of the Arab League. Its public call for a no-fly zone on 12 March would be followed by other countries and form one of the key elements of UN Resolution 1973. The Arab League’s support and the active contribution of Jordan, Qatar and the United Arab Emirates broadened the coalition and undercut potential criticism of the intervention as a ‘neo-colonialist’ project. In addition, it helped to remove any doubts in the UNSC, especially

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<sup>56</sup> Madelene Lindström and Kristina Zetterlund, "Setting the Stage for the Military Intervention in Libya: Decisions Made and Their Implications for the EU and NATO". Stockholm: Swedish Ministry of Defence (2012), p.32.

<sup>57</sup> Michaels, “Able but not willing”, p.20.

<sup>58</sup> Lindström and Zetterlund, “Setting the Stage for the Military Intervention in Libya”, p.36.

<sup>59</sup> Benjamin Fisher, “Foreign Affairs: Who Lost Libya?”, *The International Institute for Strategic Studies (IISS) Expert Commentary*, April 21, 2015, <https://www.iiss.org/en/expert%20commentary/blogsections/2015-23ef/april-39aa/who-lost-libya-b87e>.

<sup>60</sup> Chivvis, “Libya and the Future of Liberal Intervention”, p.71.

with regard to the Russian and Chinese vote on the matter.<sup>61</sup> Adding to the clamour for intervention was the statement by Ambassador Shalgam of Libya, who requested a UN-mandated intervention: “Libya was established by the United Nations.... We want a swift, decisive and courageous resolution”.<sup>62</sup> Like several other Libyan ambassadors, he defected and supported a military intervention.

### 3.4 Getting support in the UNSC

The first crucial hurdle was to convince the United Nations Security Council to adopt a resolution that would provide the international legal mandate for such an effort. In the Council, the US took the position of “moderate interventionism”.<sup>63</sup> Others, such as non-permanent members Germany, Brazil and India, were more ambivalent. China, a staunch proponent of the principle of non-intervention and state sovereignty, did not directly oppose the intervention either. The support of regional organisations such as the Arab League was crucial in persuading the Chinese not to veto any resolution, considering their significant economic interests in Gaddafi’s Libya. The UNSC did not immediately adopt a resolution that legitimised a military intervention but first passed a more symbolic resolution on February 26. Resolution 1970 consisted of a demand to end violence, a referral of the case to the International Criminal Court, a comprehensive arms embargo, a travel ban and an asset freeze for Gaddafi and his family and associates.<sup>64</sup>

Within a few days, it became clear only military force could prevent Benghazi from being overrun by Gaddafi’s troops. After increasing calls for a no-fly zone, countries manoeuvred for a new resolution, which required nine votes in favour, and the assurance that none of the permanent members would use their veto. This was not a foregone conclusion, and early in the morning on 17 March 2011 Sarkozy dispatched his Foreign Minister to New York to help mobilise votes. To maximize their chances, the drafters had to make sure that the text was a) aligned with the R2P-doctrine, b) ruled out the deployment of a foreign occupying force and c) involved regional actors in the effort.<sup>65</sup> American contact with Russian President Medvedev, who unlike Prime Minister Putin’s faction did not oppose the resolution, ensured a Russian abstention rather than veto. To the surprise of France and the UK, Germany indicated that it would abstain. The outcome was still uncertain until the very end, with the South African delegation awaiting voting instructions from their capital and the Nigerians having committed to vote as their South African colleagues would. On 17 March 2011, at 23:36 hours the vote passed with ten votes in favour and five – Brazil, Germany, India, China and Russia abstaining.<sup>66</sup> The resolution authorised member states to take “all necessary measures(...) to protect civilians and civilian populated areas under threat of attack in the

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<sup>61</sup> Engelbrekt and Wagnsson, “Introduction”, p.6.

<sup>62</sup> Engelbrekt, “Why Libya?”, p. 47.

<sup>63</sup> Ibid, p. 48.

<sup>64</sup> Ibid, p. 51.

<sup>65</sup> Ibid, p. 54.

<sup>66</sup> Notin, *La vérité sur notre guerre en Libye*, p. 131.

Libyan Arab Jamahiriya”.<sup>67</sup> Just two days later, French Rafale fighters started bombing Libyan artillery.<sup>68</sup>

### 3.5 Military planning

On February 25, the North Atlantic Council (NAC), the political wing of NATO, held a meeting to discuss the crisis.<sup>69</sup> This meeting brought together the different ministers of Foreign Affairs. Their counterparts from Defence held a meeting on March 10 and 11 which paved the way for NATO’s military involvement.<sup>70</sup> The first phase of the intervention was largely discussed in the ‘Libya Contact Group’ which had been initiated by France in the weeks that followed to coordinate the efforts of various governments and organisations. This contact group included the UN, EU, NATO, Arab League, Organisation of Islamic Conference and the Cooperation Council for the Arab Gulf States. It not only served as a platform to discuss the military part of the intervention, but also as one to discuss support for Libya after the intervention.<sup>71</sup> For France, leading the Contact Group was also a way to keep it in its own hands instead of giving the coordination to the NAC.<sup>72</sup> When the mission was transferred to NATO in late March, it could continue the work virtually without any delay because its members had already started planning.

### 3.6 Mission objectives & (strategic) narrative

While the mandate of UNSC Resolution 1973 justified “all necessary means”, its objective was to protect civilians. There was no reference to regime change or the ousting of Gaddafi as this would have elicited a veto from Russia and or China. Thus, the leading intervening powers set a narrative of a limited mission. For instance, on March 25, White House Press Secretary Jay Carney told reporters that “[w]e are not engaged in military-driven regime change” but that they were involved in “time-limited, scope-limited action” to protect the Libyan population.<sup>73</sup>

The translation of the political goal and legal mandate to military operations would remain difficult throughout the campaign. Resolution 1973, with its focus on the protection of civilians, but no mention of an end-state, did not lend itself well to military planning.<sup>74</sup> On 14

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<sup>67</sup> United Nations Security Council, Resolution 1973, March 2011, <http://www.un.org/press/en/2011/sc10200.doc.htm#Resolution>.

<sup>68</sup> Colin Freeman and Sean Rayment, “Libya: British forces fire missiles at Gaddafi”, *The Telegraph*, March 19, 2011, <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8393128/Libya-British-forces-fire-missiles-at-Gaddafi.html>.

<sup>69</sup> Michaels, “Able but not willing”, p.19.

<sup>70</sup> Engelbrekt, “Why Libya?”, p. 53.

<sup>71</sup> Lindström and Zetterlund, “Setting the Stage for the Military Intervention in Libya”, p.18.

<sup>72</sup> Ibid, p.61.

<sup>73</sup> Alan Silverleib, “White House defends Libya response”, *CNN*, March 25, 2011, <http://edition.cnn.com/2011/POLITICS/03/24/libya.obama.criticism/index.html>.

<sup>74</sup> Florence Gaub, “The North Atlantic Treaty Organisation and Libya: reviewing Operation Unified Protector”, *The Letort Papers* (2013), p.19.

April, a month into the intervention, NATO did specify exactly what its objectives for the mission would be, stating that military pressure would continue until:

1) All attacks and threats of attack against civilians and civilian-populated areas have ended;  
2) The regime has verifiably withdrawn to bases all military forces, including snipers, mercenaries and other para-military forces, including from all populated areas they have forcibly entered, occupied or besieged throughout all of Libya, including [...] 3) The regime must permit immediate, full, safe and unhindered humanitarian access to all the people in Libya in need of assistance.<sup>75</sup>

Nonetheless, the very same day Obama, Cameron and Sarkozy published an Op-Ed in the International Herald Tribune that did not dispel the sentiment that regime change was the real objective. In the article titled “Libya’s Pathway to Peace”, the three heads of state argued that it was “impossible to imagine a future for Libya with Qaddafi in power” and that “[i]n order for [that] transition to succeed, Qaddafi must go and go for good”.<sup>76</sup> This is, contrary to the previously mentioned objective, an end-state that is sufficiently clear and specific for the military to act and plan on.

For the United States, there was pressure to scale back its involvement as soon as possible. During the lead-up to the mission, one of Obama’s advisors had introduced the term “leading from behind” in an interview with *The New Yorker*.<sup>77</sup> However, in the first phase of the mission, the US in fact did take a leading role, as was also said by Ivo Daalder, US Ambassador to NATO, who called the US role “plain leading”.<sup>78</sup> The transfer of the mission from a US-led operation to a NATO-led operation allowed a change in narrative, and coincided with the US scaling back its military effort. The mission could thus be transferred to NATO in which the US would only play a “supporting role”.<sup>79</sup> The image was clear: the US successfully attained the mission’s limited objectives and now transferred the authority to NATO. A day before Obama’s speech, NATO’s Secretary General Anders Fogh Rasmussen also gave a public statement on NATO’s new role:

*NATO Allies have decided to take on the whole military operation in Libya under the United Nations Security Council Resolution. Our goal is to protect civilians and civilian-*

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<sup>75</sup> “Statement on Libya following the working lunch of NATO Ministers of Foreign Affairs with non-NATO contributors to Operation Unified Protector”, NATO, April 14, 2011, [http://www.nato.int/cps/en/natohq/official\\_texts\\_72544.htm](http://www.nato.int/cps/en/natohq/official_texts_72544.htm).

<sup>76</sup> Barack Obama, David Cameron and Nicholas Sarkozy, “Libya’s Pathway to Peace”, *The New York Times*, 14 April 2011.

<sup>77</sup> Ryan Lizza, “The Consequentialist: How the Arab Spring remade Obama’s foreign policy”, *The New Yorker*, May 2, 2011, <http://www.newyorker.com/magazine/2011/05/02/the-consequentialist>.

<sup>78</sup> Lindström and Zetterlund, “Setting the Stage for the Military Intervention in Libya”, p.46.

