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# Libya: Transition and U.S. Policy

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## Summary

Libya's post-Qadhafi transition has been disrupted by armed non-state groups and threatened by the indecision and infighting of interim leaders. Since an armed uprising ousted the government of Muammar al Qadhafi in late 2011, interim authorities have failed to form a stable government, 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 immediate wake of the 2011 conflict deepened in 2014, driven by overlapping ideological, personal, financial, and transnational rivalries. Armed militia groups and locally organized political leaders remain the most powerful arbiters of public affairs. The U.S. State Department describes Libya as a terrorist safe haven, and the U.S. government suspended operations at the U.S. Embassy in Tripoli and relocated U.S. personnel out of the country in July 2014.

Since 2011, security in Libya has largely been a function of self-restraint among citizens and militias coexisting in an atmosphere of atomized power and contested political legitimacy, amplified by the proliferation of military weaponry among citizens and non-state groups. Such self-restraint has diminished as campaigns of political intimidation, patterns of criminality, assassinations, and the consolidation of militia influence, at times with state support, have eroded some Libyans' trust in each other and in the political process. Criminals and violent Islamist extremist organizations have exploited these conditions, and the latter have strengthened their military capabilities and advanced their ideological agendas inside Libya and beyond its borders. Elections for legislative bodies and a constitutional drafting assembly have been held and transparently administered, but have been marred by declining rates of participation, threats to candidates and voters, and zero-sum political competition.

Amid reports of armed intervention and other apparent attempts by governments in the region to influence events in Libya, U.S. officials and other international actors have worked since August 2014 to convince Libyan factions and their regional supporters that inclusive, representative government and negotiation are preferable to competing groups' attempts to achieve dominance through force of arms. On August 27, the United Nations Security Council adopted Resolution 2174, authorizing the placement of financial and travel sanctions on individuals and entities in Libya and internationally who are found to be "engaging in or providing support for other acts that threaten the peace, stability or security of Libya, or obstruct or undermine the successful completion of its political transition." In July 2015, some Libyan leaders initialed a U.N.-backed agreement that would bring together warring factions and create a Government of National Accord to oversee the resumption and completion of the transition. However, some Libyans refused to sign the agreement and have vowed to defend their interests. The presence and strengthening of Islamic State supporters in Libya are becoming matters of deep concern among Libyans and the international community, as are the continuing weakness of Libyan state institutions and flows of migrants, refugees, and contraband across Libya's unpoliced borders.

Congress has appropriated funding for limited U.S. transition assistance and security assistance programs with some conditions attached, and Members of Congress are considering FY2016 appropriations requests and legislation related to Libya (H.R. 2772 and S. 1725). Congressional consideration of the circumstances surrounding the September 2012 attacks on U.S. facilities and personnel in Benghazi also is ongoing, notably under the auspices of a House Select Committee on the Benghazi attacks first established in May 2014. For the time being, conflict mitigation appears to be the Obama Administration's top policy priority in Libya, but counterterrorism concerns are growing and political consensus among Libyans may remain elusive.



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## Overview and Background

Since Muammar al Qadhafi's fall in 2011, Libyan interest groups have pursued diverse objectives based on local and regional identities, tribal affiliations, political and religious ideologies, and shared personal backgrounds. Fighting and political maneuvering during 2014 and 2015 among rival factions and armed groups has reflected a number of unresolved debates. These include debates over Libya's security relationships with foreign governments; the proper role for Islam in political and social life; mechanisms for the provision of local and national security; the political future of Qadhafi-era officials; the relative centralization or decentralization of national administrative authority; competing fiscal priorities; and the ongoing exploitation of Libyan territory by terrorists, arms traffickers, and criminals. Clashing personal ambitions and competition over illicit financial proceeds also reportedly have contributed to unrest.

Libyans have been immersed in chaotic conflict since May 2014, when a group of current and former military officers launched an unauthorized military campaign against Islamist groups. National elections in June 2014 to replace the then-interim national legislature were held successfully, but the legitimacy of the resulting body was challenged by some Libyans who questioned its mandate and its positions on the anti-Islamist military campaign. Some Libyans (including non-Islamist groups) see the military campaign as an illegitimate attempt to assert control of the country by former regime officials. Its supporters argue that the inability of the state to ensure security and the actions of armed Islamist groups demand a firm response.

After a year of bitter conflict and in the face of rising threats from Islamic State supporters and other extremists, some Libyan leaders initialed a framework agreement in July 2015 that, if implemented, would establish a new interim Government of National Accord (GNA) to manage the completion of the disrupted transition from interim leadership to a constitutionally established elected government.

### **The Skhirat Agreement of July 11, 2015**

Under the terms of the July 11 agreement initialed in Skhirat, Morocco (pronounced SKIR-ah), Libyan parties would agree to form a Government of National Accord (GNA), headed by a Presidency Council made up of a prime minister, two deputies (to be chosen by unspecified means, put presumably with the mutual consent of parties to the agreement), and two ministers. The Presidency Council must make decisions unanimously. The Presidency Council would assume the functions of the Supreme Commander of the Libyan army and have considerable security authority, including the power to declare war, peace, and states of emergency. The House of Representatives (HoR) would remain the legislative body of government, with its decisionmaking rules changed to require the votes of 150 of its 192 members for a majority on questions of confidence in the GNA. The HoR would endorse major security decisions and international agreements entered into by the Presidency Council. Libyan leaders would select (through an as yet undefined method) 90 GNC members and 30 independent figures to serve on a parallel State Council. The State Council would consult with the HoR on several major appointed positions and establish joint committees with the HoR in order to consider a draft law on the competencies of senior military leaders and to adopt legislation providing for popular consideration of a draft constitution and elections for a permanent government. The term of the GNA would be one year from a vote of confidence by the HoR, with the possibility of a one-year extension. Its mandate would expire once an executive authority was chosen under a new constitution. Provisions for the selection of government ministers and the potential integration of militia forces into national security forces remain to be determined, and may prove controversial.

