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# Libya: Transition and U.S. Policy

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## Summary

Libya's post-conflict transition has been disrupted by armed non-state groups and threatened by the indecision and infighting of interim leaders. To date, the elected General National Congress (GNC) and the interim executive authorities that it has endorsed have failed to address pressing security issues, reshape the country's public finances, or create a viable framework for post-conflict justice and reconciliation. The insecurity that was prevalent in Libya in the wake of the 2011 conflict has deepened, and armed militia groups and locally organized political leaders remain the most powerful arbiters of public affairs.

At present, potentially divisive political, economic, and social issues are being debated by rival groups in the absence of credible state security guarantees. These issues include the proposed decentralization of some national administrative authority, competing fiscal priorities, the provision of local and national security, the political future of Qadhafi-era officials, the proper role for Islam in political and social life, and concerns about the ongoing exploitation of Libyan territory by terrorists, arms traffickers, and criminals. The U.S. State Department now describes Libya as a "terrorist safe haven," and U.S. military and intelligence officials have warned about threats to U.S. interests emanating from Libya in recent statements and congressional testimony.

After removing interim Prime Minister Ali Zeidan in a no-confidence vote in March 2014, the GNC endorsed a plan to replace itself with a new elected Council of Representatives (COR). Meanwhile, selection of a replacement interim Prime Minister became challenging and controversial. Since mid-May, armed forces led by former General Khalifa Haftar have attacked some militias in Benghazi, attracting support from several military commanders, including air force and special forces personnel. GNC leaders and the acting interim cabinet have denounced the operations and called on the military to respond only to official orders. Amid calls from the interim cabinet and Haftar for the GNC to adjourn, election officials have announced that voting for the COR is to be held on June 25, 2014. U.S. officials have called for dialogue and have said that "moving forward with new elections that establish a broadly representative government will help lay the foundation for a more stable Libya."

Before the May 2014 fighting, Libya's transition had been proceeding according to an August 2011 interim constitutional declaration that was amended and is set to be replaced by the work of a 60-member Constitutional Drafting Assembly (CDA). The nationwide election for the CDA was delayed until February 2014 and marred by low turnout, boycotts, and threats of violence. After a new constitution is drafted, considered, and approved, more elections are expected to be held to select legislative and executive representatives. Viewed cumulatively, these recent developments, conflicts, and remaining requirements suggest that Libya's planned transition is at risk.

For the United States and other supporters of Libya's transition, these conditions and circumstances pose serious challenges and policy questions. Members of Congress continue to conduct oversight of ongoing U.S. transition support and security assistance programs in Libya and are considering FY2015 appropriations requests for Libya programs, amid continuing investigation of the circumstances surrounding the September 2012 attacks on U.S. facilities and personnel in Benghazi. The House of Representatives voted to establish a Select Committee on the Benghazi attacks in May 2014 (H.Res. 567). For more information on select congressional and executive branch responses to the 2012 attacks, contact the analysts and specialists listed in CRS Report R43536, *Select Committee on Benghazi: CRS Experts*, by Alex Tiersky.

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## Political Overview

More than three years after the start of the 2011 anti-Qadhafi uprising in Libya and more than 18 months after the September 2012 attacks on U.S. facilities and personnel in Benghazi, Libya's security situation is dire and the direction of its political transition remains in question. The State Department describes Libya as a "terrorist safe haven,"<sup>1</sup> and Obama Administration officials have recently stated in testimony before Congress that armed Islamist extremist groups are gaining strength in areas of eastern and southwestern Libya and exploiting unsecured weapons flows and weak border controls. These networks appear to be linked to terrorism in the region, and support foreign fighter and weapons flows to Syria.<sup>2</sup> U.S. efforts to empower Libyan security forces remain challenged by the strength of armed non-state groups and discord among the country's interim leaders. These factors have delayed the completion of the post-Qadhafi transition.

Prior to the outbreak of conflict in mid-May 2014, on March 11, 2014, the elected General National Congress (GNC) ousted interim Prime Minister Ali Zeidan in a vote of no confidence, just days after Zeidan returned from a security-focused policy conference with U.S. and other third-country officials in Rome. Zeidan, who was briefly abducted by militiamen in October 2013, had previously survived numerous attempted no confidence votes and had long faced criticism at home and abroad for what some observers viewed as weak leadership. Zeidan has rejected criticism of his tenure and denied corruption allegations, arguing instead that Libya lies "between the hands of militia groups," and warning that the "proliferation of weapons and religious extremism are becoming mutually stronger."<sup>3</sup> Zeidan's tenure was marked by a series of crises stemming from armed groups' demands for the political isolation of Qadhafi-era officials, the seizure of oil infrastructure, and the strengthening of armed Islamist groups in eastern and southern Libya.

After just weeks in his interim position, acting Prime Minister Abdullah al Thinni offered his resignation and declined to appoint a new cabinet in the wake of Zeidan's departure, citing threats to his life and his family by armed groups; his doubts about the GNC's ability to promptly confirm new nominees; and what he reportedly sees as a lack of sufficient decision-making authority granted by the GNC to executive offices. Al Thinni had served as Defense Minister under Zeidan, and militiamen had previously kidnapped his son, releasing him in January 2014.

Gunmen attacked the GNC on April 29, 2014, and disrupted a vote on Al Thinni's replacement. The attack was one of a series of attacks on the GNC since early 2013 that have underscored the increasing political pressure placed on the body and its members by disgruntled Libyan citizens, competing militias, and rival political factions. A long-running debate over the GNC's tenure culminated on March 30, 2014, when GNC members voted to replace the body with a new 200-member Council of Representatives (COR), set to be elected on June 25. Once elected, the COR is to determine a process for identifying new interim executive leaders to manage the government's affairs. Meanwhile, leadership disputes continue, and the GNC, the interim government, and its would-be replacements seek to distance themselves from ongoing violence.

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<sup>1</sup> State Department Bureau of Counterterrorism, Country Reports on Terrorism 2013, Chapter 5, April 2014.

<sup>2</sup> Country Reports on Terrorism 2013, Chapter 2: Country Reports: Middle East and North Africa, April 2014.

<sup>3</sup> U.S. Government Open Source Center (OSC) Report AFL2014041752530610, "Deposed Libyan Premier Says not Afraid of Death, Intends To Return To Help Find Solution to Crisis," *Jeune Afrique* (Paris) April 14–19, 2014.

## Figure I. Select Libyan and U.S. Figures



### General National Congress (GNC) President Nouri Abou Sahmain

GNC President Nouri Abou Sahmain took office in mid-2013, after the passage of the Political Isolation Law forced then-GNC President Mohammed Magariaf from office. Abou Sahmain's tenure has been characterized by his assertion of the authority of the GNC relative to the GNC-endorsed executive offices of the Prime Minister and the cabinet. Abou Sahmain is a member of Libya's Amazigh minority community and was elected as an independent member of the GNC. He has engaged in a political partnership with members of the Justice and Construction party, some of whom are Muslim Brotherhood members.



### Acting Interim Prime Minister Abdullah al Thinni

Former Defense Minister and current acting Interim Prime Minister Abdullah al Thinni offered his resignation soon after replacing ousted former Prime Minister Ali Zeidan. Al Thinni's family has been targeted by armed groups seeking to influence his official decisions. Al Thinni has remained in office in order to avoid a leadership vacuum, and he continues to engage with U.S. and other government officials. Al Thinni sought and obtained a clear judicial ruling on the unconstitutional selection of Ahmed Maiteeq as his replacement and reportedly plans to continue in his post until a successor is legally chosen.