<sup>79</sup> “Obama’s Libya full speech: full text as delivered”, *Politico*, March 28, 2011, <http://www.politico.com/news/stories/0311/52093.html/>.

*populated areas under threat of attack from the Gaddafi regime. NATO will implement all aspects of the UN Resolution. Nothing more, nothing less.*<sup>80</sup>

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<sup>80</sup> Statement by NATO Secretary General Anders Fogh Rasmussen on Libya, March 27, 2011, [http://www.nato.int/cps/en/natolive/news\\_71808.htm](http://www.nato.int/cps/en/natolive/news_71808.htm).

## 4 Intervention phase

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Allied military forces had already been active in Libya before the first air strikes that followed on the UN Resolution. As Libya descended into chaos after Gaddafi's "zenga zenga" speech on 22 February 2011, thousands of Western expatriates, predominantly from the oil and gas sector, sought to leave the country. Many other nationals, including Chinese, Turks and Egyptians, also hastened to leave, resulting in huge traffic jams at several border posts. Each European country organised its own non-combatant evacuation operations (NEOs), sending military planes and warships or chartered civilian airliners. There was little or no coordination between these different operations.<sup>81</sup> Tripoli's airport became clogged with Western planes landing to evacuate their own nationals, some leaving with hundreds of people on board and others nearly empty. A team of British SAS troops sent to Benghazi to facilitate evacuation efforts was arrested by rebels but later released.<sup>82</sup> A Dutch navy helicopter that tried to pick up nationals in Sirte was captured by Gaddafi's forces; the crew was later also released. At sea, several ships including HMS Cumberland took hundreds of evacuees on board. National evacuation efforts were initially disorganized and chaotic, and different ministries of Defence were tasked to plan and operate in Libya.

The Libyan rebellion had a fast and violent start, but the regime responded equally quickly. Around the end of February, the rebels were in control of six of the country's nine biggest cities, and by the high point of the initial uprising insurgents held around half of Libya's populated territory.<sup>83</sup> Regime forces launched an all-out counter attack, and with the assistance of tanks and air support all major cities were retaken in the first weeks of March. Only Benghazi remained, cut off from supply routes and, being the headquarters of the NTC, it was of great military and political importance to the uprising. On 16 March the government prepared to assault this last rebel stronghold, with Gaddafi's son Saif-Al Islam predicting that it would all be over in 48 hours.<sup>84</sup> Without a Western military intervention there is little doubt that Benghazi would have fallen.

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<sup>81</sup> Notin, *La vérité sur notre guerre en Libye*, p. 28.

<sup>82</sup> Martin Chulov, "SAS and MI6 officers released by Libya's rebel commanders", *The Guardian*, March 7, 2011, <http://www.theguardian.com/world/2011/mar/07/sas-mi6-released-libya-rebels>.

<sup>83</sup> Alan J. Kuperman, "A Model Humanitarian Intervention? Reassessing NATO's Libya Campaign" *Belfer Center*, vol. 38, no. 1 (Summer 2013), pp.105-136.

<sup>84</sup> "Libyan army calls for Benghazi to surrender as Saif Gaddafi says town will fall within 48 hours", *The Telegraph*, March 16, 2011, <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8385250/Libyan-army-calls-for-Benghazi-to-surrender-as-Saif-Gaddafi-says-town-will-fall-within-48-hours.html>.

## 4.1 The air campaign

After resolution 1973 was passed in the night of 17 March, government leaders in Paris, London and Washington concluded that direct action was needed to prevent Benghazi from falling to government forces. Once again, President Sarkozy took the lead and ordered the French air force to prepare strikes. The UK and US also prepared their attacks, with the latter informing the French they would launch tomahawk cruise-missiles on the night of 19-20 March. While the emergency meeting between Allied leaders took place in Paris on 19 March, Sarkozy informed his counterparts around the table that French jets were at that moment underway to execute the first attack against government forces, and that he would cancel the strike if they did not support it. Initially both Paris and London had envisaged the first strike immediately after the resolution, but this proved technically impossible. Munitions needed time for assembly and cruise missiles had to be programmed. The first French strike mission did not have a predetermined target, but the pilots were instructed to find targets of opportunity – within the rules of engagement – and failing this, to strike a strategic crossroads around Benghazi. Two flights of four Rafale and four Mirage jets encountered a battery of artillery that was firing on Benghazi, which they destroyed. Instances such as this highlight how difficult it would be for political decision-making to keep up with the speed of events.<sup>85</sup>

The initial main target of the allies was the air defence infrastructure. US Secretary of Defence, one of the sceptics of military intervention, clearly set out what the military consequences were of implementing a no-fly zone to protect civilians: “Let’s just call a spade a spade. A no fly zone begins with an attack on Libya to destroy the air defences. That’s the way you do a no fly zone, and then you can fly planes around the country and not worry about our guys being shot down (...) but that is the way it starts”.<sup>86</sup> After the initial French air strike, the US and UK launched over 200 Tomahawk cruise-missiles, of which around half came from the submarine USS Florida (and around 10% from UK assets). Air strikes were also launched. Within the first 24 hours Allied strikes reportedly destroyed 22 of 24 of the Libyan fixed air defense sites.<sup>87</sup> After the hand-over to NATO command, around two thirds of the bombing sorties were flown by France and the UK, with the rest conducted by Italy, Canada, Denmark, Norway, Sweden (a NATO partner but not member) and Belgium.<sup>88</sup> The United Arab Emirates, Qatar and Jordan also participated in the campaign, operating alongside the air forces that were their longstanding partners (the US, French and UK air forces respectively). The first two countries conducted ground strikes, while the Jordanian Air

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<sup>85</sup> For a detailed description of the political and military process in France leading up to the initial strike, see Notin, *La vérité sur notre guerre en Libye*, pp.133-183.

<sup>86</sup> Elise Labott, “U.S. mulling military options in Libya”, *CNN News*, March 3, 2011, <http://edition.cnn.com/2011/US/03/02/libya.military.options/>.

<sup>87</sup> Elizabeth Quintana, “The War from the Air”, in: Adrian Johnson and Saeed Mueen (ed.), *Short War Long Shadow; The Political and Military Legacies of the 2011 Libya Campaign* (RUSI: 2012), p.33.

<sup>88</sup> “Libye: point de situation n°50—bilan de l’opération Unified Protector”, Ministère de la Défense Français, 8 November 2011, [www.defense.gouv.fr/operations/autres-operations/operation-harmattan-libye/actualites/libye-pointde-situation-n-50-bilan-de-l-operation-unified-protector](http://www.defense.gouv.fr/operations/autres-operations/operation-harmattan-libye/actualites/libye-pointde-situation-n-50-bilan-de-l-operation-unified-protector); “NATO Operations in Libya: Data Journalism Breaks Down Which Country Does What,” *The Guardian*, October 31, 2011, <http://www.theguardian.com/news/datablog/2011/may/22/nato-libya-data-journalism-operations-country>.

Force principally conducted air patrol sorties, avoiding combat. Several NATO countries, namely the Netherlands, Poland, Spain and Turkey also conducted these no fly zone sorties but were not involved in attack missions.

After the initial strikes that destroyed Gaddafi's air defense, command infrastructure and advancing columns, the pace of the air strikes slowed. On average, only about 40 to 50 combat sorties were launched every day (compared to around 1000 daily sorties during the high point of Operation Allied Force in Kosovo 1999).<sup>89</sup> This was in part due to the Gaddafi's forces adapting tactics, and it becoming increasingly difficult for the allies to distinguish between rebels and regime fighters. Both sides were often equipped with the same hardware and this could moreover change hands back and forth.<sup>90</sup> After the first allied air attacks destroyed all the known and fixed targets, many missions were flown as "dynamic targeting" (rather than "deliberate"), with pilots choosing, identifying and attacking their own targets in flight. Combined with the problems of international cooperation and de-conflicting targets, this resulted in perhaps as many as 75% of the dynamic targeting sorties flown, for instance by France, occurring without a release of weapons.<sup>91</sup> A reason for such flights was the lack of real-time dedicated Intelligence, Surveillance, Target Acquisition and Reconnaissance (ISTAR)-feeds.

Targets were selected with extreme care. Surgical airstrikes were essential, as collateral damage in the form of civilian casualties had to be avoided at all costs. After all, the mission was mandated by a UN Resolution specifically aimed at protecting the Libyan civilian population, and had to contend with relatively non-committed publics in the intervening nations.<sup>92</sup> While reports do state that there were cases of collateral damage inflicted with civilian casualties as a result, the UN recognized that in general "NATO conducted a highly precise campaign with a demonstrable determination to avoid civilian casualties".<sup>93</sup> NATO's planners avoided strikes on Libyan oil and gas infrastructure, recognizing the vital importance of these assets to Libya's economy and to the country's future. As a result of considerate target selection, basic services such as electricity and water were back running quickly in most areas.<sup>94</sup>

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<sup>89</sup> Elizabeth Quintana, "The War from the Air", p.34.

<sup>90</sup> Charles Bouchard, "Coalition Building and the Future of NATO Operations", remarks given to the Atlantic Council, 14 February 2012, <http://www.atlanticcouncil.org/news/transcripts/coalition-building-and-the-future-of-nato-operations-2-14-2012-transcript>.

<sup>91</sup> Notin, *La vérité sur notre guerre en Libye*, p. 314.

<sup>92</sup> Michael Clarke, "The Making of Britain's Libya Strategy", in: Adrian Johnson and Saqeb Mueen (ed.), *Short War Long Shadow; The Political and Military Legacies of the 2011 Libya Campaign* (RUSI: 2012), p.10.

<sup>93</sup> "Report of the International Commission of Inquiry on Libya", Human Rights Council, Nineteenth session, A/HRC/19/68, March 8, 2012, <http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A.HRC.19.68.pdf>, pp.1-2.

