

# THE CONFLICT IN LIBYA

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## HEARING BEFORE THE SUBCOMMITTEE ON THE MIDDLE EAST, NORTH AFRICA, AND INTERNATIONAL TERRORISM OF THE COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES ONE HUNDRED SIXTEENTH CONGRESS

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## **THE CONFLICT IN LIBYA**

**Wednesday, May 15, 2019**

**House of Representatives Subcommittee on the Middle East,  
North Africa, and International Terrorism  
Committee on Foreign Affairs**

*Washington, DC*

The committee met, pursuant to notice, at 2:11 p.m., in room 2167 Rayburn House Office Building, Hon. Theodore E. Deutch (chairman of the subcommittee) presiding.

Mr. DEUTCH. This hearing will come to order.

Welcome, everyone. The subcommittee is meeting today to hear testimony on the conflict in Libya.

I thank our witnesses for appearing today. We are grateful for your participation in our hearing.

I will recognize myself for the purpose of making an opening statement before turning it over to the ranking member for his opening statement.

On April 4, Khalifa Haftar, the Commander of the Libyan National Army movement, launched a military offensive against Tripoli, the Libyan capital and home of the United Nations-backed Government of National Accord. In response, pro-GNA forces joined several local militias to repel LNA incursions. Unfortunately, the LNA offensive occurred just before U.N.-sponsored talks were scheduled to begin on April 14.

This diplomatic track sought to reach consensus on new interim power-sharing and security arrangements and on a schedule for legislative and Presidential elections. The ongoing fighting has undermined a possible deal on these measures which would have improved governance and advanced stability in Libya.

The current conflict is just the latest challenge to face the Libyan people since 2011 when they threw off the despotic rule of Muammar Gaddafi. It is the largest outbreak of violence in Libya since 2014, which occurred when Haftar tried to seize power and resulted in the de facto division of the country that persists until today.

According to the United Nations, since April 4, more than 450 people have been killed, over 2,150 wounded, and more than 63,700 displaced in Libya. There are more than 665,000 migrants in Libya and approximately 3,100 are detained in Tripoli where they are at risk of starvation, human rights violations, or simply being caught in the crossfire between the LNA and GNA forces.

Many of these migrants hail from countries other than Libya, and I would like to share two of their stories. Habben left Eritrea in 2015 to create a better life for his family. He was kidnapped in Sudan and sold to human traffickers who tortured him for a year to coerce money from his loved ones.

After his family purchased his freedom, Habben was put on a boat intercepted by the Libyan Coast Guard in the Mediterranean. He is still in prison in Libya and fears his son will grow up fatherless.

Yasser is a refugee from Darfur whose village was burned down by the Janjaweed militia. He escaped Darfur in 2016. His smugglers, however, refused to release him and brought Yasser to Sabratha in Western Libya where he was tortured until the militia holding him fell to GNA forces in October 2017. However, he was not allowed to leave Libya and remained imprisoned in appalling conditions.

These are just two of hundreds of thousands of migrant stories, yet the Libyan conflict is not only humanitarian crisis, but it is one that directly threatens the United States' interest.

Libya lies just south of Europe, only a few hundred miles across the Mediterranean from Italy and Greece. It is home to the ninth largest proven oil reserves in the world, and until the recent uptick in violence produced approximately 1.1 million barrels of oil per day.

Libya also contains an ISIS affiliate that engages in brutal violence and seeks to launch attacks throughout North Africa and into Europe. U.S. Special Operations forces recently withdrew from Libya because of the current offensive, reducing pressure on ISIS fighters in the country.

Russia also provides Haftar with military assistance and likely hopes to gain access to territory that would allow it to cement its influence in North Africa and the Central Mediterranean and further its goal of fermenting chaos on Europe's southern border and in the Middle East broadly.

Regional powers, the UAE, Egypt, Saudi Arabia, Qatar, and Turkey provide support to the warring parties which stokes their rivalry and heightens tension throughout the Middle East and North Africa. Therefore, the United States cannot afford to ignore the Libyan conflict. A well-defined, vigorous U.S. policy is necessary to prevent greater instability, stem the growing humanitarian crisis, and to facilitate political reconciliation in Libya.

Unfortunately, recent U.S. policy has been confused, inconsistent, and counterproductive. Before the outbreak of fighting on April 4, the United States joined other members of the U.N. Security Council in supporting the U.N.-sponsored political process.

On April 7, Secretary of State Pompeo stated U.S. opposition to the LNA offensive, publicly urged Haftar to halt his attack, and claimed his unilateral military campaign against Tripoli is endangering civilians and undermining prospects for a better future for all Libyans.

However, only 8 days later, President Trump held a phone call with Haftar and praised Haftar's significant role in fighting terrorism and securing Libya's oil resources. President Trump reportedly failed to urge Haftar to agree to a cease-fire or to return to the political reconciliation process.

Whether the President realized it or not, many of the ground in Libya and around the world perceived that phone call as tacit support for Haftar and the LNA movement. The call significantly un-

dermined the United Nations and the GNA and hindered attempts to broker a political solution to the conflict.

Moving forward, it is imperative that the administration articulate a clear U.S. policy in Libya. The United States must convince outside powers to end their military support to the warring parties.

With the exception of Russia, the United States maintains strong relationships with all of the States intervening in Libya. The assistance these States provide to their Libyan patrons perpetuates the conflict, fosters greater instability, and must cease.

The United States should also support an immediate cease-fire, reiterate its commitment to political reconciliation, and unequivocally reject any military solution to the Libyan conflict. Only a political process can secure U.S. interests, stabilize Libya, reduce the threat of terrorism, and most importantly, provide peace and opportunity to the Libyan people.

With that, I will now turn to Ranking Member Wilson for his opening statement.

Mr. WILSON. Thank you, Chairman Deutch, for calling this timely hearing. We are all concerned about the recent resumption of sustained violence in Libya and its eastern portions, led by General Khalifa Haftar, clashed with forces loyal to the internationally recognized Libyan Government of National Accord, or GNA, near Tripoli.

Nearly 8 years after Gaddafi's removal, the situation in Libya appears worse than ever. Despite backing by the United Nations, the Western-based GNA has not been able to consolidate control of the country and provide a real measure of security. The political and military divisions have plagued Libya ever since the 2011 intervention in the country has now erupted into the worst bout of violence since 2014.

Four-hundred forty-three people have already been killed over 2,000 wounded, and over 60,000 civilians displaced. Armed militias, some with ties to GNA, others linked to General Haftar's Libyan National Army, have all profited from the chaos in the country by smuggling drugs, weapons, and people.

The recent clashes between the GNA and LNA-aligned forces can also breathe new life into terrorist groups like al-Qaeda's local affiliate, Ansar al-Sharia, which has already vowed to fight Haftar's forces in Tripoli.

ISIS in Libya has also exploited their security vacuum in the country, steadily increasing its activity throughout 2018 and launching an attack in Central Libya in April, and an attack on Haftar's forces in the south earlier this month.

And as we have seen in other conflict zones, the renewed clashes between the GNA and LNA-aligned forces will only reenergize illicit elements in the country, both criminal networks and terrorist groups that will be the main beneficiaries.

Compounding Libya's many problems are the host of international actors backing different sides in the conflict. Despite the international community's endorsement of the GNA, Saudi Arabia, the United Arab Emirates, Egypt, and Russia have sided with Haftar's forces. Russia has actually been supplying the LNA with parallel Libyan currency to keep it afloat.

Meanwhile, Qatar and Turkey have provided support to Islamist militias fighting the LNA, fostering a dangerous network of armed militias across the country. While some were hopeful that Libya was headed toward reconciliation, after the meeting between Haftar and GNA Prime Minister Designate Sarraj in Abu Dhabi in February, the renewed clashes have been the eventuality evermore—make that evermore remote.

Meanwhile, Haftar's forces have made significant advances in over the past year and a half, seizing the country's major oil infrastructure in the center and southwest. The truth is that everyone's Libya policy is failing. The United States-backed government in Tripoli has simply not been able to stabilize the country. The new, reinvigorated military challenge by the LNA is further proof of that.

What is more, our counterterrorism policy in the country is faltering. Instead of terrorist groups weakening, ISIS and al-Qaeda appear to be strengthened. Libya's instability is a major challenge to U.S. interests, and we need a concerted effort from this administration to make it a priority.

I am grateful that the President has nominated Richard Norland to be the next Ambassador to Libya last month. Mr. Norland is a career diplomat who previously served as Ambassador to Uzbekistan and Ukraine. I urge the Senate to confirm this much-needed appointee.

I also urge the administration to fill the Special Envoy slot to bolster our Libya policy. Defeating ISIS and al-Qaeda in Libya will require an end to hostilities in Libya, so that the terrorists can no longer exploit both the security vacuum and the grievances of local populations. We will not drone one way out of this mess.

The Libya threat poses—necessitates bold U.S. leadership and real political commitment to reach a comprehensive political solution that will ultimately stabilize the country.

Fortunately, we are joined today by a panel of Libya experts who will begin to address these issues. I look forward to hearing their thoughts on the role Congress can play in shaping U.S. policy regarding Libya, as well as what the United States can do to facilitate real political stabilization in the country.

Thank you again, Chairman Deutch, and thank you for the witnesses being here today. I yield back the balance of my time.

Mr. DEUTCH. Thank you, Mr. Wilson.

In the interest of time, as we are expecting another vote series, we will move directly to witness testimony. Without objection, all members may have 5 days to submit statements, questions, and extraneous materials for the record, subject to the length limitation in the rules.

I will now introduce our witnesses. Dr. Frederic Wehrey is a senior fellow in the Middle East Program at the Carnegie Endowment for International Peace, focused on North Africa and the Gulf. He has been traveling regularly to Libya since 2009 and is the author of a recently published book on the country's struggle after its 2011 revolution.

Dr. Wehrey is also a 21-year veteran of the active and reserve components of the U.S. Air Force, with tours across the Middle



East and North Africa. Thank you, Dr. Wehrey, for being here. Thank you for your service.

Ms. Doherty is next. Megan Doherty is the senior director for policy and advocacy at Mercy Corps. She previously served in the U.S. Department of State as a senior advisor in the Near Eastern Affairs Bureau and a senior coordinator for U.S. assistance to Libya.

She also served as the White House National Security Council director for North Africa. Ms. Doherty has conducted extensive research and worked on multiple civil society and governance programs in Libya. We welcome Ms. Doherty.

Mr. Benjamin Fishman is a senior fellow at The Washington Institute for Near East Policy and an adjunct assistant professor of security studies at Georgetown University. He previously served on the National Security Council where he held several posts, including executive assistant to Ambassador Dennis Ross, director for Libya, and director for North Africa and Jordan.

Since leaving government, he was a consulting senior fellow at the International Institute for Strategic Studies and an adjunct defense policy analyst at the RAND Corporation.