Over the last year, the United States has backed the United Nations-led negotiation process that produced the GNA agreement. The process brings together representatives of Libya's two rival

governments, local political leaders, militia members, and other Libyan interest groups, who have met mainly in Skhirat, Morocco, and Geneva, Switzerland, under the auspices of the U.N. Secretary General's Special Representative for Libya Bernardino León. Some Libyans have stated their willingness to create a GNA that would include members of the Tobruk-based House of Representatives, its appointed government, and their Tripoli-based rivals in the General National Congress (GNC). However, to date, members of the GNC have rejected the proposed agreement, and some allied militia leaders have vowed to resist what they describe as the imposition of solutions by foreign powers. León has urged GNC representatives to initial the framework document and to participate in planned negotiations over implementation annexes and the formation of the GNA. Some observers have warned that without the participation of GNC supporters, parties to the agreement could face significant resistance in moving forward and risk more intense conflict.

The United States and other countries have welcomed the apparent progress in the talks and called for all Libyan parties to support the emerging deal,<sup>1</sup> amid warnings from U.S. security officials (see "Select Security Issues" below) and León that the prevailing "vacuum of authority" in Libya is providing new opportunities for terrorists, criminals, smugglers, and human traffickers.<sup>2</sup> Libya's unpoliced borders continue to draw migrants, asylum seekers, and refugees to the country, where large numbers of them are making dangerous and often deadly attempts to cross the Mediterranean Sea to Europe.

Deteriorating security conditions led the State Department to withdraw U.S. diplomatic personnel from Libya in 2014, and the Obama Administration has not publicly described a timetable for their return.<sup>3</sup> Current U.S. policy initiatives are conducted outside the country and are focused on supporting multilateral efforts to encourage Libyans to reach consensus and seek to discourage spoilers through sanctions and diplomacy. If a GNA is established and/or security conditions improve sufficiently, U.S. personnel may return to the country and U.S. foreign assistance and/or military training may resume in support of security forces reporting to a unified government. In 2014, Congress enacted conditions and oversight requirements relative to U.S. assistance to Libya and made funding available for a new Counterterrorism Partnerships Fund that is expected to support programs to combat North Africa-based terrorist threats, among others (see "U.S. Foreign Assistance Legislation and Requests" below).

Managing U.S. engagement with Libyans in the context of delicate negotiations, potentially contentious government formation discussions, and persistent security threats presents many challenges. Some Libyans may welcome U.S. engagement, assistance, or military action, while others may strongly oppose U.S. involvement and/or seek to use it to discredit their political opponents. The failure of Libyan reconciliation efforts similarly would present U.S. decisionmakers with hard choices about how best to mitigate threats emanating from the country in the continuing absence of a viable national government.

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<sup>1</sup> According to State Department spokesman Adm. John Kirby, "The United States stands ready to support the implementation of this agreement to help ensure a government of national accord and the new institutions that comprise it, function effectively ...and for the benefit of the Libyan people." Press Briefing, July 13, 2015.

<sup>2</sup> Briefing by Special Representative of the United Nations Secretary-General for Libya to the Security Council, July 15, 2015.

<sup>3</sup> Administration officials have referred to the withdrawal of U.S. Embassy personnel from Libya as temporary. The implications of armed groups' reported infiltration of an evacuated U.S. facility in Tripoli for any future return of diplomatic personnel remain to be seen.

**Figure I. Map and Basic Country Data**



**LIBYA AT A GLANCE**

**Land Area:** 1.76 million sq. km. (slightly larger than Alaska)  
**Land Boundaries:** 4,348 km (~40% more than U.S.-Mexico border)  
**Coastline:** 1,770 km (more than 30% longer than California coast)  
**Population:** 6,411,776 (July 2015 est., 2013 U.N. estimated 12% were immigrants)  
**GDP (PPP; annual real % change):** \$103.3 billion; -19.8% (2014 est.)  
**GDP per capita (PPP):** \$16,600 (2014 est.)

**Budget (spending; balance):** \$25.22 billion, deficit 14.1% of GDP (2014 est.)  
**Literacy:** 89.5%  
**Oil and natural gas reserves:** 48.01 billion barrels (2013 est.); 1.547 trillion cubic meters (2013 est.)  
**External Debt:** \$3.9 billion

**Sources:** Graphic created by CRS. Map borders and cities generated by Hannah Fischer using data from Department of State, 2013; Esri, 2013; and Google Maps, 2013. At-a-glance information from CIA World Factbook.

## Libya's Descent into Conflict

The unravelling of Libya's post-Qadhafi transition intensified in late 2013, as a campaign of unsolved assassinations targeting security officers swept the country's second-largest city, Benghazi; a militia force briefly kidnapped then-Prime Minister Ali Zeidan; militias killed protesting civilians in Tripoli and Benghazi; and rival coalitions within the General National Congress (GNC, elected July 2012) clashed over the future of Zeidan's government and the GNC's mandate and term of office. Zeidan survived numerous attempted no confidence votes during his tenure (November 2012 to March 2014), which was marked by a series of crises stemming from armed groups' demands for the political isolation of Qadhafi-era officials, militias' seizure of oil infrastructure, and the strengthening of armed Islamists in the east and the south.

Long-expected elections for a Constitutional Drafting Assembly were delayed until February 2014, and were ultimately marred by relatively low turnout and violence that prevented voters in some areas from selecting delegates.<sup>4</sup> In late March 2014, a coalition of Islamist and independent forces in the GNC garnered enough votes to oust Zeidan amid a growing boycott by other GNC members that made it difficult for the body to operate with a politically viable quorum. Under increasing political pressure to leave office, GNC members voted to replace the GNC with a new 200-member House of Representatives (HoR), to which legislative authority would be transferred.

Public and intra-General National Congress tensions were driven in part by differences of opinion over the future roles and responsibilities of armed militias, the relative influence of powerful local communities over national affairs, and the terms governing the political exclusion of individuals who had formerly served in official positions during the Qadhafi era. Disagreements between Islamist politicians and relatively secular figures also contributed to the gradual collapse of consensus over the transition's direction. These groups differed over some domestic legal and social developments as well as Libya's security relationships with regional and international governments.

Gradually, an unspoken code under which Libyans sought to refrain from shedding other Libyans' blood in the wake of Qadhafi's ouster deteriorated under pressure from a series of violent confrontations between civilians and militias, clashes between rival ethnic groups, and the blatant targeting of security officers by an unidentified, but ruthless network in Benghazi. That code was rooted in shared respect for the sacrifices of anti-Qadhafi revolutionaries and in shared fears that the 2011 predictions of Muammar al Qadhafi and his supporters would come true: that Qadhafi's downfall would be followed by uncontrollable civil strife and chaos.<sup>5</sup>

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<sup>4</sup> The revised transitional roadmap 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; elections to fill the remaining 12 seats have been delayed due to boycotts and security disruptions. 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 its first meeting on April 20, in Al Bayda.