<sup>94</sup> Christopher S. Chivvis, Keith Crane, Peter Mandaville, Jeffrey Martini, "Libya's Post-Qaddafi transition; The Nation-Building Challenge", *RAND report* (2012), p. 2.

## 4.2 Military enablers and disablers

The lack of good strategic and tactical intelligence on Libya affected all aspects of the mission, with the military even having to fall back on Wikipedia and maps dating from the Second World War.<sup>95</sup> The US intelligence community had not considered Libya as a potential adversary for years and it was simply seen as a country that was relatively stable.<sup>96</sup> This view of Libya was based on Gaddafi's reconciliation with the West in 2003, and because NATO's intelligence community was preoccupied with Afghanistan, investing much of its effort and capacity in supporting the ISAF mission. In this theatre, however, many of NATO's intelligence services had learned to cooperate and share data and information in a new and complex environment. As the crisis in Libya unfolded, different acquisition platforms were tasked to gather information. Important was the first AWACs flight on 6 March, with a powerful radar that could map and follow all aerial movements above Libya. Before this date it had proven impossible, bar an attack filmed on TV, to confirm whether Gaddafi's planes were actually attacking ground targets.<sup>97</sup> While the intervention would be based on the premise of Gaddafi using indiscriminate violence against his own civilians, the veracity of information on his actions would remain difficult to judge without good intelligence.

As contingency planning for a military intervention started, Allied forces realised that their information on Gaddafi's military was also hopelessly out-of-date. Tables of the numbers of planes, tanks and ships were available, but no-one knew whether the military equipment had been properly maintained and if it could still function. Other aspects, such as the composition, professionalism, loyalty and morale of the armed forces were equally difficult to judge.<sup>98</sup> Was Gaddafi's militarized society, armed with large stockpiles of Soviet weapons one big "Potemkin village"? During February and March the intelligence services of France, the UK and the US quickly diverted much capacity, technical and human, in the field of acquisition and analysis from other teams to Libya. However, the generation of a good intelligence picture is a process that requires time. The creation of a network of reliable and valuable human sources takes months if not years. Although technically signals intelligence (SIGINT) capacity can be brought to bear on the target much faster, to fully exploit the acquired data enough native speakers need to be recruited. This process in every country is coupled with a lengthy security screening, which also takes months. For the analysts responsible with combining the data and producing the strategic and political analyses, knowledge of the local language, culture and history is also vital. This was evidently lacking and would negatively impact on the quality of reports that was provided to decision-makers.

Intelligence sharing between international partners remained a problem throughout the campaign. Although NATO allies had greatly improved intelligence sharing mechanisms and

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<sup>95</sup> High-level expert meeting, 29 June 2015, The Hague. 'The military intervention and transition in Libya'.

<sup>96</sup> John A. Tirpak, "Lessons from Libya", *Air Force Magazine* (December 2011), p.36 (quoted Florence Gaub Letort papers NATO and Libya).

<sup>97</sup> Notin, *La vérité sur notre guerre en Libye*, p. 60.

<sup>98</sup> Idem, pp. 73-75.

mutual trust during the ISAF-mission in Afghanistan<sup>99</sup>, most collaborations during the Libya campaign were still ad hoc. While the Dutch were allowed into the Five Eyes intelligence alliance during their tenure as lead-nation in Uruzgan, Afghanistan (albeit temporarily, and confined to certain topics), France did not manage to secure a similar status for the Libya intervention.<sup>100</sup> A request for access to the Five Eyes was made through the French Defense attaché in Washington, but to no avail.<sup>101</sup> As a result of such denials many analyses, and especially raw intelligence such as SIGINT, did not reach the non-Anglo-Saxon partners. Conversely, while France did seek to maximize the sharing of its own intelligence, the limited capacity within its intelligence services to ensure timely translation into English meant that even though reports were disseminated internationally, they could not always be used.

Once the mission had become a NATO one, decision-making generally circumvented the political and the slow process of the North Atlantic Council (NAC). French and UK permanent representatives to NATO would regularly first meet bilaterally, then align with the other eight allied countries participating in strike operations to ensure that an agreed position was established before it was presented to the other NATO ambassadors. The aerial campaign plan could thus be compiled with a relatively large freedom of movement by the Allied Air Component Commander, Lieutenant General Ralf Jodice. Nonetheless, France as well as the UK retained operational discretion over their own military assets.<sup>102</sup> While the air component of the campaign was coordinated and led in a multilateral fashion, the ground component was not. Special Forces from France and the UK, as well as extensive Qatari involvement on the ground, remained outside this structure.

The whole operation was planned in an extremely short time-span, with contingency planning starting only three weeks before the actual strikes would take place. This was an extraordinary feat of staff planning, considering that for example the planning of Allied Force (although also with a land component) took months longer. While at the political level the US was still unsure whether to intervene militarily, it apparently nudged the alliance to start planning for the eventuality of a military intervention. On 3 March 2011 NATO's Secretary General Anders Fogh Rasmussen stated that while NATO had no intention to intervene, the alliance always took prudent planning for all eventualities.<sup>103</sup> If NATO allies had not started contingency planning early in March, they probably would not have been able and ready to launch the attacks when Benghazi threatened to fall.

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<sup>99</sup> Michael Flynn et al, "Fixing Intel: A Blueprint for Making Intelligence Relevant in Afghanistan", Centre for a New American Security, January 2010.

<sup>100</sup> The Five Eyes nations consist of the United States, the United Kingdom, Canada, Australia and New Zealand. For a good overview, see James Cox, "Canada and the Five Eyes Intelligence Community", *Strategic Studies Working Group Papers*, December 2012.

<sup>101</sup> Notin, *La vérité sur notre guerre en Libye*, p. 312.

<sup>102</sup> Alastair Cameron, "The Channel Axis: France, the UK and NATO", in: Adrian Johnson and Saeed Mueen (ed.), *Short War Long Shadow; The Political and Military Legacies of the 2011 Libya Campaign* (RUSI: 2012), pp.18-19.

<sup>103</sup> Lindström and Zetterlund, "Setting the Stage for the Military Intervention in Libya", p.55.

From a military perspective, the lessons identified were not new. Some of the most important conclusions were summarized in an Anglo-French summit, held in February 2012, on the first anniversary of the Libyan revolt. The joint declaration stated: “following an analysis of lessons identified, we have decided to prioritize our joint work in the key areas of command and control; information systems; intelligence; surveillance; targeting and reconnaissance; and precision munitions”.<sup>104</sup> The shortfall in capabilities in these specific fields, specifically on the European side of the Alliance, was however not surprising. The exact same shortfalls had been identified after NATO’s Allied Force air campaign in Kosovo (1999), but a decade of Defense cuts in Europe further exacerbated the military capability gap with the US.<sup>105</sup>

### 4.3 Rebels versus Regime

Although elements of Gaddafi’s military had obtained prior combat experience in for instance Chad, the Libyan army had not previously been used to crush riots and was confronted by a new challenge. Having come to power through a coup himself, Gaddafi was aware of the potential power of the military to challenge his authority and thus coop-proofed it as much as he could during his rule. Through family and tribal appointments, the loyalty of several units was assured, yet this tactic simultaneously also undermined the cohesion of the regular army (to prevent coups).<sup>106</sup> This would result in a high desertion rate during the uprising and the war against NATO. In the first month of the uprising, reportedly 8.000 of the original 52.000 strong army deserted, a trend that continued throughout the conflict.<sup>107</sup> The deserters consisted of individuals from rank and file (not the officers), and most did not join the opposition. Some exceptions were formed by whole units switching sides, most prominently one following general Abdel Fattah Younis. He became the commander in chief of the rebels’ national liberation army, until he was assassinated in July 2011. While these troops were well trained and equipped and proved their worth in battle, there was much distrust between the rebels and defectors. Also, lack of trust and cohesion within the rebels’ forces led to the mushrooming of militias based on interests, both regional and ideological.

A rebel victory was not a foregone conclusion. A nucleus of Gaddafi loyalists would fiercely resist the rebels until the end, and were concentrated around the 32<sup>nd</sup> Brigade, which consisted of around 10.000 troops commanded by Gaddafi’s son Khamis. They were initially sent to quell the revolt in Benghazi, were successively responsible for the assault on Misrata, and then organized the last stand around Tripoli. Fighters from this unit committed considerable

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<sup>104</sup> “UK-France declaration on security and defence”, UK Government, Prime Minister’s Office, 10 Downing Street, February 17, 2012, <https://www.gov.uk/government/news/uk-france-declaration-on-security-and-defence>.

<sup>105</sup> For a list of lessons identified, see Paul E. Gallis, *Kosovo: Lessons Learned from Operation Allied Force*, CRS Report for Congress, November 19, 1999, <https://www.hsdl.org/?view&did=451448>.

<sup>106</sup> Florence Gaub, “The Libyan Armed Forces between Coup Proofing and Repression”, *Journal of Strategic Studies*, vol. 36, no. 2 (2013), pp.221-244.