And, finally, Mr. Thomas Hill is the senior program officer for North Africa at the United States Institute of Peace, focusing on Tunisia, Libya, and Algeria. Before joining USIP, he was a visiting fellow at The Brookings Institution where he focused on reforming civilian U.S. foreign policy agencies.

Most importantly, Mr. Hill previously served as senior professional staff member on the House Committee on Foreign Affairs majority staff covering North Africa, and as a foreign affairs officer in the Bureau of Near Eastern Affairs at the United States Department of State.

Thanks, all of you, for being here today. Let me remind the witnesses to please limit your testimony to 5 minutes. Without objection, your prepared written statements will be made part of the record. We are so grateful that all of you are here today.

And, Dr. Wehrey, will start with you, please.

**STATEMENT OF FREDERIC WEHREY, PH.D., SENIOR FELLOW,  
MIDDLE EAST PROGRAM, CARNEGIE ENDOWMENT FOR  
INTERNATIONAL PEACE**

Dr. WEHREY. Chairman Deutch, Ranking Member Wilson, members of the subcommittee, thank you for the opportunity to speak with you here today on Libya's conflict. I join you as someone who has been visiting the country for nearly a decade and interviewed most of the key players, including the man at the center of the conflict, Khalifa Haftar.

During repeated trips to Tripoli, I have also felt Libyans' frustrations at the Government of National Accord, or GNA, and I have seen the misery inflicted by the militias that are nominally aligned to that government. What these trips underscored is that there is no black and white in Libya, no easy fixes, and attempts to pick a savior or a winner have always backfired.

Mr. Chairman, the current fighting is partly the outcome of exclusionary politics, economic corruption, and unresolved fractures going back to the 2011 revolution. On top of this, meddling by re-

gional States and international missteps, including by the United States and the United Nations, have brought Libya to this point.

But the ultimate blame for this war rests on the shoulders of General Khalifa Haftar and his April 4 assault on the capital. The attack follows a long pattern by Haftar of threatening democratic institutions and undermining political dialog with military force in favor of military rule.

None of the arguments for his offensive hold up to much scrutiny. There is no question that the decrepit Government of National Accord in Tripoli needs to be replaced, but that is precisely what the United Nations process was supposed to do through a national conference and elections.

Haftar had even been offered a prominent position in a governing arrangement, but he rejected that in favor of the attack, which occurred just 10 days before the national conference.

There is also no question that Tripoli's Mafia-like militias need to be dismantled, but here again, modest but steady progress was being made to curtail their power just before Haftar's attack under the leadership of a pragmatic Minister of Interior in Tripoli with international help.

And at any rate, the way to deal with entrenched militias is through political and economic tools, not a military assault with heavy weapons or in civilian areas. Tragically, this war has given the militias, including a range of undesirable sanctioned individuals, a new opening that will be difficult to reverse.

Haftar's counterterrorism rationale is flawed as well. The security vacuum created by this offensive has been a boon to the Islamic State, which has already increased its attacks since the war started. But perhaps the biggest fallacy concerns the notion of Haftar's decisiveness.

The idea that he could quickly take Tripoli and unify the country, that has not happened and it will not happen anytime soon. Instead, his attack has produced a widening civil war that threatens Libya's geographic coherence and is unraveling its social fabric.

As the fighting drags on, oil production will come under risk. And as Haftar demonstrates his staying power outside of Tripoli, his regional backers will be tempted to increase their military assistance. We are already seeing that. In turn, the GNA-aligned forces are seeking external military help of their own.

In the midst of all of this, the international response has been marked by ambivalence, divisions, and increasing support to Haftar. To move past the impasse, a robust and even-handed American response is needed. A more resolute U.S. policy in this crisis does not mean owning the Libya problem.

Even modest U.S. diplomacy could prevent the country from spiraling into greater conflict. In particular, the U.S. should focus on three core areas.

First, the United States should exert diplomatic leverage to dissuade regional meddlers from sending arms and materiel to both sides. And such pressure should also include greater congressional scrutiny of violations of the U.N. arms embargo and sanctions on logistical companies that facilitate those violations.

Second, American diplomacy should safeguard Libya's vital oil infrastructure and prevent it from being militarized, especially by

Haftar's side. In the past, in 2018, American diplomats played a very effective role in doing just that.

Finally, the U.S. should use the threat of sanctions and war crimes prosecution against all sides to deter attacks on civilians, medical workers, and critical infrastructure, and to marginalize spoilers. Congress should play an important role—oversight role in the implementation of these measures.

Mr. Chairman, members of the committee, in closing, I cannot stress enough the rapidly shutting window for action. Libya stands on the brink of a dissolution that threatens American interests and the interests of our allies. The solution here is not to pick one side in this complex, multifaceted conflict, especially the side that offers the false promise of an authoritarian military-led stability. Rather, it lies in supporting a return to dialog and a more inclusive path.

Thank you for the opportunity to speak with you here today. I look forward to your questions.

[The prepared statement of Dr. Wehrey follows:]



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INTERNATIONAL PEACE

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Congressional Testimony

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**The Conflict in Libya**

Frederic Wehrey  
Senior Fellow  
Middle East Program  
Carnegie Endowment for International Peace

Testimony before the House of Representatives  
Foreign Affairs Committee, Subcommittee on  
Middle East, North Africa, and International  
Terrorism

May 15, 2019

**The Conflict in Libya**  
**House Foreign Affairs Committee**  
**Subcommittee on Middle East, North Africa, and International Terrorism**  
May 15, 2019  
Testimony of  
Frederic Wehrey  
Carnegie Endowment for International Peace

Chairman Deutch, Ranking Member Wilson, members of the subcommittee, thank you for the opportunity to speak to you here today on Libya's war.

The crisis is Libya's worst in half a decade and, potentially, since the 2011 revolution. In over a month of fighting, more than four hundred people, including many civilians, have been killed and tens of thousands have been displaced. The clashes threaten to disrupt oil production and boost the Islamic State and other radical groups. Most tragically, it is fueling a toxic polarization and fraying the social bonds of this country of six million. Unless swift action is taken to end the clashes and return to a political process, the damage may be irreparable.

I join you here today as someone who has been visiting Libya regularly for a decade, first a U.S. military officer assigned to the U.S. Embassy in Tripoli during the Qadhafi regime and then, after the 2011 revolution, as a researcher. In the latter capacity, I've traveled across the country and interviewed most of the key players, including the man at the center of the conflict, Khalifa Haftar, whom I met at his field headquarters outside Benghazi in June 2014. I was one of the few Westerners researchers or journalists who traveled to Benghazi during Haftar's military campaign in the city, spending three weeks with his Libyan National Army (LNA) and their supporters. During repeated trips to Tripoli, I've also felt Libyans' frustration at the internationally-backed Government of National Accord (GNA) and seen the misery inflicted by the predatory militias that are nominally aligned to that government.

In the remarks that follow, I'll offer a brief analysis of the run-up to the war and assess the risks for a wider conflict that threatens Libya's political and geographic unity, as well as American interests. I'll conclude with some recommendations for how the U.S. and especially Congress can help stop the fighting and get Libya back on the path to peace and stability.

### The Backdrop to the Crisis

The current fighting is partly the outcome of exclusionary politics, economic corruption, and unresolved social fractures stemming back to the aftermath of the 2011 revolution. Since that time, Libya's elites and militia bosses have scrambled for economic and political spoils to the detriment of Libya's citizens. On top of this, a mix of indifference and interference by international and regional states brought Libya to this point. But the ultimate blame for this war rests on the shoulders of General Khalifa Haftar and his April 4<sup>th</sup> assault on the capital and the internationally-recognized government.

A former Qadhafi-era officer and dissident, Khalifa Haftar launched an unsanctioned military attack in the eastern city of Benghazi in the summer of 2014. Dubbed *Operation Dignity* and comprising disaffected Libyan military units and tribal militias, the campaign was intended to remove the city's Islamist and jihadists militias and restore order. But its effects were far-reaching and not confined to the east. It sparked a national civil war that continues to the present. We also now know that this 2014 battle marked the start of Haftar's long struggle for national dominance. Even back then, he expressed his desire to attack Tripoli.

He has told numerous foreign interlocutors of his intention to implement military rule, often disparaging civilian-led electoral politics. He has made repeated threats against Libya's democratic institutions, starting in February 2014 when he announced the dissolution of Libya's first elected legislature, the General National Congress. When I asked him once about efforts to draft a Libyan constitution he waved his hand. "Just talk," he said. He is also a committed foe of political Islamists of all shades, making no distinction between hard-core jihadists and more moderate figures who support the Libyan state and elections.

Haftar has proven adept at harnessing the fears and frustrations of a broad swathe of Libyans. Some tribes and towns backed him to gain ascendancy over their local rivals. Qadhafi loyalists supported him as a counterweight to Libya's new revolutionary class and Islamists. Anti-Islamists cheered him because of his promise to crush the Muslim Brotherhood. Other

Libyans welcomed him simply to restore order and a sense of normalcy after years of militia violence. Some did so uneasily, wary of his ambitions.

Haftar has also skillfully played on competing foreign agendas in Libya. Drawn to his promise to crush political Islamists, the UAE and Egypt have sent weapons, advisors, money, and conducted airstrikes on his behalf, according to UN investigators. France has been crucial as well: despite its diplomatic recognition of his rival, the GNA, Paris has provided him with battlefield intelligence support. For their part, Russia has viewed him opportunistically, plying him with military aid and printing banknotes to fund his political allies, even while it engaged with other factions.

In 2017, partly due to military support from the UAE and France, he finally won the battle for Benghazi. The grinding war had lasted much longer than he expected and at great cost, killing hundreds and displacing thousands. But all the while, he kept his sights on Tripoli. When he finally moved on the capital last month he advanced a variety of arguments. He was replacing the illegitimate GNA with a regime that was more widely accepted and efficient. He was freeing Tripoli's citizens from the grip of militias. He was going after terrorists. He was building professional security institutions. Yet a deeper look reveals a number of problems with these arguments.

There is no question that the deeply flawed GNA needs to be replaced. Yet that is exactly what the UN's roadmap was supposed to do. The UN was working on a national conference and planning for national elections that would finally move Libya beyond its troubled transitional period. It also supported an interim governing arrangement that would have included Haftar in a prominent position, provided he subordinate himself to a civilian authority. Haftar rejected these offers. And, just ten days before the national conference, he launched his attack on Tripoli.

Similarly, there is also no question that the militias in Tripoli need to be dismantled. But here again, before the attack, there was steady and modest progress being made to curtail their power. Under the leadership of a pragmatic Minister of Interior, supported by the UN, European states, and the U.S., the militias' access to government funding and the parallel illicit economy was being squeezed. Efforts were underway to train police as well. Yet now, that progress has

come undone: the battle against Haftar has given the militias increased latitude and a prominence that will be difficult to reverse.