### General Khalifa Belqassem Haftar

General Khalifa Haftar is a former member of the Qadhafi-era Libyan armed forces who joined the Libyan opposition movement in 1988 after his forces were defeated during failed Libyan military operations in Chad. Haftar returned to Libya from the United States in 2011 and took command of some anti-Qadhafi forces, including some military defectors. Since Qadhafi's fall, he has been critical of interim leaders' handling of security issues, and sought leadership positions in the armed forces. In February 2014 Haftar broadcast a statement claiming to have suspended interim government institutions. In mid-May 2014, he launched "Operation Dignity," an ad hoc military campaign against Islamist militia groups in eastern Libya, attracting support from some key military officers and drawing criticism from interim government leaders, who characterized his actions as a coup attempt.



### Ahmed Maiteeq

Ahmed Maiteeq is a 43-year old, Libyan and UK-educated businessman who emerged as the leading candidate to replace acting Interim Prime Minister Al Thinni in May 2014 GNC polling, based on the support of a coalition of independent members from Misurata and southern Libya, including several Islamists and members of the Loyalty to the Martyrs bloc. On June 9, Libya's Supreme Court ruled that the vote taken to endorse Maiteeq's candidacy did not meet the required constitutional standards and Maiteeq withdrew his claim to the prime ministership, ending a tense political standoff.



### U.S. Ambassador to Libya Deborah K. Jones

Ambassador Jones leads the U.S. mission in Libya and engages with a wide range of Libyan officials and citizens to support Libya's transition and expand U.S.-Libya commercial, educational, and personal ties. Ambassador Jones collaborates closely with ambassadors from the United Kingdom, Italy, France, and Germany, issuing joint statements and prevailing on the Libyan government and other groups to take necessary steps to secure the country and complete the transition.

**Source:** Prepared by CRS. Images derived from official Libyan and U.S. government sources.



The revised transitional roadmap currently calls for an elected Constitutional Drafting Assembly (CDA) to produce a draft constitution for consideration by elected legislators and the Libyan public. Forty-eight out of 60 of the Assembly’s members were elected in February 2014 amid very low voter turnout; the remaining 12 seats were not filled due to boycotts and security disruptions, but are being filled as follow-on elections are held. As of May 14, Libya’s High National Election Commission reported that 55 members had been elected. According to the 2011 interim constitutional declaration, the CDA is scheduled to have four months from its first session to produce a draft constitution for consideration, a timeline which many outside observers viewed as ambitious and potentially problematic even prior to recent events. The CDA held an initial meeting on April 20, in Al Bayda, and is consulting with Libyans and international supporters.

**Figure 2. Libya: Map and Select Country Data**



## May-June 2014 Clashes Raise Questions About Transition

The onset of conflict in mid-May 2014 between forces led by General Khalifa Belqassem Haftar and various militia groups amplified the political and security challenges Libya faces. Forces loyal to the Qadhafi-era former military commander targeted militia forces in Benghazi on May 16, reportedly leaving dozens dead and injured on both sides. Interim authorities in Tripoli acknowledged that military forces (including air force personnel) participated in the operation without official orders, and commanders of important military forces in Tobruk, Benghazi, and other areas have since pledged support for Haftar's "Operation Dignity." An armed attack on the elected General National Congress (GNC) and the issuance of a statement by another military officer dismissing the GNC on May 18 brought the new crisis to the capital.

On May 19, the interim cabinet and acting Prime Minister Al Thinni reiterated their demand that military orders be coordinated with the cabinet and called on the GNC to take steps to clarify the leadership of the government and adjourn until the new COR can be elected. The GNC has not accepted the cabinet's proposal, and the cabinet has issued subsequent statements criticizing the GNC for ignoring its initiative and for inviting certain armed forces to Tripoli. Some GNC leaders have rejected Haftar's operations and his calls for an immediate replacement of the GNC.

In remarks on May 21, Haftar spoke on behalf of a "High Military Council of the Armed Forces" and accused most of the GNC of having betrayed Libya. He called for the creation of a civilian-led High Council for State Affairs to manage the business of government until the election of the COR. In a disputed vote on May 27, 93 members of the GNC gathered to consider a cabinet lineup proposed by Ahmed Maiteeq—83 members supported the proposal. Interim Prime Minister Al Thinni sought a judicial ruling regarding the validity of the vote and called for the GNC to halt the transfer of executive powers. On June 9, Libya's Supreme Court ruled that the GNC's vote to install Maiteeq as Prime Minister was unconstitutional. Interim Prime Minister Al Thinni, Maiteeq, and GNC leaders accepted the court's ruling in public statements. In the midst of these political disputes, Libyan election officials confirmed on May 29 that elections for the COR are to be held on June 25, 2014.<sup>4</sup>

Haftar's forces have continued their military campaign with sporadic but high-profile airstrikes on areas of Benghazi's suburbs believed to be under the control of Ansar al Sharia and other opponents. On June 4, Haftar's compound outside the city was targeted by a large vehicle-borne bomb, but Haftar and his senior supporters reportedly were not seriously injured. In a series of media interviews, Haftar has repeated that his goal is to combat what he describes as terrorists and their political supporters, including Muslim Brotherhood members.<sup>5</sup> Overall, Haftar has emphasized a broadly held desire to establish security in the country and rebuild the national army. He denies he is seeking power personally, while not ruling out a future elected leadership role. In a radio address following the attempted attack on his base, Haftar reportedly said:

These killers, whom we call the terrorists, have not and will never reach any target they desire. We are continuing in our endeavor. God willing, they will pay a heavy price and we shall not stop until they either leave or being eliminated, because our citizens, whom they

<sup>4</sup> High National Election Commission President Emad al Sayeh, Press Conference, May 29, 2014.

<sup>5</sup> In an interview attributed to Haftar published in an Egyptian newspaper, he is quoted as having said, "We shall not retreat until we destroy them and destroy Al Qaeda and the other militias which are nothing but tentacles of the Muslim Brotherhood under different names." OSC Report IML2014052229779287, "Libya's Haftar Vows not to Leave Single Brotherhood Member on Libyan Territory," *Al Watan* (Cairo), May 22, 2014.

have tortured for years, can absolutely never coexist with them again. We are ready and we are continuing on the road and will absolutely never stop.<sup>6</sup>

Some Libyan observers continue to criticize Haftar's actions as a coup attempt and warn that the military units, local militias, and politicians who are embracing Haftar's operations may be seeking to take advantage of a broadly shared Libyan popular desire for the reestablishment of national security in order to advance local or personal ambitions. In a visit to Benghazi on June 5, acting Interim Prime Minister Al Thinni called on city residents to support the efforts of the local Special Forces units in combatting armed extremist groups and asserting state security control.

For the United States and other backers of the interim government, Libya's deteriorating security conditions, fragmented political scene, and shifting transition timelines have presented several policy dilemmas. The State Department has said that the United States government does not condone or support Haftar's actions and has not assisted them. At the same time, U.S. officials have not categorically rejected Haftar's operations against armed extremist groups; the U.S. response has been to call on all sides to deescalate the situation, to recommit to dialogue, and to move forward with planned parliamentary elections. In a joint statement on May 23, the United States, the European Union, France, Germany, Italy, and the United Kingdom said:<sup>7</sup>

The European Union, France, Germany, Italy, the United Kingdom and the United States, deeply concerned by the repeated acts of violence, call on all sides to refrain from the use of force and to address differences by political means. We stand ready to support an inclusive reconciliation process in order to gather all the Libyans in support of the political transition, with the support of the United Nations.