<sup>5</sup> For example, Sayf al Islam al Qadhafi, who remains in detention in Libya and is sought for arrest by the International Criminal Court, said in a February 2014 television statement: "Libya, unlike Tunisia and Egypt, is about tribes, clans, and alliances. Libya does not have a civil society or political parties. Libya is made up of tribes that know their areas, allies, and people. ...If secession or a civil war or a sedition occurs ...do you think the Libyans will be able to reach an agreement on how to share oil within a week, a month, or even two or three years? If your answer is yes, then you are (continued...)"

## “Operation Dignity” and Fighting in Eastern Libya

In May 2014, forces loyal to Qadhafi-era retired general Khalifah Haftar launched an armed campaign unauthorized by interim authorities dubbed “Operation Dignity” to evict Islamist militia groups from eastern Libya. Haftar capitalized on widely shared presumptions that certain armed Islamist groups were responsible for the assassination of security officers and were cooperating with foreign jihadists, including Al Qaeda, its regional affiliates, and Syria-based armed groups. More controversially, Haftar broadened his rhetoric and objectives to include pledges to cleanse Libya of Islamists, including supporters of the Muslim Brotherhood.

In the months that followed, Libya was drawn deeper into a region-wide struggle between pro- and anti-Islamist forces, with the governments of Egypt and the United Arab Emirates offering Haftar support. Haftar’s actions and those of his opponents have helped to push many of the country’s latent tensions to the surface and contributed to Libya’s polarization on ideological and community lines. This polarization was visible during a summer 2014 political struggle between supporters of Prime Minister Abdullah Al Thinni and the leading coalition of Islamists and independents within the GNC, which sought to replace Al Thinni prior to the June 2014 elections for the new HoR.

Haftar’s armed extremist military opponents and his relatively more moderate political adversaries have responded vigorously to his challenges. Through late 2014, the Operation Dignity military campaign suffered several setbacks on the battlefield at the hands of the U.S. designated Foreign Terrorist Organization Ansar al Sharia (AAS) and that group’s allies in an emergent coalition known as the Benghazi Revolutionaries’ Shura Council. Haftar’s forces counterattacked, attempting to force their way back into Benghazi but failing to overcome determined resistance. Large areas of the city have been damaged in the fighting and UNSMIL reported in July that half the population of the city has been displaced. Residents who remain report shortages of supplies and critical service interruptions.

## “Libya Dawn” and Fighting in Western Libya

In western Libya, fighting also erupted in mid-2014 along political, ideological, and community lines with two coalitions of forces battling for control of Tripoli’s international airport, government facilities, other strategic infrastructure, and areas around the capital. Tensions between locally organized militia groups in the west predated the launch of Haftar’s operations in the east. Over time, however, fighting and rhetoric in the two theaters became more interrelated and overlaid local rivalries, with some western-based forces endorsing and offering material support to Haftar’s campaign and the HoR and others mobilizing to isolate Haftar’s erstwhile allies and/or the HoR.

Specifically, some armed groups from the city of Misrata and smaller Islamist militias formed a coalition known as *Fajr Libya* (Libya Dawn) and launched a multi-pronged offensive in July 2014 to take control of Tripoli’s main international airport. Participants have included Libya’s Central Shield Force, members of the Tripoli-based Libya Revolutionaries Operations Room

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(...continued)

mistaken. ... My brothers, we are tribes, and we will resort to arms to settle the matter since arms are available to everyone now. Instead of mourning the death of 84 people, we will mourn the death of hundreds of thousands of people. Rivers of blood will run through Libya and you will flee. There will be no oil supplies, the foreign companies, foreigners, and oil companies will leave tomorrow, and the distribution of oil will come to an end...” U.S. Government Open Source Center (OSC) Report FEA20110221014695, “Libya: Al-Qadhafi’s Son Addresses Citizens; Warns of Civil War, ‘Colonization,’” *Al Jamahiriya* Television (Tripoli), February 20, 2011.

(LROR), the Knights of Janzour Brigade, militias from Zawiyah, and several Misrata-based militias, including the *Marsa* and *Hatin* Brigades. The international airport had long been held by a rival coalition of militias largely from Zintan—the *Sawa'iq* and *Qaaqaa* Brigades, and the Martyr Mohammed Madani Brigade—who opposed the GNC-leading Islamist-independent coalition during its final months in office. Libya Dawn operations after the fall of the airport included clashes with militias in Tripoli's Suq al Jumah neighborhood and militias affiliated with the Warshafanah tribe south and west of the city. Control over lucrative national infrastructure has remained a subtext of fighting in the region, which has declined during 2015 as localized ceasefire agreements have been reached.

## Proposed Unity Agreement and the Emerging Political Landscape

Some observers have described developments in Libya since mid-2014 in oversimplified terms as a binary struggle between the two most prominent opposing political-militia coalitions— (1) the Tobruk-based House of Representatives (HoR, elected in June 2014) and Haftar's "Operation Dignity"/Libyan National Army forces and, (2) the Tripoli-based remnants of the General National Congress (GNC, elected in July 2012) and "Libya Dawn" forces. Nevertheless, recent ceasefire agreements among individual members of these two broad groupings, and their members' differing participation in and views on U.N.-sponsored peace talks illustrate the deeper complexity of Libyan politics. In the words of one expert observer, in today's Libya, "the two alliances have disintegrated" and "the emergence of a centrist coalition in support of the deal has isolated hardliners on both sides, who are now potential spoilers.... the struggle is not between two camps but between dozens of rival political interests."<sup>6</sup>

To the extent that the United States and others have sought to build consensus among Libyans on national political, economic, or security matters, this complexity and diversity has created significant challenges. Nevertheless, many observers attribute the apparent recent shift toward reconciliation (or at a minimum, a return to mutual accommodation) among some Libyans to several factors. These include the inability of numerous small factions to muster sufficient force or legitimacy to assert dominance over each other; the inability of rival claimants to gain access to government funds controlled by the Central Bank or sovereign assets held overseas; the maintenance of the U.N. arms embargo and widening of the potential reach of U.N. sanctions; and the growing threat posed to Libyans by extremist groups, especially by supporters of the Islamic State.