Then there is the counter-terrorism argument. It is certainly true that when Haftar launched his 2014 operation in Benghazi he was going after some violent terrorist groups, including those that had attacked the U.S. diplomatic mission. But he also attacked factions that supported the state and elections—and by lumping them together, he ended up radicalizing them. Moreover, five years later, the landscape has changed. The radical and Islamist militia presence has diminished across the country, partially because of Haftar's wars in the east but also because other militias and political elites in western Libya have sidelined them. Many of the most militant figures are now imprisoned, exiled, or dead. Thus, it is a mistake to assume that Tripoli is a base for Islamist extremism and that Haftar is needed to come and eradicate it.

In addition, the most significant U.S.-backed counterterrorism campaign in Libya was not undertaken by Haftar but by some of the militias he is now fighting. This was the 2016 assault on the Islamic State's stronghold in Sirte, led by GNA-aligned militias from Misrata, supported by American airpower. I was embedded with these forces for three weeks and saw firsthand the ferocity of the fighting and the extent of their sacrifices. With his soldiers sitting just east of Sirte, Haftar had been offered a chance to join this campaign by American officials. But he refused.

Perhaps more importantly, the Islamic State will try to exploit the political and security vacuum created by Haftar's attack. After the 2016 Sirte campaign, the terrorist group has been confined to mobile desert bands and urban cells. Even so, it was able to mount over two dozen attacks in Libya last year alone, including against important institutions in Tripoli like the National Oil Corporation, the election headquarters, and the foreign ministry. Since the current clashes started, there has been a noticeable uptick, especially in Libya's desert south. We can expect a further escalation as Libyan militias on both sides of this war that were previously deployed to contain the Islamic State are now focused on fighting one another.

Another mistaken notion concerns the nature of Haftar's Libyan National Army or LNA (its actual Arabic name is the Libyan Arab Armed Forces, a title that excludes and incenses Libya's non-Arab ethno-linguistic minorities). It is true that the LNA contains a nucleus of



regular infantry, armor, air force, and military police, and this professional face accounts for the public approval it has secured, according to previous polling. But surrounding this core, Haftar has enlisted a sizeable percentage—estimates range between forty to sixty percent—of tribal and local militias, as well as foreign fighters from Chad and Sudan. He has also elevated his sons to command well-equipped brigades. Added to this, Haftar's soldiers have committed abuses against civilians. The International Criminal Court has issued an arrest warrant for one of his officers, charging him with the unlawful execution of thirty-three prisoners. Haftar himself was filmed exhorting his troops to grant no quarter to the enemy.

Some in the West might be drawn to Haftar's image as a secularist. But this too is mistaken. Ever since he launched his campaign in 2014, Haftar has co-opted and empowered conservative, Saudi-inspired Salafists as political and military allies. I've met several of them over the years. While they are certainly not al-Qaeda or the Islamic State as their opponents allege, their growing influence has stirred alarm across Libya. In recent fighting, they have been among Haftar's staunchest combatants. And in cities and towns that he has taken over he has given them some latitude to enforce their interpretation of Islamic social mores.

But perhaps the biggest fallacy about Haftar's attack on the capital concerns its decisiveness—the mistaken notion that he could quickly win Tripoli and control Libya's western region.

#### **Risks of a Protracted Conflict**

Haftar's assault on Tripoli was clearly a risky gambit. He had planned to use the strength of his narrative—and cash—to flip local militias and political blocs to his side. To be sure, some have joined him, such as those from the town of Tarhuna south of the capital. Armed groups in other towns, like Zintan in the Nafusa mountains, are split. Other militias have half-heartedly committed their forces against him, hoping to hedge in the event he becomes the dominant force. But overall, his attack on Tripoli has not gone according to plan. Disparate armed groups the capital and its environs have rallied against him. Lacking sufficient strength to

seize and hold urban terrain, Haftar has resorted to rocket and artillery attacks and airstrikes. As civilian casualties mount, citizens who might've welcomed his forces are turning against him.

Haftar seems unlikely to take the capital anytime soon. But as he demonstrates his staying power outside of Tripoli, his outside backers—namely, the UAE and Egypt—will be tempted to escalate their military intervention. Already, the United Nations is investigating the use of armed, Chinese-made drones, which are known to be in the UAE inventory. For their part, Haftar's opponents in the GNA coalition are seeking military aid from Turkey and are reportedly employing foreign personnel to fly fighter aircraft, as evidenced by the LNA's recent capture of a pilot of apparent Portuguese nationality.

There are other signs that the conflict is becoming more intractable. The fighting could expand geographically, as Haftar's opponents try to disrupt his supply lines to eastern Libya or as Haftar tries to flank Misrata by attacking the city of Sirte. In virtually every scenario, oil production will be placed at risk. Facing a potential funding shortfall in eastern Libya, Haftar may try to leverage Libya's oil wealth. Already, according to the chairman of Libya's National Oil Corporation, Haftar has tried to "militarize" oil installations in the Gulf of Sidra by basing his forces near terminals. He may also try to unilaterally sell oil on the global market.

Meanwhile, the response of international powers has been marked by ambivalence and divisions. Most crucially, President Donald Trump publicly endorsed Haftar in a phone call on April 15th. At the United Nations Security Council, Russia and France, along with the United States, have blocked a resolution calling for a ceasefire. Some European states have called for a ceasefire without a withdrawal of Haftar's LNA to pre-April 4<sup>th</sup> lines—a truce that is unacceptable for the GNA side.

With both sides committed to fighting, the outlook remains grim. To move past the impasse and avert a wider escalation, Western powers, especially America, must use a mix of diplomacy and economic tools to stop regional states from worsening the conflict. They must also work to shape battlefield dynamics toward a stalemate that compels the warring Libyan factions to return to a political process.

### **Roles for the United States**

Mr. Chairman, in my recent conversations with numerous Libyans, as well as foreign diplomats, it is clear that the U.S. maintains unique leverage in Libya and is viewed as a relatively neutral broker. A more resolute U.S. policy response in this current crisis does not mean “owning” the Libya problem. But even modest U.S. diplomacy could prevent the country from spiraling into broader conflict. In particular, the U.S. should focus on three core areas.

First, the United States should exert diplomatic leverage to dissuade regional meddlers from sending arms and material to both sides. Such pressure should also include greater Congressional scrutiny of violations of the United Nations arms embargo and sanctions on logistical companies that facilitate these violations.

Second, American diplomacy should safeguard Libya’s oil infrastructure and prevent it from being “militarized.” The U.S. has already proven its value here: in the summer of 2018, after Haftar’s LNA had seized oil facilities in the central Gulf of Sidra, American diplomats, working with the United Nations, ensured their return to the rightful authority of the National Oil Corporation.

Additionally, the U.S. should use the threat of sanctions and war-crimes prosecution, against all sides, to deter attacks on civilians, medical workers, and critical infrastructure and marginalize spoilers. Congress should play an important oversight role in the implementation of these measures.

All of these U.S. actions can help limit the scope and duration of the conflict and steer it toward a political process. It is up to Libyans of course to decide the composition of these negotiations. But the mistakes of the past should be kept in mind, to include the repeated offers to Haftar to join in a peaceful settlement, which he has rebuffed and undercut with military force.

As the talks gets underway, the U.S. and its partners should redouble their outreach to Libyans who reject the binary choice between militia-run chaos or a return to authoritarianism. This includes the country’s vibrant civil society, women and youth, and elected municipal councils, who have long enjoyed a measure of popular legitimacy. A particular focus should be on communities in the east and south, some of whom backed Haftar out of sense of exclusion.

Much of the international effort thus far has been focused on national parliamentary and presidential elections. Here, however, a word of caution is in order. The previous rush to elections in 2012 and 2014 had disastrous consequences for the country, setting up a cycle of armed contestation that continues to the present. Current security conditions and militia violence in many areas would deter turnout—and in areas under LNA control, free and fair campaigning would be difficult. Aside from promoting a return to stability, the U.S. should help ensure that Libya has the appropriate voting laws and constitutional framework in place before elections.

On security matters, the U.S. should play an important supporting role in facilitating talks on the unification of Libya's military and police, between eastern and western factions. Tragically, figures from these two sides were already engaged in various degrees of rapprochement before Haftar launched his attack on the capital. A security track in a renewed political process should pick up where this dialogue broke off, emphasizing mutual security concerns as well as respect for the rule-of-law and elected civilian authority.

The U.S. should also support the dismantling of the militias that have preyed on the Tripoli government and plundered Libya's financial resources. This will be a difficult task that will involve a new political compact as well as technocratic, economic, and bureaucratic reforms. As noted above, Libyan officials, backed by the United Nations, were making modest progress on these reforms before Haftar's attacks. Those efforts need to be strengthened, albeit under a new, more legitimate political authority. Their success is far from assured—but they still stand a better chance than the current military assault that has thrown Libya into a civil war.

Mr. Chairman, members of the committee, in closing, I cannot stress enough the rapidly shutting window for action. Libya stands on the brink of a dissolution that threatens American interests and the interest of our allies. On top of this, it faces a worsening humanitarian crisis. The solution is not to pick one side in this complex, multi-faceted conflict—especially the side that offers the false promise of an authoritarian, military-led stability. Rather, it lies in supporting a return to dialogue and a more inclusive path.

Thank you for the opportunity to speak with you here today. I look forward to your questions.

Mr. DEUTCH. Thank you, Dr. Wehrey.  
Ms. Doherty, you are recognized.

**STATEMENT OF MEGAN DOHERTY, SENIOR DIRECTOR FOR  
POLICY AND ADVOCACY, MERCY CORPS**

Ms. DOHERTY. Chairman Deutch, Ranking Member Wilson, and members of the subcommittee, thank you for the opportunity to testify on the humanitarian dimensions of the conflict in Libya. I will briefly summarize the situation on the ground and make recommendations for moving forward.

But I will first note that the deepening humanitarian crisis in Libya is entirely manmade. The civilian casualties and the violations of international humanitarian law are eminently avoidable and require a political solution. But despite the situation on the ground, there is an opportunity for the United States, and the U.S. Congress specifically, to prevent further deterioration.

The Libyan people have now endured a near decade of insecurity, economic dysfunction, and political instability. But before the recent outbreak of violence, Libya had made some important gains, including restarting oil production and partnering with the U.S. to prevent ISIS from establishing a new caliphate in 2016.

The escalating violence taking place now threatens to unravel these gains and destabilize Libya, and we have seen before that chaos in Libya does not stay within its borders. So the choices that we make in this crisis now will reverberate in the region.

Since Khalifa Haftar launched his attack on April 4, fighting has killed more than 450, injured more than 2,000, and displaced, as of this morning, 66,000 people.

Here are the key consequences that we are seeing on the ground. There are more than 1 million people in urban Tripoli watching the front lines inch closer. The conflict, including air strikes in civilian neighborhoods, has already killed 23 and wounded 100 civilians. Sixty-six thousand people have fled their homes. They are mostly sheltering with relatives, in schools that have been closed and in overcrowded apartments.

Rent has tripled. Food prices have increased significantly. Hospitals and homes are losing access to power and clean water. People are coping as best they can, but this is not sustainable.