We emphasize the importance of carrying on the transition in a peaceful and democratic way. We insist, in this framework, on the opportunity of holding parliamentary elections as soon as possible. The democratic constitutional process has begun its work to codify the principles of democracy that will protect all citizens of Libya, irrespective of geographic or tribal affiliation.

The process leading to a peaceful transition of power should be based upon broad consensus, avoiding any acts which seek to undermine that process.

To date, U.S. officials and others working to support Libya's transition and to combat Libya-based transnational threats have had to rely on interim leaders and institutions to make difficult policy, budget, and personnel decisions to identify and support joint priorities. Meanwhile, insecurity and violence have hampered progress in the transition. Infighting and inertia have delayed improvements in the performance of government ministries, while the initiative and vigor shown by various armed non-state actors has undermined the state's limited investments in reconstituting its security forces.

In a reinforcing cycle, indecision and insecurity have eroded the legitimacy of those leaders and institutions tasked with reversing threats to Libya's stability. Outsiders, including the United States, have felt increasingly obliged to help break this negative cycle and to insist on an expedited transition, while recognizing that, in the words of U.S. Deputy Secretary of State William Burns, "no one can make Libyans' choices for them" and outside intervention may

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<sup>6</sup> OSC Report IML2014060469623835, "Retired Maj-Gen Haftar promises tougher response to assassination attempt," *Libya International Channel*, June 4, 2014.

<sup>7</sup> State Department, Joint Statement on Libya, May 23, 2014.



inflare problems further.<sup>8</sup> On June 5, State Department spokesperson Marie Harf said, “we believe Libyans need to address their challenges through constructive and democratic means. It’s not for us to choose the future of Libya.”

The May 2014 clashes have revealed the weakness of the interim government’s control over even the limited forces that were believed to be under its direct command. It is unclear what effect, if any, this may have on U.S. and allied efforts to provide security assistance or training to Libyan security forces in the immediate future. On May 21, U.S. Ambassador to Libya Deborah Jones acknowledged that U.S. officials were reviewing and “rethinking” U.S. security assistance programs and plans in light of the crisis.<sup>9</sup> U.S. officials, including Ambassador Jones, continue to emphasize the importance of building a credible, responsive, and responsible state security apparatus in Libya, while recognizing that events and changing conditions in Libya may require flexibility in planning and execution.

Until military chain-of-command issues are resolved, the new Council of Representatives is elected, new executive leaders are identified, and a new constitution is developed, endorsed, and implemented, the Libyan government may lack the political legitimacy, will, and capabilities necessary to take assertive action on difficult security and economic issues.

Inaction may have considerable negative consequences, as unchecked threats could become more costly and risky to address over time. If current conditions persist or deteriorate further, the country may continue to fragment as locally organized groups and other non-state actors seek to protect their interests and gain advantage over rivals. Under such circumstances, groups active in Libya that are hostile to U.S. interests may grow stronger. On the other hand, direct efforts by the Libyan government or other governments to confront armed non-state groups or fundamentally recast transition plans risk igniting localized conflicts. Such conflicts could spread within or beyond Libya’s borders and further disrupt Libya’s political transition or regional security.

In this context, Members of Congress are considering the Administration’s appropriations requests for FY2015 foreign assistance programs in Libya (see “U.S. Foreign Assistance and Requests” below) and conducting oversight of U.S. efforts to strengthen Libyan security forces and support Libya’s troubled transition.

## Select Security Issues

The U.S. intelligence community’s January 2014 unclassified Worldwide Threat Assessment described the terrorist threat to Western and Libyan government interests in Libya as “acute, especially in the east of the country.” Administration officials repeated these views in subsequent congressional testimony and statements. U.S. AFRICOM Commander General David Rodriguez<sup>10</sup>

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<sup>8</sup> OSC Report IML2014042533918510, “U.S. Supports Efforts to Enhance, Reform Security Institutions in Libya,” *Libya Herald* (Tripoli), April 24, 2014.

<sup>9</sup> Ambassador Deborah Jones, Remarks at Stimson Center, Washington, DC, May 21, 2014. Ambassador Jones said, “At the time, of course, that the programs were set up and established, the situation was very different and being presented in a very different way. So even as we speak, you know, we are certainly rethinking the program, but it doesn’t negate the need for a national army.”

<sup>10</sup> Testimony of General David Rodriguez, Commander, U.S. Africa Command [AFRICOM], before the House Armed Services Committee, March 5, 2014.

described Libyan institutions as “very, very weak”<sup>11</sup> and warned that Al Qaeda adherents and affiliates are gaining strength as “arms, ammunition, explosives from Libya ... continue to move throughout the region in northwest Africa.”<sup>12</sup> U.S. and French officials also have issued warnings about the reported activities in southwestern Libya of Sahel-based terrorists and arms traffickers, including members of Al Qaeda affiliates. When asked to compare threats to U.S. security from Libya and Syria, Defense Department Assistant Secretary Michael Lumpkin recently said, “my sense is that Libya isn't where Syria is today, but again—left unchecked, left without the proper engagement in building the partnership capacity with the nascent Libyan forces—that we could end up in a situation where it's not too dissimilar if no attention is paid to it.”<sup>13</sup>

United Nations (U.N.) officials confirmed these trends, adding in a late February 2014 report that, since September 2013,

The security environment continued to deteriorate, and there was no significant progress in integrating members of brigades into an effective national army and police force or in the disarming of other armed groups.... Security sector governance at the national level remains hampered by lack of clarity about roles and responsibilities and an ill-defined security sector architecture that has failed to undergo significant reform or manage the security crises effectively. As a result, a well-defined government plan to rebuild and reform State security institutions remains elusive.<sup>14</sup>

## **Ansar al Sharia and Other Libya-based Extremist Groups**

On January 10, 2014, the U.S. State Department announced the designation of Ansar al Sharia in Benghazi and Ansar al Sharia in Darnah as Foreign Terrorist Organizations (FTOs) under Section 219 of the Immigration and Nationality Act and as Specially Designated Global Terrorist entities under Executive Order 13224. According to the State Department, the groups:

have been involved in terrorist attacks against civilian targets, frequent assassinations, and attempted assassinations of security officials and political actors in eastern Libya, and the September 11, 2012 attacks against the U.S. Special Mission and Annex in Benghazi, Libya. Members of both organizations continue to pose a threat to U.S. interests in Libya.

Ansar al Sharia has vigorously condemned the military operations against it by Haftar-aligned forces as a “war against the religion and Islam backed by the West and their Arab allies.” In a statement issued on May 19, the group called on pro-sharia tribal figures to support the group against Haftar and said “the war declared is against the application of the sharia and the establishment of the religion. This war is led by the infidels, the Jews and the Christians, as well as the seculars and traitors who support them.”<sup>15</sup> In a follow-on statement on May 27, an Ansar al

<sup>11</sup> Press Briefing by Deputy Assistant Secretary of Defense Amanda Dory and Gen. Rodriguez, Washington, DC, April 8, 2014.

<sup>12</sup> Testimony of General David Rodriguez, Commander, U.S. Africa Command [AFRICOM], before the Senate Armed Services Committee, March 6, 2014.

<sup>13</sup> Testimony of Assistant Secretary of Defense for Special Operations and Low- Intensity Conflict [SOLIC] Michael Lumpkin before the Senate Armed Services Subcommittee on Emerging Threats and Capabilities, March 11, 2014.

<sup>14</sup> Report of U.N. Secretary General Ban Ki-moon on the United Nations Support Mission in Libya (UNSMIL), February 2014.

<sup>15</sup> OSC Report TRN2014052021537855, “Libya: Ansar al-Sharia Vows To Defend Benghazi Against Attacks, Calls On Tribes To Cooperate,” May 19, 2014.