Libyan parties' relative support or opposition to the Skhirat Agreement is now a key factor reshaping the country's political landscape. As of July 2015, the HoR and its government have endorsed the agreement, while continuing to assert that they are Libya's legitimate governing authorities and that they should be the sole vector for any increased international counterterrorism support. Most members of the GNC continue to reject those assertions and have called for the agreement to be revised in a manner that would strengthen their respective roles in a new interim government. The Libyan National Army (LNA), led by retired General Khalifa Haftar and nominally aligned with the HoR, has dismissed the negotiations, rejecting the agreement and continuing to prosecute its military campaign against the Islamist militia Ansar al Sharia and its allies in Benghazi and other parts of eastern Libya. Some pro-GNC members of the Libya Dawn coalition similarly have rejected the agreement and have reconstituted their forces near Tripoli under the banner of a new "Steadfastness Front" (*Jabhat al-Sumoud*) led by Misratan commander Saleh Badi. Other former Libya Dawn forces from Misrata support the agreement.

<sup>6</sup> Wolfram Lacher, "Supporting Stabilization in Libya: The Challenges of Finalizing and Implementing the Skhirat Agreement," Stiftung Wissenschaft und Politik German Institute for International and Security Affairs, July 2015.

Planned negotiations over government formation and security arrangements may further shape how these parties view the agreement and the broader prospects for peace. Procedures for the selection of government ministers have not been determined and political rivals are expected to compete to ensure their interests are protected in any final agreement. Perhaps more controversial are those provisions that relate to the future of national security decisionmaking in the country. The terms of the draft agreement call for major security decisions to be taken by the Presidency Council and not by current senior military officers or the rivals that seek to replace them. LNA figures have called military command issues a “red line” and warned against the incorporation of what they consider to be militia or extremist forces into the military.<sup>7</sup> Meanwhile, some agreement supporters call for the ouster of LNA leader Haftar. GNC members may insist on some veto authority over the nomination of security leaders in order to exclude Haftar and others. Even if an interim government of national accord can be formed in this context, many observers expect Libyan authorities will face continuing armed resistance from a range of Islamist insurgent groups.

## Fiscal Profile, Oil, and Sanctions

Conflict and instability in Libya have taken a severe toll on the country’s economy and weakened its fiscal and reserve positions since 2011. As of late March 2015, oil production had plummeted to just over 300,000 barrels per day out of an overall capacity of 1.6 million barrels per day. At the same time, each barrel is earning less for the country’s cash-strapped treasury because of lower global oil prices. Meanwhile state spending on salaries, imports, and subsidies—including salaries for militia forces aligned with opposing sides in the conflict—has continued, lowering national cash reserves and leading some observers to warn of a complete budgetary collapse. IS forces have targeted oil infrastructure in central Libya in 2015, leaving Libyans and outsiders fearful that a major and more lasting disruption could occur if major sites are seized or damaged.

In March 2014, the U.N. Security Council approved third party military operations to interdict ships named by the U.N. Libya Sanctions Committee as being suspected of carrying unauthorized oil exports.<sup>8</sup> The mandate for such interdiction operations is set to remain in force through March 2016. With budget pressure growing, rival Libyan political actors are struggling for control of assets held overseas by Libya’s sovereign wealth fund, the Libya Investment Authority (LIA). Its funds remain frozen pursuant to U.N. Security Council Resolutions 1970 and 1973 (2011), as modified by Resolution 2009 (2011). The LIA director appointed by the HoR government is seeking permission to actively manage the assets to prevent losses.<sup>9</sup>

### U.N. Sanctions and Libya’s Transition

In August 2014, the Security Council expanded the scope of the existing Libya sanctions regime and tightened security assistance approval requirements under the existing arms embargo by adopting Resolution 2174, which seeks to deter Libyans and outsiders from exacerbating the situation or further undermining Libya’s fragile transitional institutions. Specifically, the resolution extends travel and financial sanctions to all groups found to be “engaging in or providing support for other acts that threaten the peace, stability or security of Libya, or obstruct or undermine the successful completion of its political transition.” The Security Council and influential Member States have since debated how

<sup>7</sup> U.S. Government Open Source Center (OSC) Report IML2015071554712324, “Libyan army is 'red line', not part of political negotiations, says chief,” Libya WAL News Agency (Tobruk), July 15, 2015.

<sup>8</sup> Security Council Resolution 2146.

<sup>9</sup> Tim Wallace, “The leadership battle at the top of Libya's sovereign wealth fund,” *The Telegraph* (UK), July 19, 2015; Libby George and Dmitry Zhdannikov, “Libya investment fund seeks management right amid freeze,” Reuters, July 8, 2015.

best to apply balanced pressure using the resolution to convince or compel the range of actors vying for control in Libya “to engage in peaceful and inclusive political dialogue and to respect the democratic process.”<sup>10</sup>

U.N. Security Council Resolution 2174 creates a mechanism through which individuals and groups on all sides of the conflicts in Libya may be sanctioned for undermining security and disrupting the transition, and U.S. and allied officials reiterated in July 2015 that “the international community stands ready to hold accountable through sanctions those who threaten Libya’s peace, stability and security.” Applying such sanctions in a manner that does not subject the international community to accusations of favoritism or partisanship may prove difficult. On the one hand, the United States and other third parties seek to support the emergence of an inclusive transitional arrangement, a path that may require the isolation of certain parties and individuals and lead to charges of bias or interference from Libyans. On the other hand, the deepening security challenges that Libya’s instability poses raise the stakes of inaction or diplomatic failure. Resolution 2174 refers to inclusivity and respect for elected institutions as important elements of a potential solution, which suggests that any Libyan parties that persist in demanding the exclusion of their adversaries—be they former regime supporters, secular nationalists, or Islamists—may be under increasing international scrutiny in the weeks and months ahead. Press reports suggest that the European Union has discussed imposing sanctions on some figures in eastern and western Libya who do not support the Skhirat Agreement. In July 2015, European Union High Representative for Common Foreign and Security Policy Federica Mogherini was quoted as saying, “We are prepared to adopt sanctions; we are considering names.”