<sup>107</sup> John Follain, “Gaddafi’s Libyan army collapsing, say defectors”, *The Australian*, 5 June 2011, [www.theaustralian.com.au/news/world/gaddafis-libyan-army-collapsing-say-defectors/story-e6frg6so-1226069500257](http://www.theaustralian.com.au/news/world/gaddafis-libyan-army-collapsing-say-defectors/story-e6frg6so-1226069500257).

human rights abuses, including indiscriminate violence against civilians, torture and arbitrary executions.<sup>108</sup> The regime also used mercenaries from Sub-Saharan Africa to complement the army, and they were offered large salaries to fight the insurgency. Their involvement in the conflict and their disregard for civilian life alienated large segments of the population and the military.<sup>109</sup>

To support and advise the rebels, several intervening countries sent small teams of military advisors to assist the NTC. The intervening powers argued that these Special Forces operations did not conflict with Resolution 1973, which explicitly rules out “occupying powers”. In compliance with the transparency clause of UN resolution 1970, the US, UK, France and Italy notified the committee that they intended to deliver military related material or personnel to Libya. Providing arms to rebels would, however, technically conflict with the arms-embargo (that forbade delivery of arms and ammunition to all parties in the conflict), but here the allies used a rather artificial distinction between self-defense weapons and those that were not (of a larger calibre than for example the Milan anti-tank missiles provided to the rebels). According to some accounts, more than 40 tons of arms and ammunition were delivered by Qatar, with France also parachuting weapons to the rebels.<sup>110</sup> Both countries did not provide further information on the number and nature of the weapons delivered, even when pressed by a UN panel of experts to do so.<sup>111</sup>

Qatar played a significant role in supporting the rebels, through financial aid, delivery of arms shipments and advisors on the ground. Qatari Chief of Staff Major General Hamad bin Ali al-Atiya admitted that he had hundreds of boots on the ground. They provided training and communication and acted as the link between the rebels and NATO forces. During a meeting in Doha in October 2011, Libya’s interim leader Mustafa Abdel Jalil confirmed the strong Qatari role, saying that they had been “a major partner in all the battles we fought.”<sup>112</sup> Qatar’s active role in Unified Protector – and the ensuing positive coverage of the conflict by state owned Al Jazeera – was a welcome contribution to the NATO coalition. This overt Qatari position and policy stood in contrast to allegations of its generous financial support to radical Salafi groups in the broader region, some of which have turned to violence to further their goals.<sup>113</sup>

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<sup>108</sup> Amnesty International, *The Battle for Libya: Killings, Disappearances and Torture* (London: 2011), [www.amnesty.org/en/library/info/MDE19/025/2011/en4](http://www.amnesty.org/en/library/info/MDE19/025/2011/en4).

<sup>109</sup> Yahia Zoubir, Erzsébet N. Rózsa, “The End of the Libyan Dictatorship: The Uncertain Transition”, *Third World Quarterly*, vol. 33, no. 7 (2012), pp.1267-1283.

<sup>110</sup> Notin, *La vérité sur notre guerre en Libye*, p. 390.

<sup>111</sup> “Final report of the Panel of experts established pursuant to Security Council resolution 1973 (2011) concerning Libya”, S/2012/163, 20 March 2012, <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Libya%20S%202012%20163.pdf>, pp.22-23.

<sup>112</sup> “Qatar admits it had boots on the ground in Libya; NTC seeks further NATO help”, *Al Arabiya News*, October 26, 2011, <http://www.alarabiya.net/articles/2011/10/26/173833.html>.

<sup>113</sup> Régis Soubrouillard, “Au Mali, le Qatar investit dans le djihadisme...”, *Marianne*, July 6, 2012, [http://www.marianne.net/Au-Mali-le-Qatar-investit-dans-le-djihadisme\\_a220404.html](http://www.marianne.net/Au-Mali-le-Qatar-investit-dans-le-djihadisme_a220404.html). See also David

During the first months progress by the rebels was slow. The initial arms shipments were vital to sustain their momentum, and air strikes continued to wear down Gaddafi loyalists. Nonetheless, in June there was still little prospective of an immediate rebel victory, exhorting NATO to extend the military campaign for another 90 days. During the same timeframe, several peace overtures or proposals for a ceasefire by Gaddafi did not come to fruition.<sup>114</sup> More and more countries recognized the NTC as the legitimate representative body of Libya and on 9 June 2011, during the third international meeting of the Contact Group, Western and Arab states pledged more than \$1.3 billion in aid to the rebel forces.<sup>115</sup> In September, as rebel forces closed in on the last regime strongholds in Tripoli and Sirte, the NTC published its road map for transition (see 4.). Finally on 20 October Gaddafi was captured and subsequently killed by rebels as he attempted to flee Sirte. Three days later, nearly eight months after the start of the uprising, the NTC proclaimed the liberation of the country.

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Andrew Weinberg, "Qatar and Terror Finance: Part I: Negligence", Foundation for Defense of Democracies, 2014, [http://www.defenddemocracy.org/content/uploads/publications/Qatar\\_Part\\_I.pdf](http://www.defenddemocracy.org/content/uploads/publications/Qatar_Part_I.pdf).

<sup>114</sup> Reply by Kuperman in Benjamin Fishman, "Who Lost Libya?", IISS Expert Commentary, April 21, 2015, <https://www.iiss.org/en/expert%20commentary/blogsections/2015-23ef/april-39aa/who-lost-libya-b87e>. For the statement of the co-chair, see "Co-Chairs' Statement – Third Meeting of the International Contact Group on Libya", June 9, 2011, [http://www.au.int/en/sites/default/files/FINAL\\_Communique\\_Third\\_Meeting\\_of\\_the\\_International\\_Contact\\_Group\\_on\\_Libya\\_June\\_9\\_20111.pdf](http://www.au.int/en/sites/default/files/FINAL_Communique_Third_Meeting_of_the_International_Contact_Group_on_Libya_June_9_20111.pdf).

## 5 Transition Phase

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By his often quoted statement “if you break it you own it”, Collin Powell referred to the fact that “when you take out a regime and you bring down a government, you become the government”.<sup>116</sup> While this may have been the case in Iraq, it was not in Libya, with the NTC in line to govern the country after the ‘liberation’ from Gaddafi. After the initial French recognition of the NTC as the sole legitimate representative of the Libyan people on 10 March, many other countries followed suit. Even Russia, critical of NATO’s intervention from the start, recognized the NTC as the legitimate government of Libya on 1 September 2011, before Gaddafi was found and killed.<sup>117</sup> The NTC was set to take ‘ownership’ of the challenging post-conflict situation, and planning for the transition began while the outcome of the war was still uncertain. Already in August, however, a US State Department representative present on the ground felt that the NTC officials were “observers and chroniclers rather than the authors of the unfolding developments to the west.”<sup>118</sup> His analysis emphasised an NTC that was passive and hardly in control of events, and that would have to work hard to nurture its legitimacy and authority to prevent a political vacuum after the fall of Tripoli.

During military operations, political planning for the transition took stock. The UK chose a novel approach that was meant to heed the lessons learned from Iraq. In May 2011 it deployed its first “International Stabilisation Response Team” (ISRT) to Libya, sending eleven experts from different fields such as security, economics, infrastructure, essential public services and justice, to assess Libya’s future requirements. The recently completed “Strategic Defence and Security Review” introduced these integrated teams as a new concept, one offering a “whole of government approach”.<sup>119</sup> The product of this team was a detailed “stabilisation document”, overseen by the Department for International Development, that set out possible priorities for the NTC after the cessation of conflict (the removal of the Gaddafi regime). While the report offered sound advice in many areas, it was essentially focused on prioritizing short-term actions, categorized in “Immediate Phase”, “Early Phase” and “Interim Phase”, with a lesser emphasis on the last phase (actions between thirty days and six months to the

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<sup>116</sup> David Samuels, “A Conversation With Colin Powell”, *The Atlantic* (April 2007), <http://www.theatlantic.com/magazine/archive/2007/04/a-conversation-with-colin-powell/305873/>.

<sup>117</sup> And before the UN General Assembly voted on 16 September to recognise the NTC as holding Libya’s seat at the UN.

<sup>118</sup> See email dd 21 August 2011 from Huma Abedin to Hillary Clinton, released by the US State Department: [https://foia.state.gov/searchapp/DOCUMENTS/HRCEmail\\_SeptemberWeb/O-2015-08633-184/DOC\\_0C05781926/C05781926.pdf](https://foia.state.gov/searchapp/DOCUMENTS/HRCEmail_SeptemberWeb/O-2015-08633-184/DOC_0C05781926/C05781926.pdf).

<sup>119</sup> Ian Black, “Post-Gaddafi Libya ‘must learn from mistakes made in Iraq’”, *The Guardian*, June 28, 2011, <http://www.theguardian.com/world/2011/jun/28/gaddafi-libya-report-benghazi-opposition>.

gap of longer term recovery).<sup>120</sup> However, it was only after the successful elections in July 2012 that the transition began to falter seriously.

Directly after the intervention there was optimism in Western countries, as well as in Libya itself. In contrast to the transition in Iraq nearly ten years earlier, there was no chaos, no looting; there was a return to daily life. The proponents of the “light footprint” seemed to be vindicated. The argument to keep the international involvement limited was succinctly summarized by Rory Stewart, who had extensive experience in Iraq and Afghanistan:

*And a powerful international lobby will urge the West to ‘solve these problems’: to send thousands of consultants under the slogans of ‘state-building’ and ‘capacity-building’, or even to send our troops for ‘stabilisation’. That we must resist. There is a real limit to how much the West knows about Libya, still less to how much we can do to fix fundamental structural problems if they emerge. Meanwhile, Libya is not a threat to its people or its neighbours. Too many Western ‘advisers’ risk making things worse: making the government appear like a foreign puppet; stirring Islamist resentment; raising expectations we cannot meet. We would soon be trapped by our guilt at lost lives, and deter Libyans from taking responsibility for their own future – to their detriment and ours. In Libya, as in much of the world, when it comes to foreign involvement: less is more.*<sup>121</sup>

As the 2012 RAND-report “Libya’s Post Gaddafi’s transition” succinctly formulates, insecurity has a tendency to become self-perpetuating: “The *sine qua non* of post-conflict reconstruction is that without security, all other necessary nation-building and state-building tasks become nearly impossible. Security spirals downward as mutual suspicion intensifies, the security dilemma deepens, political reform and constitution-making become hopelessly entangled with military developments, and economic recovery slows (and eventually reverses) as capital flees the country”.<sup>122</sup> Analysing the past five half-yearly reports by the UN on the situation in Libya, the progressive deterioration of the security situation becomes clear. After the attack that killed US ambassador Stevens in 2012, security precautions were significantly increased. Many other international and diplomatic representatives survived “near misses”, but as open fighting broke out in the streets most international offices were evacuated or closed. In summer 2014 the EU Border Management Assistance Mission in Libya (EUBAM Libya) was forced to relocate to Tunisia, while UNSMIL also relocated the majority of its staff. With no boots on the ground to protect the outlets of international aid and assistance, security concerns effectively curtailed their work.