Sharia leader warned the United States against intervention in Libya and condemned Haftar, saying: “They said that their war was against terrorism and extremism, as they claim, but the reality is that their aim is to take over power.... We remind America that if it tries to intervene, we remind it of its despicable defeats in Iraq, Afghanistan and Somalia, and that it will see worse from Libya than what it has seen [so far].”<sup>16</sup> Libya’s official religious authorities condemned Ansar al Sharia’s statement, but the group has rejected their censure, citing a right to defend themselves from Haftar’s offensive.

Libyan media and Ansar al Sharia social media accounts suggest that the organization’s current operations extend to Benghazi, Sirte, and areas of eastern Libya and include military training, security patrols, outreach and education efforts, and public works projects. The group also has publicized its efforts to deliver relief supplies to civilians in northern Syria and other countries. The U.S. government has not released a detailed unclassified assessment of the size and capabilities of Ansar al Sharia in Libya. Publicly available information suggests the group’s membership may be in the high hundreds or low thousands of individuals, some of whom possess truck-mounted anti-aircraft guns, rocket-propelled grenades, military-style uniforms, and assault rifles. Some images suggest the group possesses man-portable air defense missiles (MANPADs).

**Figure 3. Recent Ansar al Sharia Imagery from Libya and Syria**



**Source:** Ansar al Sharia on Twitter, collected and compiled by CRS in May 2014.

**Notes:** Clockwise from top left, images purport to show (1) children engaged with AAS-affiliated scholar, (2) AAS security personnel conducting a drill, (3) the before-and-after result of an AAS public works program in Benghazi; and (4) an AAS campaign delivering relief supplies in Syria. Center: Ansar al Sharia’s official logo.

<sup>16</sup> OSC Report IML2014052831841695, “Libyan Ansar Al Shari’ah Praise Their ‘Victory’” Libya TV (Doha), May 27, 2014.

### Investigations into 2012 Attacks on U.S. Facilities and Personnel in Benghazi

U.S. Ambassador to Libya Christopher Stevens and three other U.S. personnel were killed on September 11, 2012, during an assault by armed terrorists on two U.S. facilities in Benghazi, Libya's second-largest city. The Federal Bureau of Investigation (FBI) remains the lead U.S. agency tasked with pursuing the individuals responsible for the attacks. Other government agencies, including the State Department, the Department of Defense (DOD), and elements of the intelligence community (IC), support the FBI's efforts to bring the attackers to justice.

On September 28, 2012, the U.S. intelligence community concluded publicly that the incident was a "deliberate and organized terrorist attack carried out by extremists," and said that at the time it remained "unclear if any group or person exercised overall command and control of the attack and if extremist group leaders directed their members to participate. However, we do assess that some of those involved were linked to groups affiliated with, or sympathetic to Al Qaeda."<sup>17</sup> As of May 2014, some progress reportedly has been made identifying suspects, but no arrests have been made. In January 2014, a Senate Select Committee on Intelligence report on the attacks stated that, "Individuals affiliated with terrorist groups, including Al Qaeda in the Islamic Maghreb (AQIM), Ansar al Sharia, Al Qaeda in the Arabian Peninsula [AQAP], and the Mohammad Jamal Network, participated in the September 11, 2012, attacks."<sup>18</sup> Also in January, the House Permanent Select Committee on Intelligence reported that, "The IC has collected extensive information on many of the Benghazi attackers, but early coordination between IC and the DoD was lacking, many intelligence gaps remain, and the Administration has yet to establish an effective plan to bring known attackers to justice."<sup>19</sup> The U.S. government has offered up to \$10 million through the Rewards for Justice program for information that brings to justice those responsible for the attack.

U.S. military officials have referred to continuing intelligence gaps in Libya in recent unclassified testimony before Congress, and U.S. AFRICOM Commander General David Rodriguez said on April 8 that continuing U.S. efforts against the network responsible for the Benghazi attacks are "made more difficult, obviously, by the security situation."<sup>20</sup> Rodriguez added that U.S. investigators "don't have everybody identified and located," and said that the feasibility of operations to apprehend or otherwise target suspects in Libya "depends ... on the situation and the risk that people want to take." In October 2013, U.S. military forces reportedly were involved in the capture of Nazih al Ruqai'i (aka Abu Anas al Libi) in Tripoli. Ruqai'i is now in U.S. law enforcement custody and is on trial on charges related to the 1998 U.S. Embassy bombings in East Africa.

Administration officials have repeatedly described Libya as a high risk operational environment, even with regard to routine diplomatic operations in Tripoli. Operational risks presumably are higher in denied areas of Libya that are controlled by anti-U.S. forces. On May 27, 2013, the U.S. State Department issued a travel warning for Libya that "warns U.S. citizens against all travel to Libya and recommends that U.S. citizens currently in Libya depart immediately." The warning further states that, "State security institutions lack basic capabilities to prevent conflict. As a result, the potential for political violence continues, centered around specific events, including elections for a new General National Congress and appointment of a new government, both anticipated for as early as June."

Across Libya, attacks on foreign diplomatic facilities and personnel and on foreign nationals have continued in recent months. Since April 2013, reported attacks have targeted the French and Russian embassies in Tripoli; the Turkish Consul in Benghazi; the Finnish and Swedish consulates in Benghazi; a U.S. national teaching in Benghazi; a Turkish national in Tripoli; oil workers from the United Kingdom and New Zealand; Egyptian Christians in Benghazi; Tunisian Embassy employees and a Libyan employee of the U.S. Embassy in Tripoli; and the Jordanian ambassador to Libya, Fawaz al Etan, who was kidnapped on April 15, among others.

Two other Islamist militia forces and services organizations based in the eastern city of Darnah also pose a challenge to Libyan authorities: the Abu Salim Martyrs Brigade and the Islamic Youth Shura Council of Darnah. The latter group conducted a large display of military weaponry in a convoy near the city in early April 2014, and the former group, named for the victims of a Qadhafi-era prison massacre of predominantly Islamist detainees, has questioned the authority of

<sup>17</sup> Statement, Director of Public Affairs for the Director of National Intelligence Shawn Turner, September 28, 2012.

<sup>18</sup> Senate Select Committee on Intelligence, Review of the Terrorist Attacks on U.S. Facilities in Benghazi, Libya, September 11-12, 2012, January 15, 2014.

<sup>19</sup> House Permanent Select Committee on Intelligence, Benghazi Investigation Update, January 2014.

<sup>20</sup> Deputy Assistant Secretary Amanda Dory and General David Rodriguez, Press Briefing, April 8, 2014.



transitional officials. Constitutional assembly elections were disrupted in Darnah in February 2014. The Youth Shura Council has posted images of its checkpoints and seizures of alcohol and contraband goods, and the Abu Salim Martyrs Brigade routinely posts images of its social services activities. Ansar al Sharia members conducted and publicized similar operations when that group was establishing itself in Benghazi in 2012.

In southwestern Libya, Islamist extremist operatives reportedly are active, and may be using remote areas to serve as safe havens or transit areas for operations in neighboring Niger and Algeria. Some press reports suggest that Mokhtar Belmokhtar, the leader of the group responsible for the January 2013 attack on the natural gas facility at In Amenas, Algeria, that killed three Americans, may be in southwestern Libya. U.S. officials have not publicly confirmed those reports but describe Belmokhtar's group—Al Murabitoun—as active in the area and as “the greatest near-term threat to U.S. and international interests in the Sahel, because of its publicly stated intent to attack Westerners and proven ability to organize complex attacks.”<sup>21</sup>

## Seizure of Oil Facilities Challenges Government Authority, Raises Budget Questions

In April 2014, government negotiators reached a partial agreement with armed groups who have been occupying many of the key oil fields and export terminals in eastern Libya since mid-2013. Led by a militia commander named Ibrahim Jadhran, the forces have demanded payment of salaries to local guards and the implementation of oil revenue sharing arrangements on behalf of the Cyrenaica Political Bureau, which seeks regional autonomy for eastern Libya.<sup>22</sup> Tribal and other local forces in other regions of Libya also seized oil infrastructure, driving production to lows not seen since the 2011 anti-Qadhafi conflict.