Indications of the potential challenges associated with U.N.-backed transition-support sanctions can be seen in the case of Yemen, for which a similar mechanism to sanction individuals disrupting peace and security was adopted in February 2014. Names were not added to its list of sanctioned individuals until November 2014 and April 2015 respectively, after violence had already disrupted the country’s transition. Using diplomacy and sanctions to dismantle the alliances of convenience and restrain the opportunism that have pushed Libya into conflict may continue to require significant attention and will from members of the international community who are also concerned with a number of other serious security crises in the broader Middle East and around the world. Outside actors who have supported the development of a unity agreement to date might at some point feel compelled to disengage diplomatically, seek to contain Libya’s problems, and/or pursue their own interests directly.

## Select Security Issues

### Armed Islamist Groups and Related Terrorism Threats

The U.S. intelligence community’s February 2015 unclassified Worldwide Threat Assessment states that “Extremists and terrorists from al Qa’ida affiliated and allied groups are using Libya’s permissive security environment as a safe haven to plot attacks, including against Western interests in Libya and the region. ISIL also has declared the country part of its caliphate, and ISIL-aligned extremists are trying to institute sharia in parts of the country.”<sup>11</sup> In March 2015, U.S. Africa Command commander General David Rodriguez said in testimony before the Senate Armed Services Committee that “Libya-based threats ... have the highest potential among security challenges in Africa to increase risk to U.S. strategic interests in the near future.”<sup>12</sup> The State Department similarly describes Libya as “a permissive environment for terrorist groups,” and reported in April 2015 that “terrorist training camps and facilitation networks exist throughout” the country.<sup>13</sup> The U.S. military conducted an airstrike on suspected terrorist targets in eastern Libya in June 2015, and leaders in Tunisia and Egypt (and further afield) continue to blame Libya’s chaos for the growth of extremist threats in their own countries.

<sup>10</sup> United Nations Security Council Resolution 2174, August 27, 2014.

<sup>11</sup> U.S. Air Force General Paul Selva—who was confirmed by the Senate on July 27, 2015 as Vice Chairman of the Joint Chiefs of Staff—repeated this assessment before the Senate Armed Services Committee on July 14, 2015.

<sup>12</sup> Testimony of Gen. David Rodriguez before the Senate Armed Services Committee, March 26, 2015.

<sup>13</sup> State Department Bureau of Counterterrorism, Country Reports on Terrorism 2014, Chapter 5, April 2015.

Armed Islamist groups in Libya occupy a spectrum that reflects differences in ideology as well as their members' underlying personal, familial, tribal, and regional loyalties. Since the 1990s, the epicenters of Islamist militant activity in Libya have largely been in the eastern part of the country, with communities like the coastal town of Darnah and some areas of Benghazi, the east's largest city, coming under the de facto control of armed Salafi-jihadist groups in different periods since 2011. Some Islamists whose armed activism predates the 2011 revolution, such as members of the Darnah-based Abu Salim Martyrs Brigade, have formed new coalitions to pursue their interests in the wake of the revolution. The emergence of the Ansar al Sharia organization in 2012 demonstrated the appeal of transnationally minded Salafist-jihadist ideology in Libya, and the group persists alongside other militia groups in the Benghazi Revolutionaries' Shura Council (BRSC) in battling LNA-forces for control of the city. In 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.<sup>14</sup> 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."<sup>15</sup> Ansar al Sharia leaders also have warned the United States against military intervention in Libya.<sup>16</sup>

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. This includes Al Murabitoun, a group that State Department described in April 2015 as "one of the greatest near-term threats 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>17</sup> The June 2015 airstrike in eastern Libya targeted Al Murabitoun leader Mokhtar Belmokhtar, who also led the group responsible for the January 2013 attack on the natural gas facility at In Amenas, Algeria, in which three Americans were killed. His death in the June 2015 strike has not yet been confirmed, and local allies have denied he was killed.

Supporters of the Islamic State organization also have sought to assert control over areas of Libya since emerging onto the scene in 2014. Their relationship with Ansar al Sharia and other Salafist-jihadist groups once seen as aligned with Al Qaeda is unclear. As of July 2015, supporters of the Islamic State (IS) in Libya have created three affiliated *wilayah* (provinces) corresponding to the country's three historic regions—*Wilayat Tripolitania* in the west, *Wilayat Barqa* in the east, and *Wilayat Fezzan* in the southwest. Detailed open source estimates are lacking, but some observers put the group's strength in Libya at several hundred to a few thousand fighters among a much larger community of Salafi-jihadist activists and fighters. As in other theaters, IS supporters in Libya have clashed with armed Islamist groups that do not share their beliefs or recognize the authority of IS leader and self-styled caliph, Abu Bakr al Baghdadi.

By some estimates, the conflict in Syria has drawn thousands of young Libyan men since 2012, and some observers link the rise of IS affiliated groups in Libya to the return of some of those

<sup>14</sup> Terrorist Designations of Three Ansar al-Shari'a Organizations and Leaders, January 10, 2014. The State Department said that 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."

<sup>15</sup> OSC Report TRN2014052021537855, "Libya: Ansar al-Sharia Vows To Defend Benghazi Against Attacks..." May 19, 2014.

<sup>16</sup> "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]." OSC Report IML2014052831841695, "Libyan Ansar Al Shari'ah Praise Their 'Victory'" Libya TV (Doha), May 27, 2014.

<sup>17</sup> State Department Bureau of Counterterrorism, Country Reports on Terrorism 2014, Chapter 6, April 2015.

Libyan fighters from Syria in 2014.<sup>18</sup> Since late 2014, IS supporters have taken control of Muammar al Qadhafi's hometown—the central coastal city of Sirte—and committed a series of atrocities against kidnapped Christians and Libyan Muslim opponents. They also have launched attacks against forces from Misrata and neighboring towns in an effort to push westward and southward. Other IS backers sought to impose their control on the eastern city of Darnah, but were forced from the town in July 2015 by a coalition of armed Islamist factions known as the Darnah Mujahideen Shura Council (DMSC).

At present, some foreign observers believe IS supporters in Sirte are seeking to capitalize on the resentment of former Qadhafi regime supporters in the Sirte area, especially among members of formerly pro-Qadhafi tribes that have been marginalized since 2011. However, in eastern Libya, IS supporters appear to be suffering from a backlash from hostile tribal groups and other Islamists, suggesting that the group, like its secular rivals, may struggle to achieve dominance in Libya's fractured political scene. The vehement and violent opposition to representative governance voiced by IS supporters, Ansar al Sharia, and some other Islamist groups suggests that these groups may be durably at odds with other Libyans' preferred outcome for the transition and for the country's long-term governance.