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<sup>120</sup> International Stabilisation Response Team (ISRT), “Libya: 20 May – 30 June 2011”, International Stabilisation Response Team by the Department for International Development (June 2011), [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/67470/libya-isrt-June2011.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/67470/libya-isrt-June2011.pdf).

<sup>121</sup> Rory Stewart, “Less is More: Libya”, September 11, 2011, <http://www.rorystewart.co.uk/less-is-more-libya/>.

<sup>122</sup> Chivvis, et al. “Libya’s Post-Qaddafi transition; The Nation-Building Challenge”, p.5.

## 5.1 The time-line: descent into chaos

After the NTC proclaimed the “liberation” of Libya, the process indicated by the road map for transition was started. The NTC formed an interim government led by Prime Minister Abdurrahim El Keib and planned national elections for a constitutional assembly within eight months. Although in the subsequent months there were large protests against the unelected NTC and its perceived ineffectiveness, elections were held on 7 July 2012. Although they were conducted in an orderly fashion, there were no mechanisms in place to ensure the rule of law, placing the inexperienced and fragile government – without a functioning bureaucracy - in a position where it would almost certainly fail. There is therefore a case for not hastening elections, and postponing them until an incoming government would have the capacity to succeed.<sup>123</sup> A 200-member interim parliament, called the General National Congress (GNC) was elected, with a coalition of liberal parties led by Mahmoud Jirbil, one of the leaders of the 2011 rebellion, emerging as victor. The Islamic parties, such as the Muslim Brotherhood did not fare well in the elections. One of the main tasks of the GNC was to establish a Constitution within an 18-month deadline, after which the GNC would expire and be replaced by a Council of Deputies or House of Representatives (HoR), to be elected in June 2014. The deadline on the Constitution was not met, and after the second election a significant rupture appeared in the institutional landscape.

Two competing alliances of tribes and militias are at the heart of Libya’s post-intervention strife. One side is composed of Arab nationalists and federalists who coordinate their actions against Islamists from their power base in the East. Led by general Khalifa Haftar, they launched Operation Libya Dignity in May 2014 against opponents in Benghazi and Tripoli. Although much of Libya’s official army backed Haftar, it is not clear to what extent the civilian HoR stands behind his actions and decisions. He does, however, receive significant backing from Egypt, the United Arab Emirates and Saudi Arabia.<sup>124</sup> On the other side a loose coalition of Islamists, consisting of Libya Shield and Misrata militias with the support of Amazigh (Berber) tribes, have combined forces in Operation Libya Dawn. Factions within Libya Dawn in turn receive support and assistance from countries that are supportive of political Islam, including Qatar, Turkey and Sudan. As with Syria, international involvement on both sides of a civil conflict is complicating efforts to resolve the conflict.

The deadlock between these factions crippled Libya’s nascent political institutions. The elections in 25 June 2014 for the House of Representatives illustrated the public’s disaffection and loss of trust with a turnout of 45%, dropping from more than 60% in 2012. Nonetheless, the electoral gains of the different Islamist factions were again marginal. To compensate their electoral losses and in response to Operation Dignity, they launched their own offensive in

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<sup>123</sup> Sergei Boeke, “Combining Exit with Strategy: Transitioning from Short-Term Military Interventions to a Long-Term Counter-Terrorism Policy”, ICCT Research Paper, August 2014.

<sup>124</sup> Andrew Engel, ‘Libya’s Civil War: Rebuilding the Country from the Ground Up’, The Washington Institute for Near East Policy, No. 25 (April 2015), [http://www.washingtoninstitute.org/uploads/Documents/pubs/ResearchNote25\\_Engel3.pdf](http://www.washingtoninstitute.org/uploads/Documents/pubs/ResearchNote25_Engel3.pdf).

August. After violent street combat and the use of heavy weapons, the Islamist coalition (Operation Dawn) managed to take control of Tripoli and its (destroyed) international airport. The government aligned Zintan militias were defeated and the recently elected House of Representatives was forced to relocate to Tobruk in the East of Libya as convening in Benghazi was deemed unsafe. The fighting caused more than 100.000 to flee Tripoli.<sup>125</sup> Operation Dawn resurrected the General National Congress and proceeded to form a parallel government. Adding to the political turmoil, in November Libya's Supreme Court ruled that the internationally recognized House of Representatives was unconstitutional and therefore illegal. Since the court resides in Tripoli, which is firmly under control of the Islamist militias, the government in Tobruk rejected the ruling, claiming that the decision was taken at gunpoint.<sup>126</sup> Now two competing executives as well as legislative institutions exist in Tobruk and Tripoli, while real power lies with the different armed militias.

UN Special Envoy Bernardino Leon went to great lengths trying to mediate between the different factions. In October 2015, he announced the formation of a national unity government, aiming to bridge the divide between the different factions.<sup>127</sup> In February 2016, the composition of this new government was announced. Some are optimistic about this development. However, the legitimacy of this government is seriously questioned as hardliners on both sides do not accept it.<sup>128</sup>

## **5.2 Demobilisation, disarmament and reintegration**

Despite early recognition that disarmament and demobilization of the militias was of vital importance to security and stability in Libya, little has been achieved on this front. Initial efforts supported by the UN focused on a body called the Warrior Affairs Commission of Rehabilitation and Development that sought to register former combatants to assist them in finding employment. It was overwhelmed by applicants whose antecedents could, of course, not be verified. The Ministry of Defence also has problems in integrating former fighters as it was regarded with mistrust by the rebels. Some armed groups were involved in lucrative criminal activities and would therefore not surrender their weapons and others were aligned with radical Islamist factions. In addition, various government officials also sought to protect militias aligned with them, signaling a lack of commitment to demobilization and reintegration.<sup>129</sup> In general, many groups were distrustful of the government and hedged on

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<sup>125</sup> Report of the Secretary General on the UN Support Mission in Libya, S/2014/653, 5 September 2014,

[http://unsmil.unmissions.org/Portals/unsmil/Documents/Libya%20Report%20final%205%20Sept.%20\(1\).pdf](http://unsmil.unmissions.org/Portals/unsmil/Documents/Libya%20Report%20final%205%20Sept.%20(1).pdf).

<sup>126</sup> Mohamed Eljarh, "The Supreme Court Decision That's Ripping Libya Apart", *Foreign Policy*, November 6, 2014, <http://foreignpolicy.com/2014/11/06/the-supreme-court-decision-thats-ripping-libya-apart/>.

<sup>127</sup> "Libya national unity government announced by UN after months of talks", *The Guardian*, October 9, 2015, <http://www.theguardian.com/world/2015/oct/09/libya-national-unity-government-announced-by-un-after-months-of-talks>.

<sup>128</sup> "Hopes for peace in Libya as make-up of new unity government announced", *The Guardian*, February 15, 2016, <http://www.theguardian.com/world/2016/feb/15/hopes-for-peace-in-libya-as-make-up-of-new-unity-government-announced>.

<sup>129</sup> Interview with Mohamed Eljarh, June 29 2015, The Hague/Libya.

the ability to provide their own security. Instrumental to the lack of progress in disarming the groups is the absence of a central institution that has enough power to force other actors to comply. A lack of sufficient security assurance translates into no incentives for the tribes to surrender arms.<sup>130</sup> Consequently, the NTC order that all militias must disarm by 31 December 2011 was ignored completely.

According to the UN panel of experts on Libya, the proliferation of arms and ammunition during the conflict was enormous. This has considerably contributed to fuelling pre-existing sources of insecurity in the country and broader region: “The conflict in Libya witnessed the loss of national control over military materiel and a complete redistribution of weapons ownership in the country. The distribution of weapons to civilians, the appropriation of the contents of depots by individuals and brigades, coupled with additional military materiel that entered Libya from elsewhere, resulted in the uncontrolled circulation of very large quantities of arms and ammunition during the conflict.”<sup>131</sup> This arms bonanza has not only benefited smugglers and terrorists, but it also further empowered the militias.

Rather than integrating individual militia fighters into the security forces, the competing state actors effectively tried to co-opt and integrate whole militias – armed and well – into the state. According to Jeursen and Van den Bergh, those fighters who registered as (former) militia members received benefits of 1,500 to 2,500 euro and were recognised as “brigade” or “katiba” instead of just “militia”.<sup>132</sup> Unsurprisingly, this led to many citizens registering themselves as militia members: approximately 20,000 fighters were active during the revolution but 200,000 received money for their self-proclaimed fighting efforts.<sup>133</sup> The net result was a further empowerment of these militias, who in many cases were supposedly aligned with the government but actually fought against the state. During the war the rebel factions were never unified in one single army, and after the rebellion they kept their separate status, weapons and local power-bases. The disappearance of Gaddafi’s repressive security apparatus has allowed old ethnic and tribal conflicts to flare up, as well as intensified competition for land and/or smuggling routes.

### 5.3 Building government capacity

As a result of Gaddafi’s personal rule of Libya, there were no functioning institutions present to support the transition. An elaborate divide and rule policy prevented any institutional capacity from developing and forming a potential threat to Gaddafi’s rule. The military was, as mentioned earlier, “coup proofed” and extensively weakened in the process; the same also

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<sup>130</sup> Chivvis et al. “Libya’s Post-Qaddafi transition; The Nation-Building Challenge”, p.6.

<sup>131</sup> “Final report of the Panel of experts established pursuant to Security Council resolution 1973 (2011) concerning Libya”, S/2012/163, 20 March 2012, <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Libya%20S%202012%20163.pdf>.