Jadhran's attempts to sell oil under his forces' control have been thwarted to date, most notably in March 2014, when U.S. Navy personnel seized and returned to Libya a North Korean-flagged tanker ship carrying oil from the then-rebel-held port at Al Hariga (Tobruk). United Nations Security Council Resolution 2146, adopted in March 2014, authorizes Member States to inspect on the high seas vessels designated as carrying oil illegally exported from Libya and,

authorizes Member States to use all measures commensurate to the specific circumstances, in full compliance with international humanitarian law and international human rights law, as may be applicable, to carry out such inspections and direct the vessel to take appropriate actions to return the crude oil, with the consent of and in coordination with the Government of Libya, to Libya.

The agreement reached in early April saw export terminals at Al Hariga and Zuwaytina returned to government control. The terminal at Al Hariga is now operational, and exports have risen to 220,000 barrels per day (bpd) but remain well short of Libya's 1.6 million bpd capacity. Major export terminals at Al Sidra and Ras Lanouf remain under the control of Jadhran-aligned forces, and Jadhran refuses to engage with Prime Minister-designee Maiteeq, citing the dispute over his election.<sup>23</sup> Important oil fields representing one-third of the country's potential oil output also

<sup>21</sup> State Department Bureau of Counterterrorism, Country Reports on Terrorism 2013, Chapter 6, April 2014.

<sup>22</sup> Margaret Coker, “Ex-Rebel, With Militia, Lays Claim to Libyan Oil Patch,” *Wall Street Journal*, October 3, 2013.

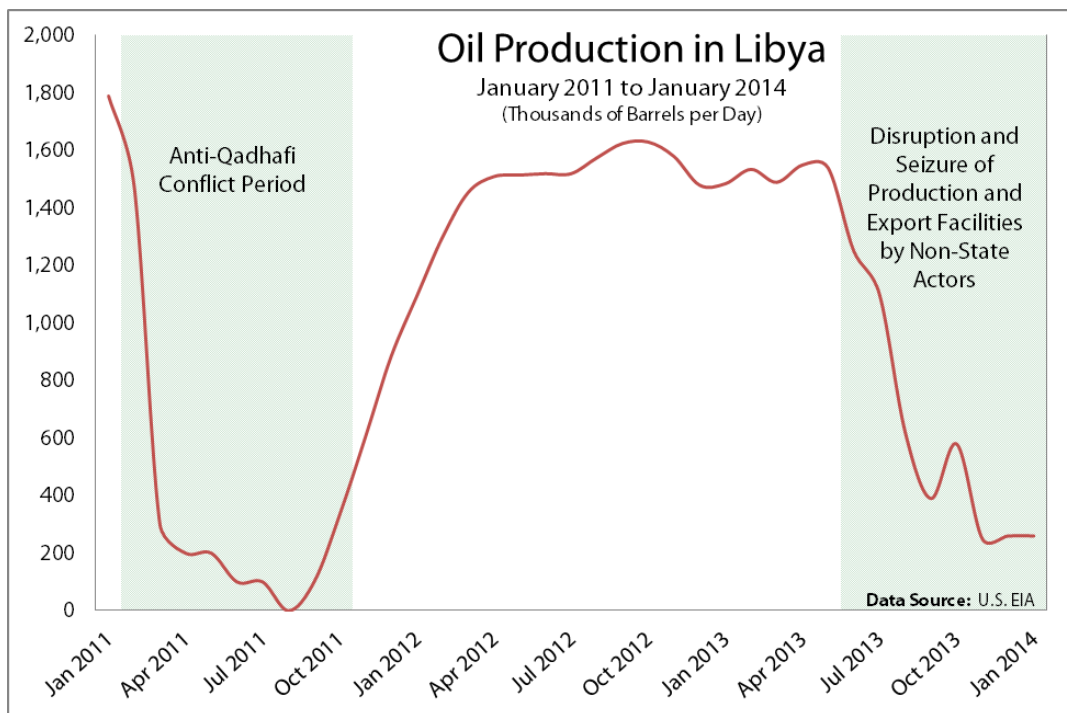
<sup>23</sup> Maher Chmaytelli, Libya Rebels Keep Oil-Sharing Condition for Ports Opening, Bloomberg News, April 8, 2014; and, OSC Report IML2014050778540693, “Head of Libyan Rebel Oil Blockade Group Condemns Appointment of (continued...)”



were under the control of other non-state groups in western Libya, and as of mid-May, reports suggested that the government had reached agreement with protestors to reopen some of them. The inability of interim authorities to regain full control of vital national infrastructure facilities has undermined public confidence in the government.

The immediate fiscal impact of the oil facilities crisis has been reflected in a severe drop in national government oil export revenue receipts since mid-2013, which in turn has created some challenges in making timely payments of some state salaries and subsidies. Nevertheless, the country's large foreign reserves and investment portfolios provide some limited flexibility for covering recent budget shortfalls. In April 2014, the World Bank estimated that Libya's reserves had declined "to about \$100 billion in 2014 and are expected to decline further to \$82 billion in 2015 from \$122 billion in 2013 when the government started running budget deficits."<sup>24</sup>

**Figure 4. Oil Production in Libya**



**Source:** Created by CRS using U.S. Energy Information Administration data.

Even if oil exports and revenue flows are fully restored, the balance of priorities reflected in Libya's national budget may prove to be a politically divisive and controversial issue. Large components of the annual budgets submitted for GNC approval by Libyan interim authorities to date have been directed toward paying public sector salaries and subsidies, with far less directed toward development, education, health, and infrastructure projects. The draft 2014 budget sets

(...continued)

New PM," *Libya TV* (Doha) May 7, 2014.

<sup>24</sup> "Fiscal and current account balances have deteriorated sharply due to the oil blockade that has reduced oil revenue by 80 percent and also to continued expansionary fiscal policy." World Bank, Office of the Chief Economist for the Middle East and North Africa (MENA), Regional Economic Update, April 2014, p. 9-10.

more than 37% aside for salaries and subsidies.<sup>25</sup> Reforming subsidies for items such as fuel could provoke protests or disrupt reported smuggling arrangements that shuttle subsidized fuel out of the country. The interim government's responsiveness to demands for the expansion of public sector salaries since 2011 has demonstrated the potential volatility of reductions in the scope or value of state payrolls.

## Political Developments and Challenges

The July 2012 election of an interim 200-member General National Congress (GNC) to replace the appointed TNC marked an important step on the planned transition timeline and was Libya's first national election in nearly 50 years. Many Libyans and outside observers expressed hope that the elected interim Congress would appoint a cabinet that would have been able to leverage the body's election-derived democratic legitimacy to act decisively on key issues. However, like their predecessors in the Transitional National Council, the GNC and its cabinet have proven unable to successfully address a number of chronic challenges, some of which have been exacerbated by the consequences of the violent revolution and complicated by the legacies of Qadhafi's patronage- and fear-based rule.