## Migration, Refugees, and Human Trafficking Issues

Conflict and weak governance have transformed Libya into a major staging area for the transit of migrants seeking to reach Europe and have encouraged increasing outflows of migrants since mid-2014. Libya is a haven for criminal groups and trafficking networks that seek to exploit such migrants. Data collected by migration observers and immigration officials suggests that many migrants from sub-Saharan Africa transit remote areas of southwestern and southeastern Libya to reach coastal urban areas where onward transit to Europe is organized. Others, including Syrians, enter Libya from neighboring Arab states seeking onward transit to refuge in Europe. A patchwork of Libyan local and national authorities and nongovernmental entities assume responsibility for responding to various elements of the migrant crisis, including the provision of humanitarian assistance and medical care, the patrol of coastal and maritime areas, and law enforcement efforts targeting migrant transport networks. Violence and insecurity in Libya complicates international attempts to assist Libyan partners in these efforts and to improve coordination among Libyan stakeholders. Reports suggest that many migrants transiting Libya are subject to difficult living conditions, their human rights are frequently violated, and they remain vulnerable to violence at the hands of armed groups, smugglers, and interim authorities. UNHCR is also concerned about those displaced inside the country due to fighting and its inability to register and assist refugees and asylum seekers.

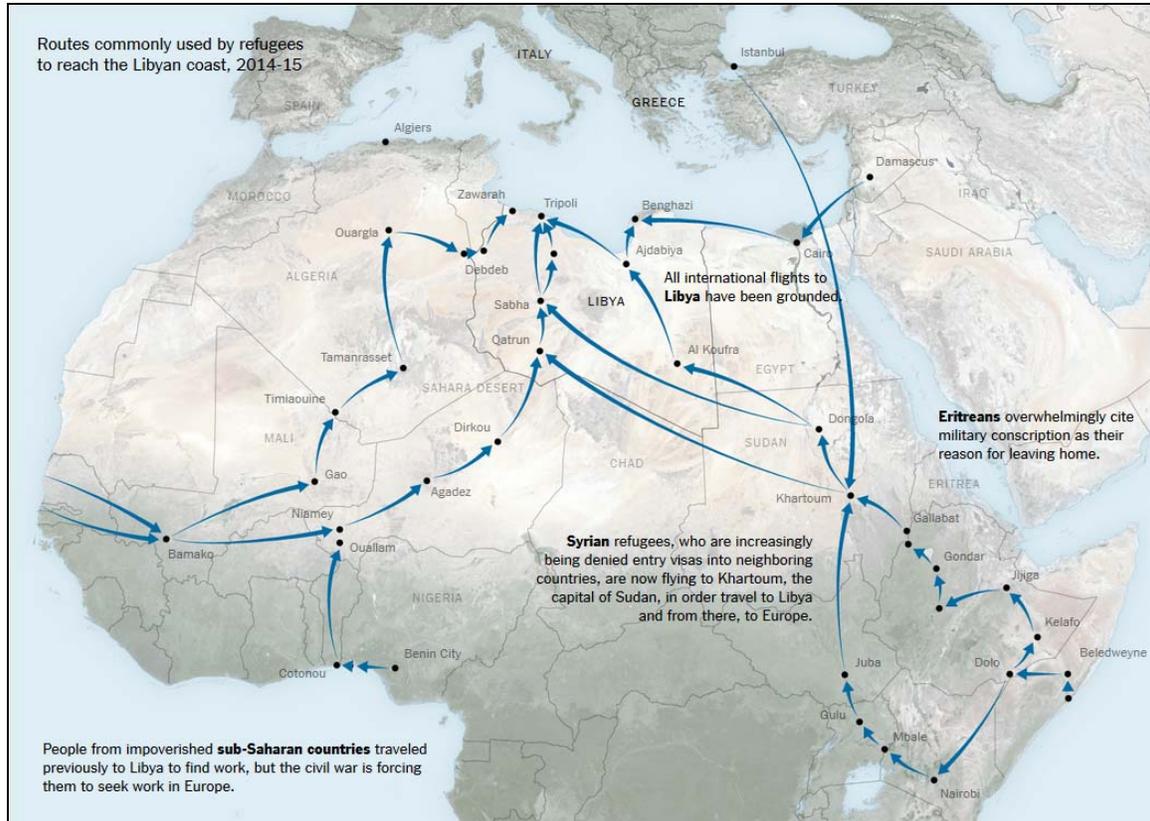
The State Department's 2015 Trafficking in Persons report placed Libya on the Tier 3 list, saying that the Libyan government "does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so." It further states that the government "lacked the institutional capacity and resources to prevent human trafficking, and it did not display the political will to prioritize such efforts." According to the report, "Libya is a destination and transit country for men and women from sub-Saharan Africa and Asia subjected to forced labor and forced prostitution. Migrants seeking employment in Libya as laborers or domestic workers or who transit Libya *en route* to Europe are vulnerable to trafficking." The report notes that "large-scale violence driven by militias, civil unrest, and increased lawlessness" limits the availability of accurate information on human trafficking in the country. In May 2015,

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<sup>18</sup> Frederic Wehrey and Ala' Alrababa'h, "Rising Out of Chaos: The Islamic State in Libya," Carnegie Endowment for International Peace, March 5, 2015.

the European Union decided to create a naval force (EUNAVFOR Med) “to break the business model of smugglers and traffickers ... in the Southern Central Mediterranean and in partnership with Libyan authorities.”<sup>19</sup>

**Figure 2. Migration and Refugee Routes to Libya, 2014-2015**



**Source:** Frontex, New York Times. Published in, “What’s Behind the Surge in Refugees Crossing the Mediterranean Sea?” *New York Times*, May 21, 2015.

## U.S. Policy and Issues for Congress

Libyans’ fractious political competition, growing terrorist threats, and, since mid-2014, outright conflict between rival groups have prevented U.S. officials from developing robust partnerships and assistance programs in Libya. The shared desire of the U.S. government and other international actors to empower Libyan state security forces has been confounded by the strength of armed non-state groups, weak institutions, and a fundamental lack of political consensus among Libya’s interim leaders. Prior to the escalation of conflict in May 2014, some Libyans had questioned the then-interim government’s decision to seek foreign support for security reform and transition guidance, while some U.S. observers had questioned Libya’s need for U.S. foreign assistance given its oil resources and relative wealth. During subsequent fighting, some Libyans have vigorously rejected others’ calls for international support and assistance and traded accusations of disloyalty and treason in response to reports of partnership with foreign forces. These dynamics raise questions about the potential viability of the partnership approach favored by the Obama Administration and some in Congress, which seeks to build Libyan capacity,

<sup>19</sup> Council of the European Union, Decision (CFSP) 2015/778, May 18, 2015. The force was inaugurated in June.

coordinate international action, and leverage Libyan financial resources to meet shared objectives and minimize the need for direct U.S. involvement.