<sup>132</sup> Thijs Jeursen and Chris Van der Borgh, “Security Provision after Regime Change: Local Militias and Political Entities in Post-Qaddafi Tripoli”, *Journal of Intervention and Statebuilding*, vol 8, no. 2-3 (2014), pp.173-191, p.183.

<sup>133</sup> Jeursen and Van der Borgh, “Security Provision after Regime Change”, p.184.

applied to other departments such as justice and economic affairs.<sup>134</sup> The rebels were thus destined to inherit a state without central institutions, a functioning bureaucracy, an independent security apparatus, nor effective political parties or an active civil society. The lack of a trained civil service and the absence of institutions to organise the provision of basic state services has been compounded by a brain drain after the civil war and physical destruction suffered during the ensuing conflict. Also, the adoption of the controversial “Political Isolation Law” (PIL) in 2013 “disqualified anyone involved in Muammar Qaddafi’s regime from the new administration, armed forces and other [state] entities”.<sup>135</sup> This meant that capable individuals were excluded from taking on important posts that had to be filled.

Progress in the area of Security Sector Reform (SSR) has been lacking and there is no unified, strong military. The core of the new armed forces is formed by the National Liberation Army (NLA), that mainly consists of eastern units that defected from Gaddafi’s military during the revolution. Its history and composition thus hamper its legitimacy. A lack of capable police forces, coupled with the insecurity caused by militia’s fighting each other, has led to a culture of impunity and general lawlessness in many areas. Crime rates have soared, reflected in the increasing numbers of kidnappings, armed robberies and hijacking of vehicles. Campaigns of targeted assassinations against judges and prosecutors have resulted in a complete absence of the rule of law in Benghazi and other regions.<sup>136</sup> This has seriously impacted on the ability of the government to provide basic services, and thus its legitimacy in the eyes of the population. Detainees, many from the rebellion, are mistreated or tortured in the country’s prisons while mass break-outs have also occurred.

In Libya, SSR was not given priority either in support of the revolution nor immediately after, and only took prominence after the elections. With on the one hand a ‘light footprint’ mission, and on the other a weak or absent national leadership, there was no will and capacity to tackle the difficult security issues. While UNSMIL did provide carrots to entice cooperation of local actors, there was no ‘stick’ to ensure that outliers also conformed to policy. UNSMIL thus provided considerable advice to the Libyan government on SSR, but almost all was ignored and the mission had no capacity – or mandate – to enforce anything.<sup>137</sup> As a result, security waned in 2012-2013, and totally collapsed in 2014.

An effective management of the country’s significant oil and gas industry is essential for the economy and the government’s revenue. Gaddafi’s power-base relied on the hydrocarbon industry to subsidize fuel and food but mismanagement and underinvestment has crippled the

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<sup>134</sup> Alison Pargeter, “Libya: a hard road ahead”, openDemocracy, March 9, 2011, <https://www.opendemocracy.net/alison-pargeter/libya-hard-road-ahead>.

<sup>135</sup> Roman David and Houda Mzioudet, “Personnel Change Or Personal Change? Rethinking Libya’s Political Isolation Law”, Brookings Doha Center – Stanford University Project on Arab Transitions, Paper Series, No. 4 (March 2014).

<sup>136</sup> “Report of the Secretary-General on the United Nations Support Mission in Libya”, S/2014/131, February 26, 2014,

<http://unsmil.unmissions.org/Portals/unsmil/Documents/SGReport26February2014.pdf>, p.4.

<sup>137</sup> High-level expert meeting, 29 June 2015, The Hague. ‘The military intervention and transition in Libya’.

state-owned sector. In 2012, according to the International Monetary Fund (IMF), spending on wages and subsidies increased enormously, putting an added strain on Libya's fiscal sustainability.<sup>138</sup> While ideally the government would have worked on improving efficiency in the oil and gas sector, limiting corruption and nepotism, and attracting foreign investment, in reality even keeping physical control of the installations has become an enormous challenge. During the course of 2013/2014 armed groups or unarmed demonstrations disrupted many of the country's oil fields, terminals, refineries and pipelines with political or financial demands. As a result, output dropped at times to as low as 150.000 barrels a day, less than a tenth of peak capacity (and pre-war levels).<sup>139</sup> While output has slightly recovered since, it is still significantly less than its potential. The combination of rising expenditures and feeble oil revenues seriously threaten government finances.

Transitional justice is vital to heal the rifts after forty-two years of dictatorship and the bloody civil war that followed in 2011. Transitional justice refers to the set of judicial and non-judicial measures that are implemented to redress the legacies of massive human rights abuses. This contributes to achieving justice in times of transition from conflict and state repression. In Libya, the process of national reconciliation and the building of public trust have been hindered by an absence of political agreement and reconciliation, and the lacking security situation. There are competing narratives about who should be included in reconciliation and trust building exercises. Different, competing "dialogue committees" were set up in 2013 and 2014, all without much success.<sup>140</sup> A priori, consensus is necessary between the main political parties on how the state and its institutions should be managed, and subsequently grievances of specific ethnic and tribal groups will need to be addressed.<sup>141</sup>

## 5.4 International community

By adopting a "light footprint" at the start of the military intervention, there was little perspective of adopting a heavier footprint during transition. Almost immediately after the death of Gaddafi NATO ended the military operation Unified Protector. The NTC, however, requested NATO to continue military operations, and provide military advisers on the ground to counter any attacks by remnants of regime forces and to secure the border. This was turned

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<sup>138</sup> "Report of the Secretary-General on the United Nations Support Mission in Libya", S/2013/104, February 21, 2013, [http://unsmil.unmissions.org/Portals/unsmil/Documents/S\\_2013\\_104%20Report%20of%20SG%20on%20Libya%20\(Feb%202013\).pdf](http://unsmil.unmissions.org/Portals/unsmil/Documents/S_2013_104%20Report%20of%20SG%20on%20Libya%20(Feb%202013).pdf).

<sup>139</sup> "Report of the Secretary-General on the United Nations Support Mission in Libya", S/2014/131, February 26, 2014, <http://unsmil.unmissions.org/Portals/unsmil/Documents/SGReport26February2014.pdf>, p.2.

<sup>140</sup> Abdallah Hadeed, "Dialogue in Libya: challenges and conditions of success", *openDemocracy*, July 16, 2015, <https://www.opendemocracy.net/arab-awakening/abdallah-hadeed/dialogue-in-libya-challenges-and-conditions-of-success>.

<sup>141</sup> Moataz el Fegier, "Truth and reconciliation? Transitional Justice in Egypt, Libya and Tunisia", Policy Brief Frida and Hivos, no. 177 (March 2014), [http://frida.org/descarga/PB\\_177\\_Truth\\_and\\_reconciliation.pdf](http://frida.org/descarga/PB_177_Truth_and_reconciliation.pdf).

down by the Alliance.<sup>142</sup> Nonetheless, the NTC leadership also sent mixed messages to the international community, rejecting the idea of any kind of international force on Libyan soil.<sup>143</sup> The absence of demand on the ground for an international force coincided with a clear lack of political will on the supply side. The war in Afghanistan and Iraq arguably highlighted the risk of embroilment to the Western public and President Obama was in the midst of extricating troops from Iraq.

The European Union (EU) committed € 80,5 million in humanitarian assistance and € 130 million in technical assistance for SSR, public administration, civil society, education and democratic transition. Democratic governance, youth and health were singled out as priority areas for 2014-2015.<sup>144</sup> But as the security situation deteriorated, these programs faltered. Coordination between the efforts of different member states was limited, with the larger countries each appointing their own Libya envoy. National interests, from advancing their own oil and gas industry or promoting arms-sales to the new government, complicated an already complex area of foreign policy, whereas consensus is needed for any EU standpoint.

## 5.5 Terrorism and counterterrorism

There have been some attempts to invest in Libya's counterterrorism capabilities. These efforts did not start immediately after the end of the military intervention, but were launched after the death of US Ambassador Christopher Stevens in September 2012.<sup>145</sup> The main effort to invest in Libya's counterterrorism capabilities was spearheaded by the US. Around the end of 2012, the US Special Operations Forces set up a mission to train the 22<sup>nd</sup> Libyan Special Operations Forces, based in "Camp 27" or "Camp Younis" just outside of Tripoli.<sup>146</sup> The US Department of Defense invested \$16 million via a Special Operations Support (SOF) company and medical training program.<sup>147</sup> This Libyan battalion consisted of around 700 soldiers that had to be trained. None of the troops came from Misrata, and only a handful of soldiers originated from Benghazi, both important strongholds during the 2011 uprising. This led to suspicion in the camps of more Islamist-oriented parties who feared the force was

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<sup>142</sup> Kim Sengupta, "Security fears as UN ends Libya military mandate", *The Independent*, October 28, 2011, <http://www.independent.co.uk/news/world/africa/security-fears-as-un-ends-libya-military-mandate-2376888.html>.

<sup>143</sup> "Libya's interim leaders reject UN military personnel", *BBC News*, August 31, 2011, <http://www.bbc.com/news/world-africa-14726292>.

<sup>144</sup> Hrant Kostanyan and Steven Blockmans, "Saving Libya from itself: What the EU should do now", *CEPS Commentary* (December 2014), [http://mercury.ethz.ch/serviceengine/Files/ISN/186609/ipublicationdocument\\_singledocument/4f279c6b-a7ba-49fc-aa87-f6e5ea7d9372/en/CEPS+Commentary+HK+and+SB+Libya.pdf](http://mercury.ethz.ch/serviceengine/Files/ISN/186609/ipublicationdocument_singledocument/4f279c6b-a7ba-49fc-aa87-f6e5ea7d9372/en/CEPS+Commentary+HK+and+SB+Libya.pdf).