Many expert observers of Libya's domestic politics have emphasized the general weakness and fractured condition of Libya's political landscape after 40 years of idiosyncratic abuse by Qadhafi and his supporters. Qadhafi purposely undermined state institutions, including the military, and manipulated tribal, regional, and political groups to maintain power. The 2011 conflict empowered local groups and weakened the capacity of state security bodies. Transitional authorities have inherited weak national government institutions and personnel that largely lack the expertise and infrastructure to implement government decisions. Competition among some groups has intensified during the transition, driven in part by the desire of anti-Qadhafi forces to isolate not only former members of Qadhafi's inner circle but a broader group of officials who served under the former regime. Political support for interim leaders among some Libyans has waned in light of the government's failure to rapidly improve basic services, ensure security, or deliver expected financial support via salaries, subsidies, and relief payments.

Key steps in the transition process, such as the selection of interim legislative and executive leaders and the drafting and consideration of a new constitution, are complicated by the wide range of security threats confronting Libyans in different parts of the country. Among the most pressing and potentially divisive political issues still under debate are:

**Islam and the State:** Most Libyans support a prominent role for Sunni Islamic traditions in public life, but differ in their personal preferences and interpretations of their faith. Libyan social norms are relatively conservative and traditional, and Libyans remain engaged in a long-running public debate about the proper role for Islam in public life. In the past, that debate led to violence between the Qadhafi government and armed Islamist opponents. In the present, the debate has taken on new urgency given the opportunity to define a new constitution. Calls for and against strict interpretations and enforcement of *sharia* have featured regularly in public discourse since the fall of the Qadhafi regime.

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<sup>25</sup> On May 7, GNC Finance and Budget Committee Chairman Mohammed Abdullah stated that the 85.9 billion dinar budget for 2014 includes more than 18.7 billion dinars for salaries and 13.1 billion dinars for subsidies.

Libyans hold a wide array of views on these questions and are now freely sharing them. Armed Salafist groups such as Ansar al Sharia demand that *sharia* be codified and enforced immediately. In eastern Libya, these groups have become more organized and increasingly publicly active over time. Other Libyan figures, including some Muslim Brotherhood leaders, have indicated they “are calling for the establishment of a civilian state but with an Islamic reference.”<sup>26</sup> In July 2012, the TNC issued a declaration advising the newly elected government and the then-yet-to-be elected constitutional committee to preserve *sharia* as the principal source of legislation under the new constitution and to not submit the matter to a national referendum.<sup>27</sup> In December 2013, the GNC endorsed a statement that Libyan law must comply with *sharia*, sparking criticism from secular groups and derision from religious conservatives demanding immediate implementation.<sup>28</sup>

**Federalism and Regional Politics:** Discussions about federalism in Libya combine general debates about centralized administration versus decentralization and specific historical claims of inequality among Libya’s regions. A widely espoused commitment to national unity and solidarity has defined much of the political rhetoric of the post-Qadhafi transition period. Nevertheless, some eastern Libyans fear that a consolidation of power at the national level will continue a political pattern under Qadhafi that they believe marginalized the east and neglected its development. As such, procedures for selecting a new constitutional drafting body have been amended twice, each time in an effort to respond to calls from activists in eastern Libya concerned that the constitution would be drafted on the basis of proportional differences in population rather than equal regional representation.

Broader debate focuses on the relative merits of administrative decentralization or regional autonomy in a federal system. Many Libyans have embraced calls for decentralization while expressing concern that the political assertion of regional identity and calls by some easterners for autonomy risk dividing the country and may spark renewed conflict. Similar debates, concerns, and risks featured prominently during Libya’s founding as a unified state under United Nations auspices in the early 1950s. Resentment of the centralization of state authority, first under the easterner-dominated monarchy in the 1960s and then under Qadhafi from the 1970s onward, divided Libyans on regional lines. Regional identities remain relatively weak compared with local identities, but national identity and solidarity may prove weaker still.

**Security and the Rule of Law:** Qadhafi used the security bodies of the state to crush political dissent and interfere in the daily lives of Libyans. As a result, debates among Libyans over the relative powers of security authorities and the rule of law are very sensitive. The dispersion of authority in the hands of armed groups and the existence of what one analyst has called “local monopolies of violence” further complicates matters.<sup>29</sup> In spite of these complications and legacies, security conditions are the immediate and overarching concern for Libyan authorities. Armed non-state groups continue to operate in many areas of the country, government authorities rely on militias to provide security for key cities and facilities, and the country’s borders, infrastructure, and military sites are unevenly secured. Threats to elected and appointed leaders have grown, and coercive kidnappings and assassinations are rampant in some areas of the

<sup>26</sup> OSC Report GMP20120305825005, “Libyan Brotherhood Leader Urges Creation of Civil State With Islamic Reference,” March 5, 2012.

<sup>27</sup> TNC Decree Number 7 of 2012, July 5, 2012.

<sup>28</sup> OSC Report TRL2013120722786731, “Libya: Al-Rayah Releases Ansar al-Sharia Statement Condemning GNC Statement on Islamic Sharia,” December 6, 2013.

<sup>29</sup> Jacob Mundy, “Milizia Politics in Libya’s National Elections,” *Foreign Policy*, Middle East Channel, July 5, 2012.

country. Militia forces based in and around Zintan, Tripoli, Misrata, and Benghazi remain the most powerful security actors in the country.

Since late 2011, sporadic outbreaks of violence among rival militia groups, criminals, and armed citizens have shaken Libyans' confidence in transitional leaders and in each other. From one perspective, the number of security disruptions is smaller than might otherwise be expected in a post-conflict environment awash in weapons and dominated by dozens of armed groups with varying relationships to state authority. From another perspective, the level of crime, the continuing independence of local militia, the broad availability of weapons, and the relative limitations of national security bodies suggest that Libya's security remains a function of Libyans' self-restraint rather than the capability of national security authorities.

## **U.S. Policy and Issues for Congress**

The September 2012 Benghazi attacks and ongoing clashes, assassinations, and abductions involving militia groups have challenged U.S. plans to engage in a more comprehensive security assistance and transition support relationship with Libya. Some Libyans have questioned the interim government's decision to seek foreign support for security reform and transition guidance, while some U.S. observers have questioned Libya's need for U.S. foreign assistance given its oil resources and relative wealth. To date, the Obama Administration and some in Congress have favored a partnership approach that seeks to build Libyan capacity, coordinate international action, and leverage Libyan financial resources to meet shared objectives. Nevertheless, in some cases where the United States government desires Libyan government action on priority issues, especially in the security sector, U.S. officials weigh choices over whether U.S. assistance can build sufficient Libyan capacity quickly and cheaply enough, whether interim leaders are appropriate or reliable partners for the United States, and whether threats to U.S. interests may require direct U.S. action. The conflict and political intrigue of May and June 2014 may complicate U.S. partnership with Libyans further, as Libyans contest the legitimacy of institutions and leaders.

## **U.S. Foreign Assistance and Requests**

U.S. engagement in Libya since the anti-Qadhafi conflict ended has shifted from humanitarian assistance to focus on transition assistance and security sector support. Over \$25 million in USAID-administered programs funded through the Office of Transition Initiatives, regional accounts, and reprogrammed funds were identified to support the activities of Libyan civil society groups and provide technical assistance to Libya's nascent electoral administration bodies from 2011 to 2013. The security-related withdrawal of U.S. personnel from Libya in the wake of the Benghazi attacks temporarily affected the implementation and oversight of U.S.-funded transition assistance programs, and Congress has acted to condition the provision of future U.S. assistance to the Libyan government on cooperation in the investigation. As noted above, Administration officials are reviewing U.S. security assistance programs in light of recent events.<sup>30</sup>

The FY2014 Consolidated Appropriations Act (P.L. 113-76, Sections 7015(f) and 7041(f)) conditions the provision of U.S. foreign assistance to the central government of Libya on a State

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<sup>30</sup> Ambassador Deborah Jones, Remarks at Stimson Center, Washington, DC, May 21, 2014.