Tripoli's already fragile hospitals are overwhelmed. In just 3 weeks, the World Health Organization's emergency medical teams performed almost 250 surgeries. Hospitals and health workers are also being attacked in clear violation of international humanitarian law.

There are more than 3,000 refugees and migrants trapped in detention centers in Tripoli. We have already seen terrible reports of militias firing on and wounding detained people in Qasr bin Ghashir. We are now seeing more people trying to flee to Europe by sea. Those who are intercepted by the Libyan Coast Guard are returned to detention centers that are increasingly unsafe and running out of food.

Those who are not intercepted face other risks. Just last week, 70 people drowned trying to cross the Mediterranean.

Humanitarian responders are trying to reach people in need. They are braving ongoing shelling, checkpoints, and explosive de-

vices that are being planted on key roads. But as the conflict continues, both sides have the ability to cutoff supply lines for food, fuel, medicine, and water, not just to Tripoli but to the rest of the country as well.

Further conflict in Libya will cost more lives, damage infrastructure, and create openings for terrorist threats. And we know from experience that instability in Libya does not stay in its borders.

Absent unambiguous, high-level U.S. pressure for a political process, warring parties on both sides will continue to fight, confident that they can do so with impunity. The United States does have unique leverage in Libya, and right now has the capacity to engage in small, low-risk ways, to help reduce violence, ensure that humanitarian aid is reaching people in need, and to convince the warring parties and their foreign backers to commit to a civilian-led transition process.

The U.S. should immediately call for a cease-fire, including through a U.N. Security Council resolution, publicly and privately reaffirm support for the U.N.-led political process, including through bipartisan statements from Congress, and pressure all parties to respect human rights, international humanitarian law, and to ensure safe, continued humanitarian access, including to refugees and migrants who remain the most vulnerable in this conflict.

A return to a political process is vital, but more work will surely need to be done to address Libya's longer term stability challenges. It is, however, a necessary first step to save lives and move from this conflict toward a more inclusive, Libyan-led peace process, and to longer term recovery.

Thank you for the opportunity to testify today. I look forward to your questions.

[The prepared statement of Ms. Doherty follows:]



**Testimony before the House Committee on Foreign Affairs  
Subcommittee on the Middle East, North Africa and International Terrorism**

**“The Conflict in Libya”**

**Megan Doherty, Senior Director for Policy and Advocacy, Mercy Corps**

**May 15, 2019**

Chairman Deutch, Ranking Member Wilson, and Members of the committee, thank you for the opportunity to testify on the conflict in Libya and implications for U.S. policy. I am grateful to the Subcommittee for giving this important issue the attention it deserves. After a brief analysis of the current humanitarian situation, my testimony will focus on recommendations for the international community and U.S. policymakers.

The deepening humanitarian crisis in Libya is entirely man-made. The civilian casualties and violations of international humanitarian law are eminently avoidable and require a political solution. Despite the alarming situation on the ground, there is a fragile, waning window of opportunity for the United States to prevent further deterioration, allow humanitarian aid to reach people in need, and push the warring parties to negotiate.

Since the overthrow of venal dictator Moammar Qadhafi in 2011, Libya has struggled with weak institutions, prolonged insecurity exploited by criminal and terrorist actors, and malign international meddling. As rival factions have clashed in violent bids for territory, resources, and international support, the Libyan people have endured a near decade of insecurity, economic dysfunction, declining public services, and the inability of successive transitional governments to deliver safety and improvements to their quality of life.

Before the recent outbreak of violence, Libya had made some modest recent recovery gains, including restarting oil production and preventing ISIS from establishing a new caliphate in Sirte in 2016. The escalating violence threatens to unravel these gains and destabilize Libya and the region. We have seen before that chaos in Libya does not stay within its borders: the choices we make in this crisis will reverberate throughout the region.

Khalifa Haftar and his self-proclaimed Libyan National Army (LNA), a loose confederation of tribal and city militias, ignited the current conflict when they attacked Tripoli and the civilian-led Government of National Accord (GNA) on April 4. The attack came days before a planned United Nations-led national dialogue conference to negotiate interim power-sharing agreements and a roadmap for elections.

In the past six weeks alone, fighting in Tripoli has killed more than 450, injured more than 2,000, and displaced more than 62,000 people.<sup>1</sup>

Here are the key consequences:

**Civilians are at risk.** Violent conflict, including airstrikes and rocket attacks in civilian neighborhoods, has injured 111 and killed 23 civilians.<sup>2</sup> Families are trapped in conflict zones and unable to flee to safety due to the risk of shelling and violence. There are more than one million people in urban Tripoli anxiously watching the frontlines inch closer to their homes.

**Mass displacement.** More than 62,000 people have fled their homes since the crisis began. The UN has reported a rise in lawlessness and criminal activity, including the looting of the homes of the displaced. Many of the displaced families are sheltering with relatives or in schools and other community buildings. These shelters often lack essential supplies such as blankets, sleeping mats, and cooking wares. The price of rental accommodations has tripled, leaving families with less money to afford food.

**Access to food and services is shrinking.** Six weeks of urban warfare have damaged power lines and water stations, leaving hospitals and homes without reliable access to electricity and water. A rapid assessment of conflict affected municipalities found dwindling access to cash, food, and essential household goods.<sup>3</sup> Schools are closed and often converted into makeshift hospitals or housing centers for displaced families.

**The health sector is collapsing.** The World Health Organization (WHO) reports that Tripoli's already fragile hospitals are "overwhelmed with injured people requiring surgery." In just three weeks WHO Emergency Medical Teams (EMT) performed almost 250 surgeries.<sup>4</sup> Hospitals are running out of blood, beds, medicine, and emergency supplies.

**Hospitals and health workers are being attacked in clear violation of international humanitarian law.** Two clinics had to be evacuated because of armed clashes, shelling, and airstrikes. Emergency responders have lost at least a dozen ambulances. On May 8, the Director of Tripoli's Ambulance and Emergency Medical Services lost both his legs when his ambulance was hit in an apparent direct attack.<sup>5</sup>

**Refugees and migrants are extremely vulnerable.** More than 3,100 refugees and migrants in detention centers in Tripoli and surrounding areas are at great risk of abuse, injury, and death.<sup>6</sup>

<sup>1</sup> United Nations Office for the Coordination of Humanitarian Affairs (UN OCHA), Libya: Tripoli Clashes - Situation Report #23, May 10, 2019. These figures include only cases that could be individually verified, and so must be considered a minimum.

<sup>2</sup> Ibid.

<sup>3</sup> UNOCHA, Libya: Tripoli Clashes - Situation Report #21, May 5, 2019.

<sup>4</sup> World Health Organization, "[WHO Libya Teams Saving Lives on the Frontlines](#)," April 30, 2019.

<sup>5</sup> UN OCHA, "[Humanitarian Coordinator for Libya strongly condemns the direct attack of field ambulance team in Twaisha area](#)," May 9, 2019.

<sup>6</sup> UN OCHA, [Humanitarian Key Figures and Response](#), May 10, 2019. There are an estimated 670,000 migrants and refugees in Libya. Approximately 6,000 are detained in formal and informal facilities throughout the country.



Even before the current clashes, migrants detained in official and informal facilities faced grave human rights abuses, including forced labor, rape, and torture.<sup>7</sup> As the conflict continues, refugees and migrants who are intercepted fleeing to Europe are returned to detention centers that are unsafe and running out of food. The United Nations has called for the immediate release, evacuation, and protection of refugees and migrants detained in conflict zones.<sup>8</sup>

Refugees and migrants outside detention centers do not have access to the same shelters or services as Libyan citizens.<sup>9</sup> The current lawlessness makes it even harder to protect these vulnerable men, women, and children. The insecurity also increases the likelihood that people will attempt to flee to Europe. Just last week almost 70 people drowned trying to cross the Mediterranean.<sup>10</sup>

**Humanitarian responders are limited by growing access constraints.** Ongoing shelling as well as newly planted explosive devices on key roads are preventing the Red Crescent and frontline aid workers from accessing families trapped amidst the fighting. Shifting frontlines, armed checkpoints, and various militias holding different neighborhoods will continue to pose challenges to humanitarian responders seeking to secure unobstructed, safe, and consistent aid delivery routes.

The current avoidable crisis occurs against the broader backdrop of Libya's struggle to recover from eight years of instability. Even before the latest escalation in violence, the United Nations estimated that 823,000 people, including 248,000 children were in need of humanitarian assistance. Efforts to rehabilitate the Libyan oil sector had increased production and revenues in the last two years, but not yet translated into broader economic recovery for the Libyan people. After years of runaway inflation and a severe liquidity crisis, the central authorities were only starting to make progress in improving living standards. The U.S.-facilitated Economic Dialogue played an important role in that process.

Fifty-eight percent of Libya's municipalities – relative bright spots of functionality at the local level amid national institutional dysfunction – were relying on water trucking to ensure access to drinking water for their communities. Only 41 percent of hospitals and 10 percent of primary health care facilities reported access to essential medicines.<sup>11</sup>

The United Nations and humanitarian partners are responding to the current crisis to the best of their ability, deploying emergency medical teams and distributing food and essential supplies to displaced families. The UN launched a Tripoli Flash Appeal requesting \$10.2 million to help 100,000 highly vulnerable people in Tripoli and surrounding areas.<sup>12</sup> To date the UN has allocated \$2 million of the Central Emergency Response Fund (CERF) and the UK's Department

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At the start of the current conflict, approximately 3,600 refugees and migrants were detained in facilities in Tripoli. UNHCR has been able to evacuate some from the frontlines, but the majority remain in detention.

<sup>7</sup> UN OCHA Humanitarian Needs Overview 2019.

<sup>8</sup> UNHCR, "UNHCR issues urgent appeal for release and evacuation of detained refugees caught in Libyan crossfire," April 12, 2019.

<sup>9</sup> Reuters, "Migrant Women, Children Denied Access to Shelter in Libya's Battleground," May 10, 2019.

<sup>10</sup> Reuters, "Dozens of Migrants Drown off Tunisian Coast After Leaving Libya," May 10, 2019.

<sup>11</sup> UN OCHA Humanitarian Needs Overview 2019.

<sup>12</sup> UN OCHA, Libya Flash Funding Appeal, April 18, 2019

for International Development (DFID) have pledged £1 million toward the response. The United States has current humanitarian assistance programs through the U.S. Agency for International Development (USAID) and the Department of State, and is currently supporting the International Organization for Migration (IOM) and other actors to support conflict affected communities.

There is no military solution to this conflict - neither side can win a decisive military victory and Haftar - perhaps emboldened by perceived support from the U.S. and more tangible military support from his many foreign backers - has not heeded UN calls for a ceasefire.

Further conflict will only result in more death, destruction, and suffering for the Libyan people. Both sides have the capacity to cut off supply lines for food, water, fuel, and medicine. Prolonged conflict will cost more lives and damage hospitals, schools, roads, and other vital civilian infrastructure.