<sup>145</sup> Frederic Wehrey, "Mosul on the Mediterranean? The Islamic State in Libya and U.S. Counterterrorism Dilemmas", *Carnegie Endowment for International Peace*, December 17, 2014, <http://carnegieendowment.org/2014/12/17/islamic-state-in-libya-and-u.s.-counterterrorism-dilemmas>.

<sup>146</sup> *Ibid.*

<sup>147</sup> Amanda Dory, "Testimony for Senate Foreign Relations Subcommittee on Near Eastern and South and Central Asian Affairs", 21 November 2013, <http://www.gpo.gov/fdsys/pkg/CHRG-113shrg86355/html/CHRG-113shrg86355.htm>.

secretly trained to fight them.<sup>148</sup> In the summer of 2013, after a raid on the camp, the US terminated the mission and withdrew the military trainers.<sup>149</sup> The objective of conducting joint operations with the trained Libyans was never reached, and the training location was taken over in April 2014 by a warring faction led by a former associate of Osama bin Laden.<sup>150</sup>

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<sup>148</sup> Frederic Wehrey, “The Battle for Benghazi: Special forces versus Islamists - and the struggle for control of Libya’s army”, *The Atlantic*, February 28, 2014, <http://www.theatlantic.com/international/archive/2014/02/the-battle-for-benghazi/284102/>.

<sup>149</sup> Adam Housley, “Sources: US weapons stolen in Libya raids, fueling Special Forces”, *Fox News*, 11 September, 2013, <http://www.foxnews.com/politics/2013/09/11/us-military-weapons-equipment-stolen-in-libya-raids/>.

<sup>150</sup> Eli Lake, “Jihadists Now Control Secretive U.S. Base in Libya”, *The Daily Beast*, April 24, 2014, <http://www.thedailybeast.com/articles/2014/04/23/jihadists-now-control-secretive-u-s-base-in-libya.html>.

## 6 Results/outcomes

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### 6.1 Regional implications

A major unintended consequence of the Libya intervention was the crisis in Mali that erupted months after the fall of Gaddafi. Thousands of Tuaregs who served in Gaddafi's Islamic legion found themselves out of work and returned to Mali in the last months of 2011. They travelled through Niger and probably Algeria in large convoys of pick-ups, taking their weapons with them.<sup>151</sup> The "Mouvement National pour la Liberation de l'Azawad" (MNLA) was formed in November, and in January 2012 the Tuaregs launched a rebellion in the North. As with the previous three rebellions since independence, the nomadic Tuaregs claimed more autonomy (or independence) from the central government in Bamako. Forming an alliance of convenience with the terrorist groups of Al Qaeda in the Islamic Maghreb (AQIM) and two other jihadist groups, the Tuareg separatists outgunned and outfought the Malian army. Frustrated with the lack of government support for the military, a group of junior army officers launched a mutiny on 22 March 2012. This quickly turned into a coup as the edifice of a corrupt and hollow regime collapsed. Ironically, the flight of the incumbent President ATT and the ensuing political chaos in Bamako only accelerated the Tuareg advance in the North. By April 2012 two thirds of Malian territory was wrested from government control, although the secular Tuareg separatist immediately saw their own uprising hijacked by the jihadist groups. By July the North of Mali was a large terrorist safe-haven, imposing sharia law and attracting foreign fighters from the broader region (see the Mali report).

The collapse of Mali over the course of a few months also took the international community by surprise. Mali had been a 'donor darling' for the West and had enjoyed uninterrupted democratic elections since 1991; a rare case in a region where coups and military dictatorships were rife. Although the well-armed Tuareg returnees provided the spark that lit the fire, the causes of the Malian crisis were of course deeper and more complex.<sup>152</sup> Nonetheless, the seemingly repetitive question of why no-one saw the crisis coming needs to be asked. Were experts on sub-Saharan Africa consulted before and during the intervention in Libya? Algeria, Mali, Niger and the African Union were vocal in their opposition to the intervention in Libya. Gaddafi was after all, one of the Union's larger investors and the major bankroller of certain African regimes. But the potential consequences on the Sahel of removing Gaddafi from power were not considered in Western capitals. One possible explanation could be the institutional organisation of all Western Ministries of Foreign

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<sup>151</sup> According to some reports, up to 3000 fighters and 600 all-terrain vehicles travelled to Mali. See Salima Tlemçani, "Nous devons resserrer les rangs et éviter toute confrontation qui diviserait le mouvement", *El Watan*, April 9, 2012, <http://www.djazairess.com/fr/elwatan/366075>.

<sup>152</sup> Sergei Boeke and Antonin Tisseron, "Mali's Long Road Ahead," *The RUSI Journal* 159, no. 5 (2014).

Affairs. For historical reasons, the regional departments combine and cluster North African (Maghreb) countries with the Middle East. The sub-Saharan countries are covered by a separate department, that is often more closely aligned to the development aid directorate/department. The business and academic world incidentally applies a similar division with the Middle East and North Africa (MENA) region, and as with the diplomatic world, experts tend to circulate within these delineated domains. It is possible that this organisational divide contributed to the West not realising the potential consequences of intervening in Libya on sub Saharan Africa, but more research is needed on this topic.

The interconnectedness of Libya in the Sahel has broader implications. Just as Gaddafi's overthrow was a catalyst for the 2012 crisis in Mali, the French intervention in 2013 (Operation Serval), with the finality of removing the jihadists from Northern Mali, also had consequences for Libya. As French and Chadian forces cleared the north, jihadist groups either dissolved into the population, organised a last stand (which they lost) or fled over the porous borders. One of the more infamous regional terrorist commanders, Mokhtar Belmokhtar, launched his attack on an Algerian gas installation in January 2013 from Libyan territory.<sup>153</sup> As AQIM and other terrorist groups lost their freedom of movement in Northern Mali, the lawlessness of southern Libya coupled with old alliances offered an ideal new "safe haven". On 13 June 2015 a US airstrike unsuccessfully targeted Belmokhtar who was hiding in Libya, and French counterterrorist operations have interdicted several jihadist convoys originating from Libya and traversing Niger. For Libya, the presence of these violent groups with their links to the international drugs trade further contributes to the downward spiral of insecurity and instability.

## 6.2 The United Nations

The UNSMIL mission takes a central position in rebuilding post-revolutionary Libya. In September 2011, the UNSC adopted Resolution 2009 that mandated the UNSMIL for a period of three months. The mandate has been extended several times, most recently in March 2014. It tasked the UNSMIL, headquartered in Tripoli, to support the Libyan government to:

- 1) (...) Ensure the transition to democracy
- 2) Promote the rule of law and monitor and protect human rights
- 3) Control unsecured arms and related materiel in Libya and counter their proliferation
- 4) Build [Libyan] governance capacity.<sup>154</sup>

Bernardino León, heading the mission since September 2014, summarized the main problems faced by UNSMIL in May 2015 as follows:

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<sup>153</sup> Sergei Boeke, "Mokhtar Belmokhtar: A Loose Cannon?," International Centre for Counter-Terrorism Commentary 2013.

<sup>154</sup> UNSMIL, <https://unsmil.unmissions.org/>, accessed on May 15, 2015.

*]The main problems are] its weak and fragmented State institutions, their current political polarization, the predominance of armed groups seemingly oblivious to the national interest, media incitement and inflammatory rhetoric, and corruption. These are all factors that have contributed to the current breakdown of basic State functions and the disruption of the country's economy and of its social fabric.<sup>155</sup>*

The increasing presence of terrorist elements in Libya adds to the complexity of the situation. The beheadings of 21 Egyptian Copts by the Islamic State (IS) in December 2014 and January 2015 provoked an Egyptian military response. Shifting fortunes on the battlefields of Iraq and Syria have led IS to invest more in Libya. Yet various attempts by UNSMIL to end the political deadlock have had only limited success. In June 2015, the House of Representatives rejected the latest and what was meant to be final draft of a peace settlement.<sup>156</sup> One of the criticisms towards UNSMIL is that it heavily relied on contacts with the political elite in Tripoli. To avoid this, it should “engage with key groups and players on the local level, and widen their information and communication base”.<sup>157</sup>

As a direct consequence of insecurity in Libya, a UN strategic assessment of UNSMIL in March 2015 proposed a reduction in size of the mission.<sup>158</sup> Many staff had already been relocated outside Libya. UNSMIL will also focus on human rights monitoring and reporting, supporting key Libyan institutions such as the Constitutional Drafting Assembly, the Central Bank and the electoral commission. Although initially reticent to host any foreign presence, as the crisis deepened the Libyan authorities have become more outspoken in their request for international assistance. This move was not without criticism in and outside Libya. In a UN Security Council meeting on the escalating situation in Libya in February 2015, the Libyan Minister of Foreign Affairs and International Cooperation commented on the increased presence of the Islamic State in the country, arguing that the international community had a legal and moral responsibility to help rebuild and rearm the Libyan armed forces.<sup>159</sup> Nonetheless, the role of the Libyan authorities was also criticized, with the UN Secretary General in 2014 stating that actors within Libya lack the “sustained political will and efforts

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<sup>155</sup> United Nations Security Council Meeting, 18 February 2015, S/PV.7387, “The situation in Libya”, <http://unsmil.unmissions.org/Portals/unsmil/Documents/SRSG%20Briefing%20on%20Libya%20-%20Meeting%20on%20UNSC%2018%20February%202015.pdf>.

<sup>156</sup> “HoR members rejects UNSMIL fourth draft as foreign governments applaud it”, *Libya Herald*, June 9, 2015, <http://www.libyaherald.com/2015/06/09/hor-members-rejects-unsmil-fourth-draft-as-foreign-governments-applaud-it/#ixzz3cfFOcDXs>.

<sup>157</sup> Mohamed Eljarh, “Can the United Nations Save the Day in Libya?”, *Foreign Policy*, July 4, 2014, <http://foreignpolicy.com/2014/07/04/can-the-united-nations-save-the-day-in-libya/>.