Department certification that the government is cooperating with U.S. government efforts to investigate and bring to justice those responsible for the September 2012 Benghazi attacks. The act and accompanying explanatory report further require detailed notification of the appropriations committees of planned obligations of funds for Libya programs to include vetting procedures for recipients. The act also prohibits the provision of U.S. assistance to Libya for infrastructure projects “except on a loan basis with terms favorable to the United States.”

Administration officials have remained committed to providing transition support to Libyan government entities and civil society groups and have requested new funding to continue current programming in FY2015 (see **Table 1**). The FY2015 State Department foreign assistance budget request identifies similar strategic goals as the FY2014 request: “1) supporting Libyan government efforts to develop a basic security capability to reduce threats and sustain a successful democratic transition, and 2) maintaining progress on Libya’s transition to a permanent, inclusive democracy accountable to the Libyan people.” In FY2014, the State Department’s budget justification also identified “enhancing the Libyan government’s capacity to bring to justice those responsible for the Benghazi attacks” as a primary U.S. goal.

Of the funds requested for FY2015, \$1.5 million would support International Military Education and Training (IMET); \$1 million would support International Narcotics Control and Law Enforcement (INCLE) programs; and \$3.5 million would support Nonproliferation, Antiterrorism, Demining and Related Programs (NADR) to expand engagement with Libyan security forces. In addition, \$9.5 million would support U.S. Agency for International Development (USAID) programs “to help consolidate-democratic reforms” through technical assistance, training, capacity building, and electoral process support, including \$3 million requested in part to fund the development of a “public financial management framework.” The Administration is also requesting an additional \$20 million in global FY2015 Transition Initiatives funding over FY2014 levels and intends to use \$10 million of its Complex Crises Fund request “to address emerging needs and opportunities in the Middle East and North Africa (MENA) region.” Some of these funds could support activities in Libya.

To date, the centerpieces of U.S. security assistance efforts have been a \$3.8 million Libyan Security Reform Initiative to provide training to security sector leaders and an \$18.4 million Global Security Contingency Fund (GSCF) initiative to improve border security. The latter program includes the provision of some equipment and training for Libyan special operations forces and support for border security forces in neighboring Algeria, Chad, and Niger.

On January 22, 2014, the Administration notified Congress of its intent to establish a Libyan-government funded military training program in Bulgaria to create a General Purpose Force (GPF) of 6,000-8,000 Libyan personnel. The U.S. contribution to the GPF training program would complement parallel coordinated training efforts by Turkey, Italy, the United Kingdom, Morocco, and France, which seek to train up to 20,000 personnel for such a force in the near term. Congressional committees of jurisdiction reviewed the proposed \$600 million Foreign Military Sale for the training program, and, as of early April 2014, the U.S. government was awaiting funds from the Libyan government to begin the training effort.<sup>31</sup>

<sup>31</sup> Press Briefing Deputy Assistant Secretary of Defense Amanda Dory and Gen. Rodriguez, April 8, 2014.



**Table I. U.S. Assistance to Libya FY2010-FY2015**  
(thousands of dollars, by account/program and fiscal year of appropriation unless noted)

Account/Program	FY2010	FY2011	FY2012	FY2013	FY2014 Estimate	FY2015 Request
<b>Complex Crises Fund (CCF-OCO)</b>				15,000	-	-
<b>Foreign Military Financing (FMF)</b>	150	-	150	949	-	-
<b>International Military Education and Training (IMET)</b>	319	-	296	142	1,500	1,500
<b>USAID Transition Initiatives (TI/TI-OCO)</b>	-	4,000	1,500	4,825	-	-
<b>Department of Defense Nonlethal Support Drawdown Authority</b>	25,000	-	-	-	-	-
<b>Global Security Contingency Fund</b>	-	-	18,400	-	-	-
<b>International Narcotics Control and Law Enforcement</b>	-	-	-	-	1,500	1,000
<b>Middle East Partnership Initiative (MEPI)</b>	3,530	3,145	NA	NA	TBD	TBD
<b>Middle East Response Fund (MERF)</b>	-	25,615	-	-	-	-
<b>Democracy Fund</b>	-	600	-	-	-	-
<b>Development Assistance</b>	-	470	-	-	-	-
<b>Economic Support Fund (ESF)</b>	-	-	-	-	-	-
ESF-Overseas Contingency Operations (OCO)	-	-	3,000	5,000	-	-
ESF-USAID Middle East Regional Programs	-	175	-	2,850	TBD	9,500
<b>Nonproliferation, Antiterrorism, Demining and Related Programs (NADR)</b>			2,100	1,437	2,940	3,500
Anti-Terrorism Assistance (ATA)	-	-	-	-	-	-
Export Control and Related Border Security Assistance (EXBS)	-	500	-	-	-	-
Counterterrorism Engagement (CTE)	95	-	-	-	-	-
Conventional Weapons Reduction (CWD)	-	5,750	-	-	-	-
Global Threat Reduction (CTR)	500	-	-	-	-	-
Nonproliferation Disarmament Fund (NDF)	-	34,300 <sup>a</sup>	-	-	-	-
Regional Strategic Initiative (RSI)	-	9	-	-	-	-
<b>Humanitarian Funding</b>						
Emergency Refugee and Migration Assistance (ERMA)	-	25,000	-	-	-	-
International Disaster Assistance (OFDA)	-	13,300	-	-	-	-
International Disaster Assistance (FFP)	-	15,700	-	-	-	-
Migration and Refugee Assistance (MRA)	-	35,000	8,800	-	-	-
<b>Estimated Total (subject to change)</b>	<b>29,594</b>	<b>163,564</b>	<b>34,246</b>	<b>25,378</b>	<b>5,940</b>	<b>15,500</b>

**Sources:** U.S. Department of State communication to CRS, June 2012; State Department congressional budget justification and notification documents. Amounts subject to change. Estimated totals may not reflect all funds.

**Note:** NA = Not Available, TBD = To Be Determined

a. NDF funds reprogrammed from multiple fiscal years—FY2003, FY2004, FY2009 and FY2010.

As noted above, Libyan leaders have yet to finalize plans to reform state security institutions and Libyan citizens harbor disagreements over the legitimacy of seeking foreign support for security sector reform. Interim leaders in the GNC and the cabinet endorsed plans for international training of certain security forces prior to the May 2014 crisis, but competing political forces also may have divergent views concerning who should be eligible for foreign training and which missions ought to be assigned to foreign trained forces. The challenges illustrated by the May 2014 clashes and the continuing defiance of orders by military personnel also may raise questions about the future content and oversight of U.S.-Libyan security cooperation efforts.

## **Outlook**

The 2012 attacks in Benghazi, the deaths of U.S. personnel, and the emergence of terrorist threats on Libyan soil have reshaped public and official debates in Washington about U.S. policy toward Libya. Following intense congressional debate over the merits of U.S. and NATO military intervention in Libya, many Members of Congress welcomed the announcement of Libya's liberation, the formation of the interim TNC government, and the July 2012 national GNC election, while expressing concern about security in the country, the proliferation of weapons, and the prospects for a smooth political transition.

To date, the Obama Administration and Congress have agreed to support a range of security and transition support assistance programs in Libya, some of which respond to specific U.S. security concerns about unsecured weapons and border security. Identifying and bringing those involved in the Benghazi attack to justice has become a decisive issue in the bilateral relationship, as has confronting any Al Qaeda affiliated groups present in Libya. Securing stockpiles of Libyan weapons also remains an issue of broad congressional concern, as does ensuring that transitional authorities act in accordance with international human rights standards in pursuing justice and handling detainees.