This conflict threatens the people caught in the crossfire, but also a range of U.S. interests. In 2016 we saw how quickly and devastatingly ISIS took advantage of chaos in Libya and established itself in Sirte. The U.S. responded with air cover and support to GNA-aligned Libyans who rooted out ISIS' new foothold.

We have also seen before, during the 2011 revolution and successive waves of turmoil since then, how fighting in Libya threatens the oil infrastructure and stability in other countries, including Tunisia and Mali. Terrorists will continue to exploit Libya's porous land borders and proximity to Europe. With political transitions underway in Algeria and Sudan, the United States cannot afford more chaos in the region. We also cannot afford to make the mistake of assuming that instability in Libya will stop at its borders.

#### **RECOMMENDATIONS**

The alarming situation on the ground can either get far worse if the parties continue to fight each other for an unwinnable military victory – or the Libyan leadership can be compelled back to the table to fight out their differences through negotiations. The United States, as a trusted actor, has the ability to engage – in relatively small, low risk but effective ways – to help reduce violence, allow humanitarian aid to reach people in need, help align the international community, and push the warring parties to negotiate a durable peace agreement.

The United States - and the U.S. Congress specifically - should encourage and support a ceasefire, call for unimpeded humanitarian access, reaffirm support for the U.N.-led political talks, and engage in high-level diplomatic pressure to encourage all sides and their foreign backers to commit to and abide by a civilian-led transition process.

***Immediately call for a ceasefire and a return to a political process.*** Civilians caught in the crossfire need safe passage from conflict zones and access to medical treatment. The U.S. should work with our partners, including through the United Nations Security Council, to support a resolution calling for an immediate ceasefire. A ceasefire can also create political space and momentum for parties to de-escalate and commit to talks.

***Pressure all parties to the conflict to ensure reliable, continuous humanitarian access, including access to refugees and migrant populations.*** Humanitarian responders are struggling to access people in need. Refugees and migrants should have access to the same humanitarian protections as Libyan civilians. The U.S. should leverage diplomatic relations with parties on both sides to guarantee constant, reliable humanitarian access by frontline providers. The U.S. should also warn those who impede or threaten humanitarian providers that they may face sanctions. Finally, the international community should ensure robust funding for the humanitarian response to meet the rising needs.

***Publicly and privately reaffirm support for the U.N.-led political process.*** The U.S. and the international community need to support a negotiated political solution that addresses power-sharing among the various factions and lays out a sustainable civilian-led transition process. Given the varying agendas of foreign actors in Libya, the U.N. process led by Special Representative of the Secretary General Ghassan Salame is still the best avenue towards a political solution. It needs U.S. leadership and support. Absent unambiguous high-level U.S. support and pressure for a political process, warring parties on both sides will continue to fight, confident that they can do so with impunity.

***Work with the UN to investigate and report on violations of the UN arms embargo.*** UN Security Council Resolution 1973 (2011) established an arms embargo that was extended in 2017 to allow for maritime inspections and enforcement. Despite the existence of this arms embargo, many militias are reportedly receiving shipments of weapons and other support. The U.S. should work with the United Nations to empower the Panel of Experts (PoE) to investigate, publicize, and take action on violations of the arms embargo.

***Ensure security partnerships advance U.S. interests and respect international humanitarian law.*** ISIS and other violent extremist organizations will continue to exploit Libya's lawlessness and insecurity. Due to the complex security landscape, mitigating terrorist threats emanating from Libya requires an array of partnerships. The U.S. should avoid partnering with actors who violate human rights or undermine Libya's stability. The U.S. should also investigate allegations of war crimes and human rights abuses by armed actors.

***Strengthen prospects for longer-term recovery.*** While a near-term commitment to a political process is essential to provide an alternative to violence, it would be naive to assume that a return to political talks will conclusively resolve Libya's many complex challenges. Prior negotiations have been largely elite-led and divorced from security realities on the ground, including the hundreds of self-interested militias competing for territory and resources. We should learn from the lessons of 2012 and 2014 in which the UN and the international community did not adequately manage public expectations, address the institutional capacity challenges of the resulting bodies, build buy-in among key tribes and other informal powerbrokers, or address the electoral security and inclusion challenges that prevented many Libyans from voting. Instead of looking to elections or conferences as a panacea, the U.N. should broker interim rules of the game among political leaders, tribal powerbrokers, and security actors. Doing so would both broaden buy-in and create space for local-level reconciliation and broader government formation talks to take place. The challenge, of course, will remain holding spoilers accountable for violating the negotiated rules of the game.

*Continue support to the Libyan people.* The U.S. has provided valuable humanitarian and stabilization assistance since 2011, helping build the capacities of local governments, supporting civil society, equipping communities with conflict mitigation skills, and providing technical advice to the ministries of justice and interior. These investments have produced modest, but important, returns - strengthening border security and increasing municipal government capacity to deliver services, for example. In the longer-term, the U.S. can best address the drivers of instability by continuing these investments to help Libya recover and also contribute to longer-term governance.

A stable Libya will benefit the United States and our partners. Libya will continue to struggle with violence, weak governance, zero-sum politics, unaccountable militias, destabilizing foreign actors, and terrorist threats. The political and security challenges inside Libya are complex and daunting. Nevertheless, small investments and diplomatic leadership from the U.S. now can save lives in the near-term, limit further degradation, and lay the groundwork for longer-term recovery.

Thank you for the opportunity to testify today.

Mr. DEUTCH. Thank you, Ms. Doherty.  
Mr. Fishman, you are recognized.

**STATEMENT OF BENJAMIN FISHMAN, SENIOR FELLOW, THE  
WASHINGTON INSTITUTE FOR NEAR EAST POLICY**

Mr. FISHMAN. Chairman Deutch, Ranking Member Wilson, members of the committee, Libya's future as a peaceful, prosperous, and free country has never been more under threat since 2011. At the same time, the United States lacks a clear policy and strategy toward Libya, which makes this hearing especially timely.

From the onset of Libya's transition, U.S. policy toward Libya has actually been relatively consistent. The U.S. has always supported the United Nations Support Mission in Libya, UNSMIL, in its efforts to help guide the Libyans through ups and downs, three elections, several transitional governments, and multiple peace initiatives. This was the policy of the Obama Administration, and until recently the Trump administration.

Even the Trump administration, which I have consistently urged to pay more attention to Libya, helped support Ghassan Salame, the head of UNSMIL, initiate his 2017 action plan to reinvigorate Libya's stalled transition.

The administration seemed on track to maintain this policy after General Haftar launched his brazen offensive against Tripoli on April 4. As the chairman mentioned, on April 7, Secretary of State Pompeo said the U.S. opposed Haftar's offensive and emphasized "there is no military solution to the Libya conflict." But several days later, President Trump called General Haftar and acknowledged Haftar's role in securing Libya's oil and fighting terrorism, Haftar's professed reason for attacking Tripoli.

There was apparently no mention of a halt in fighting or returning to negotiations. Following the phone call, the U.S. refused to support a U.N. Security Council resolution calling for a cease-fire, ironically joining Russia in their existing support for Haftar.

The effect of the Trump call signaled American ambivalence at best toward the latest fighting in Libya. Moreover, President Trump elevated Haftar to a head of State level, playing to his ego with a likely impact of spurring on his offensive. The fight for Tripoli is now in its 41st day. The longer the conflict persists, the harder it will be to recreate an environment where negotiations and a political solution will be acceptable to either side.

So what to do? First and foremost, the White House needs to establish a clear policy toward Libya. Is it in favor of Haftar, or does it support an immediate cease-fire and a return to U.N.-led negotiations? Either way, it must express a clear set of preferences.

A good beginning would be to echo Senator Lindsey Graham when he appealed to the administration to "reaffirm past statements rejecting a military solution in Libya and pushing for political reconciliation."

The first priority should be halting the violence. The U.S. should lead an effort to impose an unconditional cease-fire at the U.N. Security Council.

Second, the U.S. needs to conduct a serious effort to end outside support to Libya's warring factions, the introduction of new weapons and technologies, such as strike-capable Chinese-made drones

on Haftar's side, not only threatens continued escalation and civilian casualties but clearly violates the U.N. arms embargo.

Finally, the U.S. has to be at the table represented by senior officials when the negotiating process resumes. A more intense level of U.S. engagement on Libya is necessary if the U.N. will be able to reconstitute its peace and unity efforts.

Congress can also play an important role. Last September, Congressman Lieu sent a bipartisan letter to then-Ambassador Nikki Haley, co-signed by Chairman Deutch and three additional members of this committee. It urged the U.S. to invigorate support for Salame's action plan and to discourage our partners "support of proxy forces inside Libya and violations of the arms embargo."

I humbly suggest this committee send a similar bipartisan letter to the White House asking for an immediate clarification of U.S. policy on Libya and encouraging the steps outlined above.

Thank you for this opportunity, and I look forward to your questions.

[The prepared statement of Mr. Fishman follows:]

### **The Conflict in Libya**

*Ben Fishman*

Senior Fellow, the Washington Institute for Near East Policy

Testimony submitted to the House Committee on Foreign Affairs Committee  
Subcommittee on the Middle East, North Africa, and International Terrorism

May 16, 2019

Chairman Deutch, Ranking Member Wilson, Members of the Committee, it is an honor to testify before you about the always complex topic of Libya. I served at the National Security Council from 2011-2013 during NATO's intervention in Libya, the end of the Qaddafi's 42-year regime, and the initial stages of Libya's political transition. I have followed Libya as an analyst ever since. I care deeply about the fate of Libya and its people and want to see the country develop into the peaceful, prosperous, and free country it deserves. Unfortunately, that future has never been more under threat. At the same time, the United States lacks a clear policy and strategy toward Libya, which makes this hearing especially timely.

I will focus my remarks on U.S. policy in Libya and how we got to the current situation where neither our partners nor the Libyan people understand this administration's position. I will also offer some steps that I believe the U.S. can take that offer the best chance to at least stop the civil war and give Libyan an opportunity to return to active peace negotiations.

### **Clarifying U.S. Interest and Objectives**

Although Libya rightly does not rank in the top tier of issues that impact critical U.S. priorities in Middle East, such as Iran and stability of Persian Gulf, Libya remains central to U.S. interests through the nexus of geography, terrorism, and energy. Libya's fate impacts the Southern Mediterranean, our NATO allies, and our partners in Tunisia and Egypt. Libya has already demonstrated how it can become a terrorist safe-haven when ISIS took control over the city of Sirte in 2016. Even without further investment, Libya can provide around 1.3 million barrels of oil per day to the global market, something the Trump administration should consider at a time when it continues to take Iranian oil off the market. And Libya serves as a key hub in migration routes between Africa and Europe, which no anti-immigrant policies in Europe can abate because of economic and demographic trends in Africa.

In short, ongoing chaos in Libya has the potential to radiate outward to its neighbors in North Africa and Europe. Conversely, a stable Libya with a functioning government and economy could provide a source of relief to neighboring Tunisia and Egypt, enable counter-terrorism cooperation with the U.S., and contribute to regional stability in North Africa.