In some cases where the United States government has desired Libyan government action on priority issues, especially in the counterterrorism sector, U.S. officials have weighed 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 require direct U.S. action. The legacies of the 2014-2015 conflict and political intrigue within any reconstituted national security institutions that may emerge from current political negotiations might amplify these questions and complicate U.S. partnership with Libyans further. As noted above, the U.S. military has conducted operations against terrorist targets in Libya, with reported notification of Libyan authorities but limited apparent involvement by them.

In the meantime, Congress may choose to conduct oversight of ongoing U.S. diplomatic efforts or examine criteria for the potential resumption of U.S. diplomatic operations in Libya. U.S. security and transition assistance programming plans also may merit reevaluation in light of recent developments. U.S. officials have joined representatives of France, Germany, Italy, Spain, and the United Kingdom in saying that they “stand ready to support the implementation” of the Skhirat Agreement “in order to help ensure that a Government of National Accord and all the new institutions function effectively.” U.S. plans<sup>20</sup> to develop a General Purpose Force were shelved as conflict broke out in 2014,<sup>21</sup> but a senior U.S. military officer testified in July 2015 that “Should diplomatic efforts to form a unity government succeed, I believe the U.S. should be prepared to revisit security assistance programs for legitimate Libyan security services.”<sup>22</sup> AFRICOM has signaled its readiness to provide such assistance if conditions allow and has stated its intention to “work with partners to improve our overall effectiveness in containing the spillover effects of Libyan insecurity; preventing the movement of terrorist fighters, facilitators, and weapons into Libya; and simultaneously disrupting the violent extremist networks within.”<sup>23</sup> Section 1278 of the FY2015 National Defense Authorization Act (P.L. 113-291) required the Secretary of Defense to submit to congressional committees “a strategy to counter the growing threat posed by radical Islamist terrorist groups in North Africa, West Africa, and the Sahel.”

## U.S. Foreign Assistance Legislation and Requests

From 2011 through 2014, U.S. engagement in Libya shifted from immediate conflict-related 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,

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<sup>20</sup> 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. Congressional committees of jurisdiction reviewed and approved the proposed \$600 million Foreign Military Sale for the training program. See Defense Security Cooperation Agency Transmittal No: 13-74, January 22, 2014.

<sup>21</sup> In June 2014, Assistant Secretary of Defense for International Security Affairs Derek Chollet testified before Congress that “Libya’s political turmoil and a deteriorating security situation” prevent the U.S. government from being able “to have the necessary U.S. personnel on the ground in Tripoli” to execute the GPF program. According to Chollet, “Other factors include a lack of vetted training candidates, a lack of pledged Libyan funding, and weak security institutions.” Assistant Secretary Chollet, Testimony before the House Foreign Affairs Subcommittee on the Middle East and North Africa, June 25, 2014.

<sup>22</sup> Testimony of U.S. Air Force General Paul Selva before the Senate Armed Services Committee, July 14, 2015.

<sup>23</sup> Gen. David Rodriguez, United States Africa Command 2015 Posture Statement, March 2015. Gen. Rodriguez’s posture statement further says that “As conditions improve in Libya, we will be ready to support the development of Libyan defense institutions and forces.”

regional accounts, and reprogrammed funds were identified between 2011 and 2013 to support the activities of Libyan civil society groups and provide technical assistance to Libya’s nascent electoral administration bodies. The security-related withdrawal of some 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. As noted above, U.S. security assistance programs were also disrupted, and the 2014 withdrawal of U.S. personnel from the country closed the initial chapter of post-Qadhafi engagement.

In the FY2014 and FY2015 Consolidated Appropriations Acts (P.L. 113-76, Division K, Section 7041[f]; and P.L. 113-235, Division J, Section 7041[f]), Congress placed conditions on the provision of funds appropriated by those acts to the central government of Libya. Congress required the State Department to certify that the Libyan government is cooperating with U.S. government efforts to investigate and bring to justice those responsible for the September 2012 Benghazi attacks. The FY2015 act and accompanying explanatory report further require detailed notification to the appropriations committees of planned obligations of funds for security assistance programs for Libya, to include vetting procedures for recipients. Both acts prohibit the provision of U.S. assistance to Libya for infrastructure projects “except on a loan basis with terms favorable to the United States.”

Obama Administration officials have remained committed to providing transition support to Libyans and requested \$20 million in new foreign operations funding for Libya programming in FY2016 (see **Table 1**). Of the funds requested for FY2016, \$10 million in Economic Support Fund monies would support governance and civil society programs, and \$10 million split among security assistance accounts would support assessment of and engagement with Libyan security forces. The Administration also has proposed using \$160 million in requested FY2016 State Department Counterterrorism Partnerships Fund (CTPF) funding and \$262 million in FY2016 Defense Department CTPF funding for counterterrorism efforts in and around Libya and in the broader Maghreb-Sahel region.<sup>24</sup>

**Table 1. U.S. Assistance and Requests for Libya, FY2014-FY2016**

(thousands of dollars, by account/program and fiscal year of appropriation unless noted)

Account/Program	FY2014 Actual	FY2015 Request	FY2016 Request
<b>International Military Education and Training (IMET)</b>	1,461	1,500	1,500
<b>International Narcotics Control and Law Enforcement</b>	1,500	1,000	2,000
<b>Economic Support Fund (ESF)</b>	-	-	10,000
ESF-Overseas Contingency Operations (OCO)	-	-	
ESF-USAID Middle East Regional Programs	NA	9,500	
<b>Nonproliferation, Antiterrorism, Demining and Related Programs (NADR)</b>	2,940	3,500	6,500
<b>Estimated Total (subject to change)</b>	<b>5,901</b>	<b>15,500</b>	<b>20,000</b>

**Sources:** U.S. Department of State congressional budget justification documents. Amounts subject to change. May not reflect funds made available for Libya programs in other accounts.