U.S. officials must weigh demands for a response to immediate security threats emanating from Libya with longer-term concerns for Libya's stability, the success of its nascent democratic institutions, and the future of U.S.-Libyan relations. Decisions about responding to threats to U.S. security are complicated by the relative weakness of the Libyan state security apparatus and the risk of inflaming public opinion or undermining the image of the elected Libyan government through direct or overt U.S. security responses.

These risks may be heightened during the remainder of 2014, as the full course of the events started in May 2014 is determined and as Libyans embark on initiatives to reconstitute their elected interim legislative body and to draft and consider a new constitution. Responding to the outbreak of conflict among Libyans also may remain fraught with difficulty for the United States and other outsiders hoping to stand firm in their commitments to support Libya's transition while avoiding the appearance of intervention or the endorsement of individuals or groups. Libyans may respond to domestic and international demands for dialogue, but also risk slipping backward into conflict, with uncertain but likely negative security implications for the United States and the region.

## **Appendix. Libyan History, Civil War, and Political Change**

The North African territory that now composes Libya has a long history as a center of Phoenician, Carthaginian, Greek, Roman, Berber, and Arab civilizations. Modern Libya is a union of three historically distinct regions—northwestern Tripolitania, northeastern Cyrenaica or Barqa, and the more remote southwestern desert region of Fezzan. In the 19<sup>th</sup> century, the Ottoman Empire struggled to assert control over Libya’s coastal cities and interior. Italy invaded Libya in 1911 on the pretext of liberating the region from Ottoman control. The Italians subsequently became mired in decades of colonial abuses against the Libyan people and faced a persistent anti-colonial insurgency. Libya was an important battleground in the North Africa campaign of the Second World War and emerged from the fighting as a ward of the Allied powers and the United Nations.

On December 24, 1951, the United Kingdom of Libya became one of Africa’s first independent states. With U.N. supervision and assistance, a Libyan National Constituent Assembly drafted and agreed to a constitution establishing a federal system of government with central authority vested in King Idris Al Sanussi. Legislative authority was vested in a Prime Minister, a Council of Ministers, and a bicameral legislature. The first parliamentary election was held in February 1952, one month after independence. The king banned political parties shortly after independence, and Libya’s first decade was characterized by continuous infighting over taxation, development, and constitutional powers.

In 1963, King Idris replaced the federal system of government with a unitary monarchy that further centralized royal authority, in part to streamline the development of the country’s newly discovered oil resources. Prior to the discovery of marketable oil in 1959, the Libyan government was largely dependent on economic aid and technical assistance it received from international institutions and through military basing agreements with the United States and United Kingdom. The U.S.-operated air base at Wheelus field outside of Tripoli served as an important Strategic Air Command base and center for military intelligence operations throughout the 1950s and 1960s. Oil wealth brought rapid economic growth and greater financial independence to Libya in the 1960s, but the weakness of national institutions and Libyan elites’ growing identification with the pan-Arab socialist ideology of Egyptian leader Gamal Abdel Nasser contributed to the gradual marginalization of the monarchy. Popular criticism of U.S. and British basing agreements grew, becoming amplified in the wake of Israel’s defeat of Arab forces in the 1967 Six Day War. King Idris left the country in mid-1969 for medical reasons, setting the stage for a military coup in September, led by a young, devoted Nasserite army captain named Muammar al Qadhafi.

The United States did not actively oppose the coup, as Qadhafi and his co-conspirators initially presented an anti-Soviet and reformist platform. Qadhafi focused intensely on securing the immediate and full withdrawal of British and U.S. forces from military bases in Libya, which was complete by mid-1970. The new government also pressured U.S. and other foreign oil companies to renegotiate oil production contracts, and some British and U.S. oil operations eventually were nationalized. In the early 1970s, Qadhafi and his allies gradually reversed their stance on their initially icy relationship with the Soviet Union and extended Libyan support to revolutionary, anti-Western, and anti-Israeli movements across Africa, Europe, Asia, and the Middle East. These policies contributed to a rapid souring of U.S.-Libyan political relations that persisted for decades and was marked by multiple military confrontations, state-sponsored acts of Libyan terrorism

against U.S. nationals, covert U.S. support for Libyan opposition groups, Qadhafi's pursuit of weapons of mass destruction, and U.S. and international sanctions.

Qadhafi's policy reversals on WMD and terrorism led to the lifting of international sanctions in 2003 and 2004, followed by economic liberalization, oil sales, and foreign investment that brought new wealth to some Libyans. After U.S. sanctions were lifted, the U.S. business community gradually reengaged amid continuing U.S.-Libyan tension over terrorism concerns that were finally resolved in 2008. During this period of international reengagement, political change in Libya remained elusive. Government reconciliation with imprisoned Islamist militants and the return of some exiled opposition figures were welcomed by some observers as signs that suppression of political opposition had softened. The Qadhafi government released dozens of former members of the Al Qaeda-affiliated Libyan Islamist Fighting Group (LIFG) and the Muslim Brotherhood from prison in the years prior to the revolution as part of its political reconciliation program. The Bush Administration praised Qadhafi's cooperation with U.S. counterterrorism efforts against Al Qaeda and the LIFG.

Qadhafi's international rehabilitation coincided with new steps by some pragmatic government officials to maneuver within so-called "red lines" and propose minor reforms. However, the shifting course of those red lines increasingly entangled would-be reformers in the run-up to the outbreak of unrest in February 2011. Ultimately, inaction on the part of the government in response to calls for guarantees of basic political rights and for the drafting of a constitution suggested a lack of consensus, if not outright opposition to meaningful change among hardliners. This inaction set the political stage for the revolution that overturned Qadhafi's four decades of rule and led to his grisly demise in October 2011.

Political change in neighboring Tunisia and Egypt helped bring long-simmering Libyan reform debates to the boiling point in January and early February 2011. The 2011 revolution was triggered in mid-February by a chain of events in Benghazi and other eastern cities that quickly spiraled out of Qadhafi's control. The government's loss of control in these cities became apparent, and broader unrest emerged in other regions. A number of military officers, their units, and civilian officials abandoned Qadhafi. Qadhafi and his supporters denounced their opponents as drug-fueled traitors, foreign agents, and Al Qaeda supporters. Until August 2011, Qadhafi and his forces maintained control over the capital, Tripoli, and other western cities. The cumulative effects of attrition by NATO airstrikes against military targets and a coordinated offensive by rebels in Tripoli and from across western Libya then turned the tide, sending Qadhafi and his supporters into retreat and exile. September and early October 2011 were marked by sporadic and often intense fighting in and around Qadhafi's birthplace, Sirte, and the town of Bani Walid and neighboring military districts. NATO air operations continued as rebel fighters engaged in battles of attrition with Qadhafi supporters.

Qadhafi's death at the hands of rebel fighters in Sirte on October 20, 2011, brought the revolt to an abrupt close, with some observers expressing concern that a dark chapter in Libyan history ended violently, leaving an uncertain path ahead. The self-appointed interim Transitional National Council (TNC) and its cabinet took initial steps toward improving security and reforming national institutions. Voters elected an interim General National Congress (GNC) in July 2012. The GNC assumed power on August 8, 2012, and voted to replace itself with a 200-member Council of Representatives (COR). As of late May, the COR election is scheduled to be held in June 2014. A Constitutional Drafting Assembly was partially elected in February 2014 and is tasked with developing a permanent constitution for popular consideration.

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