From the onset of Libya's transition in late 2011, U.S. policy toward Libya has been relatively consistent. The U.S. has always supported the United Nations Support Mission in Libya (UNSMIL) help guide the Libyans, through ups and downs, three elections, several transitional governments, and multiple peace initiatives. This was the policy of the Obama administration,

and until recently, the Trump administration. U.S. support for a U.N.-led political process has varied in intensity and focus depending on the circumstances on the ground in Libya, among our allies, and the emergence of terrorist threats. Those efforts continued through civil war, oil strikes, monetary crises, regional and outside interference – and even U.S. domestic politics in the wake of the Benghazi tragedy and the 2016 presidential election. But in the end, there could be no doubt that the clout of the United States stood behind UNSMIL and the broader international community's efforts to support stability in Libya.<sup>1</sup>

Even the Trump administration, which I have consistently urged to pay more attention to Libya, helped support Ghassan Salame, the head of UNSMIL, initiate his 2017 Action Plan to reinvigorate Libya stalled transition. The U.S. administration consistently supported relevant Security Council Resolutions endorsing Salame and the Government of National Accord (GNA) as the legitimate government of Libya, helped organize multilateral meetings to address Libya's ongoing economic challenges, and played an instrumental role in preventing Khalifa Haftar, the commander of the eastern-based Libyan National Army (LNA), from selling oil outside the national system in July 2018. Additionally, the U.S. continued strikes against Al-Qaida and Islamic State-linked targets, "in coordination with the Government of National Accord," as every press release from the United States Africa Command (AFRICOM) stresses.<sup>2</sup>

The administration seemed on track to maintain this policy after Haftar launched his brazen offensive against Tripoli on April 4<sup>th</sup>, likely because there is no doubt that Haftar instigated the current crisis. He attacked the very day UN Secretary-General Antonio Guterres was visiting Tripoli to finalize arrangements for the UN-sponsored National Dialogue later in April, a key component of Salame's Action Plan. Instead of dialogue, Haftar chose war, even after Secretary-General Guterres appealed directly to Haftar to halt his operations.

On April 7, Secretary of State Pompeo thus called on Haftar to halt his offensive and even declared the United States' opposition to the move. Pompeo emphasized, "There is no military solution to the Libya conflict. This is why the United States continues to press Libyan leaders, together with our international partners, to return to political negotiations mediated by UN Special Representative of the Secretary-General Ghassan Salame. A political solution is the only way to unify the country and provide a plan for security, stability, and prosperity for all Libyans."<sup>3</sup>

### **President Trump's Intervention**

That was U.S. policy toward Libya as of Friday, April 19, when the White House revealed that President Trump called General Haftar the previous Monday – a bizarre sequence, especially since the readout was delivered to Reuters instead of through an official White House release.<sup>4</sup> During the call, President Trump acknowledged Haftar's role in securing Libya's oil and fighting terrorism. There was apparently no mention of encouraging a halt in fighting or returning to

<sup>1</sup> For more, see Ben Fishman, "United States: Reluctant Engagement," in Karim Mezran and Arturo Varvelli, 2017

<sup>2</sup> For example, <https://www.africom.mil/media-room/pressrelease/31202/u-s-conducts-precision-strike-in-libya>

<sup>3</sup> <https://www.state.gov/secretary/remarks/2019/04/290949.htm>

<sup>4</sup> <https://www.reuters.com/article/us-libya-security-trump/white-house-says-trump-spoke-to-libyan-commander-haftar-on-monday-idUSKCN1RV0VWV>



negotiations, or even of the UN-led efforts. Following the phone call, the U.S. apparently refused to support a UN Security Council Resolution calling for a ceasefire – ironically joining the Russians in their existing support for Haftar and allowing the violence to continue.

The effect of the Trump call signaled American ambivalence toward the latest Libyan civil war and an outright disregard to UN-led negotiations. Moreover, President Trump elevated Haftar to a head of state level, playing to his ego with the likely impact of spurring on his offensive. The press has reported on the likely origins of the call; Trump was likely urged on by Haftar's regional allies in Cairo, Abu Dhabi, and Riyadh.<sup>5</sup> But speculation as to the president's intentions and purpose are pointless.

That is why the White House must make a definitive policy statement on Libya as soon as possible. Without clarification, the rest of the U.S. government will remain paralyzed, torn between vaguely supporting the internationally-recognized GNA and not wanting to undermine the president's outreach to Haftar. Moreover, different Libyan factions can interpret American policy to fit their ends, an already divided Europe has no further incentive to come together to drive Libya's unification, and the outside actors who continue to fuel the conflict will continue to do so – and claim they have the blessing of President Trump to support Haftar.

For the Libyan people, the violence only continues. The fight for Tripoli is now in its 41<sup>st</sup> day. My colleague Meghan Doherty will detail the broader humanitarian impact, but in sum, hundreds have been killed, including civilians, and thousands have been displaced. Migrants and refugees trapped in Libya, who were facing their own crisis before April, are now in immediate duress. A city that largely survived NATO bombing and the 2014-2015 civil war is now under threat to critical infrastructure. The warring factions are resorting to the importation of more weapons and technologies in violation of the ongoing UN-imposed arms embargo, nominally in place to prevent such a situation. And most worrisome, the longer the conflict persists, the harder it will be to recreate an environment where negotiations and a political solution will be acceptable to either side.

### **Policy Options**

First and foremost, the White House needs to establish a clear policy toward Libya. Is it in favor of Haftar and his operation against Tripoli? Does it support an immediate ceasefire and return to the UN-led negotiations? Or some other option? Either way, it must express a clear set of preferences.

A good beginning would be to echo the following: "It is important the United States reinforce its commitment to a political solution in Libya and reject efforts by any party for a military takeover. The administration, in my view, needs to reaffirm past statements rejecting a military solution in Libya and pushing for political reconciliation<sup>6</sup>." Senator Lindsey Graham said that on April 30 after calling the GNA's Prime Minister Fayez Sarraj. No member of the Trump

<sup>5</sup> <https://www.wsj.com/articles/trump-backed-libyan-warlord-after-saudi-arabia-and-egypt-lobbied-him-11557668581>

<sup>6</sup> <https://www.lgraham.senate.gov/public/index.cfm/press-releases?ID=3844A1B9-C8AD-4D5D-B5B4-BBD0D9D188F5>

Administration has called Sarraj during the current crisis, at least not publicly. And even if Secretary Pompeo called Sarraj, the fact that the president called Haftar would be a message itself.

Senator Graham also suggested that the U.S. “lead the political reconciliation process,” which is something the Trump administration – and even the Obama administration before it – has been loath to do. But there is much room between appointing a Libya envoy or hosting a White House summit, and decisively backing a revived U.N.-led negotiation.

- The first priority should be halting the violence. The U.S. should lead an effort to impose an unconditional ceasefire at the UN Security Council. Now that six weeks of fighting has produced little territorial movement, Haftar should withdraw his forces to their lines before April; the GNA’s militia forces from outside Tripoli should also return to their cities of origin, as the UN negotiated last September when inter-militia rivalries threatened the capital.
- Second, the U.S. needs to conduct a serious effort to end outside support to Libya’s warring factions. The introduction of new weapons and technologies, such as strike-capable Chinese-made drones on Haftar’s side, not only threatens continued escalation and civilian casualties, but brazenly violates the UN Arms Embargo in place – but not enforced – since 2011.
  - Historically, diplomatic efforts to prevent the illegal flow of arms to Libya have had minimal effect. The U.S. can change this dynamic if it threatens sanctions against violators of the UN arms embargo, which it has the authority to do under Executive Order 13726 designed to target individuals or entities who “threaten the peace, security, and stability of Libya.”<sup>7</sup> Sanctioning a shipping company, aircraft company, or individuals involved in the arms trade would lend a much-needed boost to the long-dormant arms embargo.
  - Further, the U.S. should organize within NATO, which enforced the 2011 arms embargo during the intervention against Qaddafi, to reconstitute an enforcement effort, which at a minimum, could limit the supply of large shipments to the warring factions. Absent an enforcement mechanism, diplomatic appeals to cut off the weapons supplies will fall on deaf ears.
- Finally, the U.S. has to be at the table represented by senior officials when a negotiating process resumes. The U.S. has played the most constructive role in Libya when it engages in daily diplomacy with the array of influential Libyan actors who have the potential to stabilize the country. In the three international summits hosted by French President Macron and Italian Prime Minister Conte since 2017, the U.S. was not represented at a high enough level to influence the outcome. A more intense level of U.S.

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<sup>7</sup> While President Obama authored the Executive Order, the Trump Administration has applied it three times, targeting actors who militia leaders and human traffickers. [https://www.treasury.gov/resource-center/sanctions/Programs/Documents/libya\\_eo\\_20160419.pdf](https://www.treasury.gov/resource-center/sanctions/Programs/Documents/libya_eo_20160419.pdf)

engagement on Libya is necessary if the UN will be able to reconstitute its peace and unity efforts.

There are no easy solutions to Libya's current crisis or its longer search for stability. What is clear is that an absence of U.S. diplomacy allows other actors to fill the void. If the current crisis persists, one can easily envision a prolonged Libyan civil war leaving space for ISIS and other extremists to thrive and/or Russia to exploit the situation to establish a base on NATO's southern flank. Such an outcome would leave the United States in a much worse strategic position the Middle East, North Africa, and Mediterranean.

Thank you for this opportunity and I look forward to your questions.

Mr. DEUTCH. Thank you very much, Mr. Fishman.  
Mr. Hill, you are recognized.

**STATEMENT OF THOMAS HILL, SENIOR PROGRAM OFFICER,  
NORTH AFRICA, UNITED STATES INSTITUTE OF PEACE**

Mr. HILL. Chairman Deutch, Ranking Member Wilson, members of the subcommittee, thank you very much for the opportunity to testify on the conflict in Libya today. I will be summarizing my written testimony in the interest of time.

I am currently the senior program officer for North Africa at the U.S. Institute of Peace, although it was not so long ago that I was staffing some of you on North Africa issues as the senior professional staff member on this committee for Chairman Ed Royce. It is a pleasure to be back among so many friends and former colleagues.

I would like to note that the views I express today are my own and not necessarily those of the U.S. Institute of Peace, which does not take policy positions.

Today's hearing is important because the conflict in Libya represents a direct threat to U.S. national security interests. The collapse of State institutions in Libya has created a conduit for irregular migration into Europe, producing instability and increasing the threat of violence and terrorism. Unable to police its own territory, Libya is now a staging ground for terrorist attacks in neighboring Egypt and Tunisia, two critical allies of the United States. And these terrorists are funding their operations in part through the smuggling of weapons, goods, and people. The reports of modern day slavery are horrific.