<sup>158</sup> “Adoption of the Two Resolutions on Libya”, *What's In Blue*, March 26, 2015, <http://www.whatsinblue.org/2015/03/adoption-of-two-resolutions-on-libya.php>.

<sup>159</sup> United Nations Security Council Meeting, 18 February 2015, S/PV.7387, “The situation in Libya”, <http://unsmil.unmissions.org/Portals/unsmil/Documents/SRSG%20Briefing%20on%20Libya%20-%20Meeting%20on%20UNSC%2018%20February%202015.pdf>.

necessary to promote an effective and inclusive security dialogue and to generate the consensus needed for true national ownership to reform the security sector”.<sup>160</sup>

This view on the difficulty of security sector reform in Libya is shared by the authors of the RAND report. They state that “[a]s with disarmament, the Libyan government lacks the legitimacy, bandwidth, and know-how necessary for comprehensive security sector reform”.<sup>161</sup> In their eyes, the presence of NATO advisors immediately after the conflict would have helped: “A deeper engagement with Libya (in the form of a training mission, for example) would provide Libya with expertise that it needs on multiple levels as it goes about reforming and rebuilding its security sector”.<sup>162</sup> Special focus should be paid to establishing a monopoly of force, and the authors argue that a larger role for NATO in Libya could in fact avoid the necessity of deploying ground troops, something that is neither preferred by most Libyans nor by NATO.<sup>163</sup>

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<sup>160</sup> Report of Secretary General on the United Nations Support Mission in Libya, 2/2014/63/ 5 September 2014,  
[http://unsmil.unmissions.org/Portals/unsmil/Documents/Libya%20Report%20final%205%20Sept.%20\(1\).pdf](http://unsmil.unmissions.org/Portals/unsmil/Documents/Libya%20Report%20final%205%20Sept.%20(1).pdf), pp.16-17.

<sup>161</sup> Chivvis et al. “Libya’s Post-Qaddafi Transition”, p.7.

<sup>162</sup> Ibid, p.7.

<sup>163</sup> Ibid, p.7.

## 7 Conclusion

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In contrast to Afghanistan and Mali, the intervention in Libya was not a response to a terrorist threat. Swept along in the events that were optimistically billed as the ‘Arab Spring’, the arrest of a Libyan human rights activist in February 2011 provided the local trigger for the uprising against Gaddafi. With France initially caught wrong footed in Tunisia, by offering to support autocrat Ben Ali before he was swept from power by popular indignation, President Sarkozy was determined to be on the right side of history in Libya. He took a pivotal role in rallying Western support for the rebels, and his initiatives shaped the first actions of the intervention. When the uprising faltered early March 2011, and Gaddafi threatened to hunt down protestors inch by inch, alleyway by alleyway in their last redoubt at Benghazi, the US, France and the UK mobilized support to prevent another ‘Srebrenica’ or ‘Rwanda’. Advocating the R2P doctrine, and with support from the Arab states, Resolution 1973 was passed on 17 March 2011, establishing a no-fly zone over Libya. Almost immediately French, British and US planes bombed the Libyan air-defence infrastructure, and subsequently any military targets they could find. The military intervention initially consisted of separate US, French and British operations, but by the end of March NATO took full command of all operations under Operation Unified Protector. It would be a light footprint intervention, not only because China and Russia would have vetoed anything that smelled of regime change, but Western powers had also, they thought, learned the lessons from Iraq and Afghanistan. Large numbers of deployed troops had not been a recipe for success, and public opinion was certainly not supportive of another intensive and costly ground mission. The intervention therefore consisted of a small sea-borne element, a large international air force, but just a few covert Special Forces and advisors, especially from Qatar, on the ground. The fighting would have to be done by the rebels themselves.

The decision-making procedure was characterized by extreme haste, a lack of intelligence and unclear strategic objectives. Gaddafi had not been considered a threat to the West after his rapprochement in 2003, and there was both a lack of military intelligence and understanding of the political and cultural landscape in Libya. While the mission had been explained in terms of protecting civilians and not implementing regime change, the goal was still effectively the latter as it was estimated that with Gaddafi in power, civilians would not be safe. A negotiated settlement with Gaddafi was therefore not on the cards, and with the US content to ‘lead from behind’, and Germany and other allies remaining passive, a single coherent narrative was absent. In Libya, opposition to Gaddafi was nominally united under the umbrella of the NTC, but in practice it consisted of different factions running different uprisings. During the summer months the first signals reached allied governments that the NTC was not so much the architect of the revolution as its witness, but the primary concern was slow progress on the ground against Gaddafi’s troops. Planning for the phase after the

military victory was limited, although the UK's deployment of a multi-disciplinary transition team seemed a new and original concept to prepare for the next phase. When Sirte finally fell and Gaddafi was killed at the end of October 2011, NATO was keen to close the operation a week later. If the objective was protecting civilians, this ceased the moment Gaddafi died. What had been a light footprint intervention would only become lighter, as both the Libyan NTC and NATO were not keen on troops on Libyan soil.

The first months of the transition were relatively quiet, allowing optimists to hail NATO's military intervention as a model for future military operations. In December the NTC deadline to the militias to disarm passed by unnoticed, and all preparations were focussed on the elections for the General National Congress in the summer. The NTC lacked capacity to enforce the disarmament of the militias, and when they refused to do so they were subsequently paid to keep a semblance of order on the streets. They were later integrated in Libya's security forces, and this temporary solution worked as long as the militia's interests were aligned with those of the fledgling government. As a result, the militias only grew more powerful and as competition between the different factions came to the fore, the security apparatus split along these lines. Already heavily armed, in part by the Allies during the intervention, factions helped themselves generously to Gaddafi's armouries that were opened up for all to plunder. The international community missed an opportunity by not guarding the huge stockpiles of arms and ammunition, failing to prevent the widespread proliferation of lethal weaponry throughout the country and beyond. The availability of small arms not only increased the power of the militias, but also fed criminality and led to a spiral of insecurity that became difficult to control. Libyan weapons have since turned up all over Africa.

Although the elections were marked by a reasonable turnout and a win for the moderate factions, the newly elected government inherited a state without any functioning institutions. By 'coup proofing' his army and implementing a divide and rule policy, Gaddafi had ensured that the rebels did not inherit a functioning bureaucracy, effective security apparatus or active civil society. Distrust between the rebels and military units that had later joined the uprising would continue to cast a shadow over the legitimacy over large parts of the army. As the militias furthered their own interests in areas under their control, and impunity and lawlessness in many regions set in, the national government started to lose what little legitimacy it had. The United Nations deployed the UNSMIL mission, but the 'light footprint' did not allow a good investment in SSR projects. The Libyan partners had little will or capacity to take difficult decisions, and much advice on SSR was ignored. The crucial relationship between security and development was well illustrated by the catalogue of incidents that occurred in 2012-2013. As security waned, armed factions filled the vacuum and international delegations and embassies became targets. Many had lucky escapes and near misses, others were not so fortunate; US Ambassador Stevens was specifically targeted on 11 September 2012 and did not survive. International offices were subsequently evacuated or closed, and security precautions further impeded development projects and international business investing in Libya. As insecurity slowly turned into civil war in 2014, even the EU border management mission and UNSMIL were forced to relocate to Tunisia.

The atomized landscape of competing militias became a binary division as the civil war split the country into two. In the east, General Haftar and the Zintan forces faced the faction of Dawn and Misrata. The internationally recognized Council of Deputies, democratically elected in 2014, now reside in Tobruk, while Islamist factions resuscitated the General National Congress, and are based in Tripoli. While a UN peace-deal was signed in December 2015 between both factions, seemingly ending political paralysis, elements within both parties oppose the agreement. Meanwhile, different groups such as the Islamic State are benefiting from the power vacuum and lack of central authority, establishing control over several coastal towns such as Sirte. Egypt has supported Haftar and launched airstrikes against IS after the murder of the Copts that were taken hostage, but will probably not launch a ground intervention. Qatar and Turkey have provided support to Islamist factions, but are equally unwilling to become more involved. Libya has thus become a battleground for regional interests, and its lawlessness has a destabilising effect on its neighbours. Both the Islamic State and Al Qaeda in the Islamic Maghreb (AQIM) operate without restriction in Libya, and conduct attacks in Tunisia, Algeria and the broader Sahel. In part to block the influx of terrorist fighters from Libya into Niger, France launched operation Barkhane, a multi-national counterterrorist operation. But limited capacity combined with the difficulty of securing the borders in the vast expanses of the Sahara make this a stop-gap solution, addressing only some of the symptoms and leaving the causes for what they are.

From a strategic perspective, the military intervention in Libya prevented a potential massacre of rebels in Benghazi, and removed strongman Gaddafi from power. During his 42 years in power, democracy and human rights were largely absent; as was the phenomenon of local terrorism, in part due to his ruthless repression of any opposition to his regime. Now, four years later, the lack of a central government has led to an almost complete breakdown of security and law and order, allowing terrorist groups to establish a foothold in several regions and expand the operations and recruitment efforts. The intervening powers have recognized that the transition after the intervention was a failure, and that they themselves are partly to blame for not investing enough capacity and effort into rebuilding Libyan society. It is not just the West however, that deserves blame for Libya's descent into civil war and anarchy, as Libyan leaders are equally responsible for the current situation. Libya is the first victim of the choices made by all parties during the intervention and failure, but immigration and terrorism also pose a serious threat to Europe and the broader region. In 2011 decision-makers faced a complex situation and had, in part due to the specific political context at the time, little leeway to maneuver. However, by neglecting to follow-up on the military intervention and invest in a transition, the international community has contributed to making the complex and dangerous situation in Libya that more intractable.

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**ICCT- The Hague:** The International Centre for Counter-Terrorism – The Hague (ICCT) is an independent think and do tank providing multidisciplinary policy advice and practical, solution-oriented implementation support on prevention and the rule of law, two vital pillars of effective counter-terrorism.

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