**Note:** NA = Not Available

<sup>24</sup> See Office of Management and Budget Estimate, June 26, 2014; and, Office of the Under Secretary of Defense (Comptroller), Counterterrorism Partnerships Fund, Department of Defense Budget, Fiscal Year (FY) 2016, March 2015.FY

FY2016 appropriations legislation now under consideration would extend existing Benghazi cooperation and oversight conditions to FY2016 funding for Libya programs. The Senate version (Section 7041[f] of S. 1725) also would extend the infrastructure project conditions, while the House version (Section 7041[f] of H.R. 2772) also would prohibit the use of funds appropriated by the act for the government of Libya if the government is controlled by a U.S.-designated foreign terrorist organization.

## 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. Section 1278 of the FY2015 National Defense Authorization Act (P.L. 113-291) required the Secretary of Defense to submit to congressional defense committees—within 30 days of enactment—

a report that contains an assessment of the actions taken by the Department of Defense and other Federal agencies to identify, locate, and bring to justice those persons and organizations that planned, authorized, or committed the attacks against the United States facilities in Benghazi, Libya that occurred on September 11 and 12, 2012, and the legal authorities available for such purposes.

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>25</sup> 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>26</sup> In June 2014, U.S. forces apprehended Ahmed Abu Khattala, a Libyan suspect in the attack, in a military operation in Libya. Abu Khattala has been transferred to the United States, and, as of July 2015, preparations for his trial were ongoing. The U.S. government has offered up to \$10 million through the State Department's Rewards for Justice program for information that helps to apprehend and prosecute those responsible for the attack.

Prior to Abu Khattala's capture, U.S. military officials referred to continuing intelligence gaps in Libya in unclassified testimony before Congress, with U.S. AFRICOM Commander General David Rodriguez saying on April 8, 2014, that continuing U.S. efforts against the network responsible for the Benghazi attacks are “made more difficult, obviously, by the security situation.”<sup>27</sup> Rodriguez added that at the time U.S. investigators did not “have everybody identified and located,” and said that the feasibility of operations to apprehend or otherwise target

<sup>25</sup> Statement, Director of Public Affairs for the Director of National Intelligence Shawn Turner, September 28, 2012.

<sup>26</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>27</sup> Deputy Assistant Secretary Amanda Dory and General David Rodriguez, Press Briefing, April 8, 2014.

suspects in Libya “depends ... on the situation and the risk that people want to take.” Security conditions in the country have deteriorated further since that time, and U.S. Embassy personnel have departed, with unknown implications for support of similar operations.

Administration officials have repeatedly described Libya as a high risk operational environment, even with regard to routine diplomatic operations in Tripoli, which were suspended in July 2014. Operational risks presumably are higher in areas of Libya that are controlled by anti-U.S. forces. The January 2015 U.S. State Department travel warning for Libya “warns U.S. citizens against all travel to Libya and recommends that U.S. citizens currently in Libya depart immediately.” Across Libya, attacks on foreign diplomatic facilities and personnel and on foreign nationals have continued, and reports suggest the U.S. Embassy in Tripoli and related facilities were damaged by fighting in 2014.

## Outlook

The 2012 attacks in Benghazi, the deaths of U.S. personnel, the emergence of terrorist threats on Libyan soil, and the internecine conflict between Libyan militias have reshaped 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 in 2011, many Members of Congress welcomed the announcement of Libya’s liberation, the formation of the interim Transitional National Council government, and the July 2012 national General National Congress election, while expressing concern about security in the country, the proliferation of weapons, and the prospects for a smooth political transition. The breakdown of the transition process in 2014 and the outbreak of conflict amplified these concerns, with the emergence of Islamic State supporters in Libya compounding congressional fears about the implications of continued instability there.

Prior to mid-2014, the Obama Administration and Congress reached a degree of consensus regarding limited security and transition support programs in Libya, some of which responded to specific U.S. security concerns about unsecured weapons, terrorist safe havens, and border security. Congress may choose to reexamine the terms of any proposed future cooperation should Libyans reach a Government of National Accord agreement. Identifying and bringing those involved in the September 2012 Benghazi attacks to justice appears likely to remain a priority issue in the bilateral relationship, as does confronting any Al Qaeda- or Islamic State-affiliated groups present in Libya. Securing stockpiles of Libyan weapons also remains an issue of broad congressional concern, as does ensuring that Libyan authorities act in accordance with international human rights standards in pursuing justice, handling detainees, and managing flows of migrants, displaced persons, and refugees.

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 survival 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 cooperative Libyan leaders through direct or overt U.S. security responses. If a unity agreement is reached and consolidated, the prospects for Libyan-U.S. security cooperation against violent extremist groups may be good. If conflict among Libyans persists, congressional debate over transition and security assistance programs in Libya may intensify, with advocates possibly arguing for new investment on behalf of some Libyans to prevent a broader state collapse and critics possibly arguing that a lack of political consensus among Libyans might make U.S. assistance unlikely to achieve intended objectives. In the interim, Members of Congress may engage Administration officials to determine the possible scope and content of U.S. programs that might be proposed to support any

Libyan Government of National Accord, and any U.S. contingency planning for the possibility that negotiations among Libyans could fail to bring conflict to a prompt close.

## Appendix A. 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 in early 2014 voted to replace itself with a 200-member House of Representatives (HoR). The GNC's tenure had grown increasingly controversial, and more than half of its membership had resigned or was no longer active. The HoR election was held in June 2014, and the HoR convened in August. A Constitutional Drafting Assembly was partially elected in February 2014 and in April 2014 began developing a draft constitution.

## Appendix B. U.S. Assistance to Libya FY2010-FY2015

**Table B-1. 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 Actual	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	1,461	1,500
<b>USAID Transition Initiatives (TI/TI-OCO)</b>	-	4,000	1,500	4,825	-	-
<b>Department of Defense (DoD) Nonlethal Support</b>	25,000	-	-	-	-	-
<b>DoD Counterterrorism Fellowship Program</b>	-	-	-	30	-	-
<b>Section 1206 Train and Equip</b>				8,420		
<b>Global Security Contingency Fund</b>	-	-	22,650	-	-	-
<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	-	-	-	-
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>38,496</b>	<b>38,653</b>	<b>5,901</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. NDF funds reprogrammed from multiple fiscal years—FY2003, FY2004, FY2009, and FY2010.

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