In testimony before the Senate Armed Services Committee, in March 2017, General Tommy Waldhauser, the commander for U.S. AFRICOM forces, testified that "The instability in Libya and North Africa may be the most significant near-term threat to U.S. and allied interests on the continent."

The strategy of allowing the United Nations to lead the international mediation effort has failed. It has failed because the U.N. never had the coercive ability to marginalize or control potential spoilers. It repeatedly made political miscalculations that undermined its own credibility with the Libyan people and because States that publicly pledged to support the United Nations routinely took actions to the contrary.

Field Marshal Haftar's assault on Tripoli in April began 10 days before the U.N. much-anticipated national conference. Many Libyans had already been openly critical of the U.N.'s ability to end the post-Gaddafi transition after 8 years, but the timing of Haftar's assault during the visit of the U.N. Secretary General and Special Representative Ghassan Salame epitomizes the U.N.'s weakness.

Today, many Libyans no longer believe the U.N. can deliver peace to Libya. Peace in Libya depends in large part on the actions of external governments. Since 2011, external governments have sought to advance narrow self-interests at the expense of the Libyan people. The UAE, Egypt, Saudi Arabia, and France repeatedly endorsed U.N. Security Council resolutions which recognized the GNA as "the sole legitimate government of Libya," with Prime Minister Fayez al-Sarraj as the leader of the Presidential Council, yet

each of these countries routinely took steps to undermine both the GNA and the U.N. while advancing their own interests through proxies.

To be sure, Libyans do bear some responsibility for the current situation. Unfortunately, many leaders have chosen to enrich themselves and put personal interests above those of national unity. The 2018 National Defense Strategy outlines how U.S. interests in Africa will be advanced “by, with, and through partnerships with regional allies and States.”

One of AFRICOM’s four principal lines of effort is Libya. It is time for the United States to start using its leverage with these allies to implement the national defense strategy, pressuring UAE, France, Qatar, Saudi Arabia, Egypt, and Italy to play a productive role in ending Libya’s conflict.

Since 2012, the U.S. has been largely disengaged from Libya, but it is because of this engagement that many Libyans now see the U.S. as a potential honest broker capable of organizing the international community around a peaceful solution in Libya and marginalizing potential spoilers, many of whom are U.S. allies.

As a U.S. Government organization distinct from the executive branch, the U.S. Institute of Peace is uniquely well-suited to play a role here. USIP’s work is seen by Libyans as an example of the U.S. Government’s commitment to peace, and USIP is one of the few organizations with a strong presence in southern Libya.

Our work in Sabha and the Fezzan province broadly, facilitating community-based dialogs, allows us to engage directly with some of Libya’s historically most marginalized communities. These Libyans are tired of the post-Gaddafi transition period and yearn for a reconciliation process that can allow the country to heal.

Given the failures of the U.N.-led process, it would be naive to hope that Ghassan Salame and his team can now mediate an end to the Libyan conflict. Many of the external actors that publicly supported the U.N. in the past have now explicitly or implicitly endorsed Haftar’s military assault, helping to make the GNA and Sarraj effectively irrelevant.

Some have welcomed Haftar’s military campaign and perceive him as a bulwark against Islamic extremism and terrorist organizations. This is a gross misreading of the man and those within his LNA forces. As we have seen from the LNA’s campaign in southern Libya, the LNA is capable of horrific human rights abuses. If Haftar is encouraged to continue his campaign, we should expect to see more bloodshed, a new humanitarian crisis, and new opportunities for ISIS to emerge.

Haftar has already shown his disdain for the concept of Libyan democracy. If allowed to take Libya through force, his dictatorship will not bring the stability he has promised. The United States should explore all diplomatic options for using its considerable leverage to facilitate a peaceful solution to the Libyan conflict.

Again, thank you for the opportunity to testify here today. I am happy to take your questions.

[The prepared statement of Mr. Hill follows:]



**United States Institute of Peace**

**“The Conflict in Libya”**

**Testimony before the House Foreign Affairs  
Subcommittee on Middle East, North Africa, and International  
Terrorism**

**Thomas Hill  
Senior Program Officer, North Africa  
United States Institute of Peace  
May 15, 2019**

### Introduction

Chairman Deutch, Ranking Member Wilson and members of the House Foreign Affairs Middle East, North Africa and International Terrorism Subcommittee, thank you for the opportunity to testify on Libya. The timing for this hearing is especially important given the escalation in violence in Libya over the past five weeks and the bleak prospects for a peaceful solution in the near future.

I am the Senior Program Officer for North Africa at the United States Institute of Peace, although the views expressed here are my own. USIP was established by Congress as an independent, nonpartisan national institute to prevent and resolve violent conflicts abroad, in accordance with U.S. national interests and values. The inability to end peacefully Libya's post-Gaddafi transition has resulted in violence, allowed terrorists and traffickers to operate with near impunity, and created a conduit for irregular migration into Europe – posing a significant security challenge to the strategic interests of the U.S. and our allies.

My testimony today is distilled into three points:

1. A permanent political solution is not possible if external actors and nation-states continue to intervene in Libya in ways that prioritize their own interests over those of the Libyan people.
2. The peace process led by the United Nations has failed. The causes of that failure are numerous and open for debate but the outcome itself is not. It is appropriate to conclude that the United Nations never had the authority necessary to restrain external and internal spoilers and no longer enjoys the requisite credibility with the Libyan people to broker a lasting peace.
3. The United States and other “P5” countries can and should play a role in bringing Libya's conflict to resolution through high-level diplomatic engagement and applied pressure on those states and actors that violate United Nations resolutions related to arms transfers and the protection of civilians.<sup>1</sup>

### External Actors

The popular movement that challenged and ultimately overthrew Muammar Gaddafi was greatly aided by – and would have been unsuccessful without – the intervention of NATO forces and the support of the United Nations.<sup>2</sup> NATO states (led by France and the United Kingdom) and non-NATO allies, like the United Arab Emirates (UAE) and Qatar, aligned against Gaddafi and implemented the UN-authorized “no-fly” zone.<sup>3</sup> These external actors provided anti-Gaddafi groups with critical financial and military support, laying the foundation for the patron-client relationships that persist in Libya today.

<sup>1</sup> United Nations Security Council. 26 February 2011. [Resolution 1970](#); United Nations Security Council. 27 August 2014. [Resolution 2174](#); United Nations Security Council. 14 June 2016. [Resolution 2292](#); United Nations Security Council. 12 June 2017. [Resolution 2357](#); United Nations Security Council. 11 June 2018. [Resolution 2420](#)

<sup>2</sup> Alan Kuperman “Obama's Libya Debate” *Foreign Affairs* March/April 2015  
<https://www.foreignaffairs.com/articles/libya/2019-02-18/obamas-libya-debate>

<sup>3</sup> United Nations Security Council. 17 March 2011. [Resolution 1973](#) [https://undocs.org/S/RES/1973\(2011\)](https://undocs.org/S/RES/1973(2011))

Following Gaddafi's death October 2011, all states that participated in the NATO alliance intervention publicly pledged to support the United Nations and its mandate to facilitate Libya's transition.<sup>4</sup> In 2016, a Joint Communiqué on Libya, signed by Egypt, Italy, Qatar, Russia, Saudi Arabia, Turkey, the UAE, and others, reaffirmed "our commitment to the United Nations Support Mission in Libya's efforts under the leadership of the UN Special Representative of the Secretary General."<sup>5</sup> The European Union, African Union, the League of Arab States, and United Nations issued a joint statement in 2017 reaffirming their support for the UN's coordination role and leadership.<sup>6</sup> Unfortunately, since 2011, external actors continued to provide military and financial support to their Libyan proxies, in contravention to United Nations Security Council resolutions, undermining UN mediation efforts.<sup>7</sup>

Rivalries that had been set aside in the effort to oust Gaddafi resurfaced as states have sought to advance narrow self-interests, often at the expense of one another. Divisions within Libyan society were exacerbated and exploited by external actors who found Libyan partners willing to prioritize personal gain over national unity. As these regional proxy battles and competition for control over Libyan resources have played out over the last eight years, it has been the Libyan people that have paid the largest cost.

#### ***Regional rival interventions***

The UAE and Qatar participated in Operation Unified Protector, the NATO-led mission, sanctioned by the United Nations Security Council, to protect civilians in Libya.<sup>8</sup> However, this alliance was one of convenience and perceived necessity. The two countries have a well-documented history of tension made worse by their respective entanglements in the revolutions of Egypt and Syria.<sup>9</sup> These tensions reportedly boiled over into a near military confrontation as recently as June 2017, a disaster only avoided after the intervention of former Secretary of State Rex Tillerson.<sup>10</sup> In lieu of direct military conflict, Libya became one of the battlegrounds where this regional conflict materialized.

The United Nations identified the external regional actors engaged in the Libyan conflict into two groups: one comprising Chad, Egypt, and the UAE; the second, including Qatar, Turkey, and Sudan.<sup>11</sup> Saudi Arabia could also be reasonably included in the same group with Egypt and the UAE. It would be an overstatement to describe these groupings as alliances since each country has its own unique justifications for engagement in Libya. Instead, it would be more

<sup>4</sup> United Nations Security Council, 14 March 2014, *Resolution 2144*.

<sup>5</sup> United Nations Support Mission in Libya, "Joint Communiqué on Libya" 22 September 2016 <https://unsmil.unmissions.org/joint-communication-libya>

<sup>6</sup> European Union External Action, "Meeting of the Libya Quartet: Joint Communiqué" May 23, 2017 [https://eeas.europa.eu/sites/eeas/files/joint\\_communique\\_libya\\_quartet\\_meeting\\_23\\_may\\_2017.pdf](https://eeas.europa.eu/sites/eeas/files/joint_communique_libya_quartet_meeting_23_may_2017.pdf)

<sup>7</sup> United Nations Security Council, letter dated 15 February 2013 from the Panel of Experts on Libya, [https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_2013\\_99.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2013_99.pdf)

<sup>8</sup> North Atlantic Treaty Organization, "NATO and Libya" 9 November 2015 [https://www.nato.int/cps/ic/natohq/topics\\_71652.htm](https://www.nato.int/cps/ic/natohq/topics_71652.htm)

<sup>9</sup> Karim Mezran and Arturo Varvelli eds., *Foreign Actors Inside Libya's Crisis*. Milan: Italian Institute for International Political Studies, 2017. [https://www.ispionline.it/it/EBook/LIBIA\\_2017/LIBIA\\_WEB\\_DEF.pdf](https://www.ispionline.it/it/EBook/LIBIA_2017/LIBIA_WEB_DEF.pdf)

<sup>10</sup> Alex Emmons, "Saudi Arabia Planned to Invade Qatar Last Summer. Rex Tillerson's Efforts to Stop It May Have Cost Him His Job." *The Intercept* August 1, 2018 <https://theintercept.com/2018/08/01/rex-tillerson-qatar-saudi-uae/>

<sup>11</sup> United Nations Security Council, letter dated 1 June 2017 from the Panel of Experts on Libya, <https://www.undocs.org/S/2017/466>



accurate to describe these countries as working in parallel lines of effort that frequently are mutually beneficial and, at times, coordinated.

Following the military coup that ousted President Mohamed Morsi in Egypt, tensions between two sides increased significantly. President Morsi and his Muslim Brotherhood party had been supported by Qatar; military intervention was supported by other Gulf states, including Saudi Arabia and the UAE. The resulting escalation in tension led to Saudi Arabia, the UAE, and Bahrain recalling their ambassadors from Qatar in 2014.<sup>12</sup> It was at this same time in Libya that General Khalifa Haftar and his Libya National Army (LNA) launched a military campaign (Operation Dignity) “to rid Benghazi of Islamist and Jihadist militias,” groups frequently seen as synonymous with the Muslim Brotherhood by the governments of the UAE, Saudi Arabia, and Egypt.<sup>13</sup>

With the support of Egypt and the UAE, Field Marshal Haftar assaulted the city of Benghazi for three years before finally declaring victory. Benghazi was left in ruins but Field Marshal Haftar was able to declare victory over the Islamists that had been there, demonstrating his usefulness to his supporters in Cairo, Riyadh, and Abu Dhabi. In addition to providing military and financial support to the LNA, Egypt and the UAE conducted their own military assaults in Libya.<sup>14</sup> Qatar and Turkey did not support Operation Dignity and instead doubled-down in support of the General National Congress (GNC) and its Libya Dawn coalition that included Muslim Brotherhood affiliates.

In December 2015, the Libya Political Agreement (LPA) was signed in Skirhat, Morocco. The agreement committed all parties to a “unified governance structures under a Government of National Accord [GNA].”<sup>15</sup> With the support of the United Nations, the governments of Egypt, the UAE, Saudi Arabia, and Qatar all publicly recognized the Government of National Accord as “the sole legitimate government of Libya, with Prime Minister Fayeza Serraj as the leader of the Presidency Council.”<sup>16</sup>

Nevertheless, all of these external actors continued to provide support to their various proxies inside Libya and undermine the United Nations’ efforts. Since 2015, both Egypt and the UAE (as well as others) have attempted to orchestrate talks between Field Marshal Haftar and his GNA counterpart, Fayeza Serraj, reportedly at the official invitation of the United Nations Special Representatives of the Secretary General (SRSG). Many have questioned how these efforts by the Egyptian and Emirati governments are consistent with United Nations resolutions that call for Member States to work with the SRSG to develop “a coordinated” approach to Libya. Egypt hosted talks in February 2017; the UAE hosted talks in May 2017 and again in February 2019.

<sup>12</sup> Frank Gardner, “Gulf ambassadors pulled from Qatar over ‘interference,’” BBC 5 March 2014

<https://www.bbc.com/news/world-middle-east-26447914>

<sup>13</sup> Fred Wehrey, “Whoever Controls Benghazi Controls Libya,” *The Atlantic* 1 July 2017

<https://www.theatlantic.com/international/archive/2017/07/benghazi-libya/532056/>

<sup>14</sup> David Kirkpatrick and Eric Schmitt, “Arab Nations Strike in Libya, Surprising U.S.” *The New York Times* 25 August 2014

<https://www.nytimes.com/2014/08/26/world/africa/egypt-and-united-arab-emirates-said-to-have-secretly-carried-out-libya-airstrikes.html>

<sup>15</sup> Libyan Political Agreement. 17 December 2015

<https://unsmil.unmissions.org/sites/default/files/Libyan%20Political%20Agreement%20-%20ENG%20.pdf>

<sup>16</sup> United Nations Security Council. 13 September 2018. *Resolution 2434*; United Nations Security Council. 23 December 2015. *Resolution 2259*

All of these efforts failed to resolve the political stalemate and arguably undermined the credibility of the United Nations.

In April 2019, Field Marshal Haftar and his LNA forces launched an assault on Tripoli and the internationally recognized Libyan leadership (GNA). In Egypt, a government spokesman stated “[President Sisi] affirmed Egypt’s support in efforts to fight terrorism and extremist militias to achieve security and stability for Libyan citizens throughout the country.”<sup>17</sup> Emirati Foreign Minister Anwar Gargash posted a Tweet saying the “*priority in Libya [is] to counter extremism/terrorism & stability in long drawn out crisis. Abudhabi agreement offered opportunity to support UN led process. Meanwhile extremist militias continue to control Capital & derail search for political solution.*”<sup>18</sup> Noticeably absent from either statement is a call for an immediate ceasefire or a condemnation of the escalation in violence.

### *European interventions*

The regional proxy war being fought in Libya between Arab states is further complicated by the unhelpful intervention of several European states, including France and Italy. France and Italy have colonial ties to North Africa; Libya was an Italian colony for the first half of the 20<sup>th</sup> century. Libya’s close proximity to Europe and vast energy resources have made it an important economic partner for both France and Italy.

In the months leading up to the start of NATO’s Operation Unified Protector campaign, France was outspoken in favor of military action in Libya.<sup>19</sup> The United Kingdom and France – with the support of the United States – pushed for the United Nations resolution which authorized Member States to enforce a no-fly zone over Libya, protect civilians, enforce an arms embargo, and apply sanctions against Libyan officials.<sup>20</sup> But following the conclusion of NATO’s military campaign in October 2011, European countries played a less active role in Libya than previously mentioned Arab states. European engagement was largely limited to diplomacy and aid programs, notably the Friends of Libya effort.<sup>21</sup> In 2014, however, European posture towards Libya began to change.

In 2014, violence in Libya spiked and European countries were forced to recall their ambassadors. Fighting in Libya occupied the attention of Libya’s meager border security apparatus allowing historical migration routes to Europe to expand, prompting a migration crisis by 2015. More than one million migrants crossed into Europe in 2015; thousands died in transit across the Mediterranean.<sup>22</sup> For decades, European governments had paid Gaddafi to moderate irregular migration flows into Europe. In 2008, the European Union paid \$500 million to the government of Libya to stop the flow of migrants – many from sub-Saharan Africa – into Europe, eventually providing Col. Gaddafi with an aid package of \$5 billion over 20 years “to

<sup>17</sup> Patrick Wintour, “Libya crisis: Egypt’s Sisi back Haftar assault on Tripoli,” *The Guardian* 14 April 2019 <https://www.theguardian.com/world/2019/apr/14/libya-crisis-egypt-sisi-backs-haftar-assault-on-tripoli>

<sup>18</sup> <https://twitter.com/AnwarGargash/status/1123825744256405505>

<sup>19</sup> Fred Wehrey, *The Burning Shores* (New York: Farrar, Straus and Giroux, 2018), p. 41

<sup>20</sup> United Nations Security Council. 13 September 2018. *Resolution 1973*.

<sup>21</sup> Press Statement by French Embassy in Canada, Friends of Libya Conference. 23 August 2011.

<https://ca.ambafrance.org/Friends-of-Libya-conference>

<sup>22</sup> <https://www.bbc.com/news/world-europe-34131911>

right the wrongs of colonialism, on the condition that [Col. Gaddafi] kept a tight grip on the border.”<sup>23</sup>

The surge in irregular migration into Europe prompted France and Italy in particular to take a more “hands on” approach. Publicly, France and Italy helped push competing Libyan factions to negotiate the Libyan Political Agreement (LPA) in Skirhat, Morocco in 2015.<sup>24</sup> Less publicly, France did not oppose Field Marshal Haftar’s Operation Dignity military campaign, presumably because Field Marshal Haftar was seen by Paris as a strongman who could help close Libya’s migration routes into Europe.

French support for Field Marshal Haftar continued into 2015 and 2016, providing “decisive military support to Haftar’s Libyan National Army (LNA), which allowed the renegade general to gain control of most of Benghazi and ultimately transform from a marginalized outcast into a key stakeholder.”<sup>25</sup> France has not denied its support for Field Marshal Haftar but instead has suggested that its support is not in favor of one Libyan faction over another. However, since 2015, France has provided the LNA with military advisers, clandestine operatives, and special force units – elements not provided to the GNA.<sup>26</sup>

French interests in Libya increased following the ISIS terrorist truck attack in Nice, France in July 2016. After three French Special Forces soldiers were killed in Libya later that month, French Defense Minister Jean-Yves Le Drian admitted that France was militarily supporting Field Marshal Haftar.<sup>27</sup> While official French press statements continued to promote the United Nations-led process, President Macron held high-profile but ultimately fruitless peace talks in 2017 and 2018 with Prime Minister Serraj and Field Marshal Haftar that served to undermine the UN’s credibility.

As recently as September 2018, France publicly supported the GNA “as the sole legitimate government of Libya, with Prime Minister Fayez Serraj as the leader of the Presidency Council.”<sup>28</sup> Nevertheless, France blocked EU efforts to condemn Field Marshal Haftar’s military assault on the GNA in Tripoli and instead called for a ceasefire but not the withdrawal of LNA forces.<sup>29</sup> In response, the GNA has declared that it will no longer engage in bilateral discussions with France.<sup>30</sup>

Italy’s intervention in Libya has been less destructive than that of France but arguably still unhelpful. The competition between France and Italy has frequently spilled into open

<sup>23</sup> MSNBC. <http://www.msnbc.com/specials/migrant-crisis/libya>

<sup>24</sup> Karim Mezran and Arturo Varvelli eds., *Foreign Actors Inside Libya’s Crisis*. Milan: Italian Institute for International Political Studies, 2017. [https://www.ispionline.it/it/EBook/LIBIA\\_2017/LIBIA\\_WEB.DEF.pdf](https://www.ispionline.it/it/EBook/LIBIA_2017/LIBIA_WEB.DEF.pdf)

<sup>25</sup> Ibid.

<sup>26</sup> Jalel Harchaoui, “How France is Making Libya Worse” *Foreign Affairs* 21 September 2017 <https://www.foreignaffairs.com/articles/france/2017-09-21/how-france-making-libya-worse>

<sup>27</sup> <http://en.rfi.fr/africa/20160720-france-admits-special-forces-soldiers-killed-libya>

<sup>28</sup> United Nations Security Council. 13 September 2018. *Resolution 2434*

<sup>29</sup> Gabriela Baczyńska and Francesco Guarascio, “France blocks EU call to stop Haftar’s offensive in Libya.” *Reuters* 10 April 2019 <https://www.reuters.com/article/us-libya-security-eu-tajani/france-blocks-eu-call-to-stop-haftars-offensive-in-libya-idUSKCN1RM1DQ>; and, Rym Momtaz, “Libyan military advances get European backing.” *Politico* 10 May 2019 <https://www.politico.eu/article/libya-conflict-civil-war-haftar-sarraj/>

<sup>30</sup> France24. <https://www.france24.com/en/20190418-libya-france-end-cooperation-haftar-warrant>

accusations and recriminations.<sup>31</sup> These tensions have only increased following the election of Italy's populist government which has taken a very tough stance towards immigration and the EU.<sup>32</sup>

In November 2018, the Italians hosted a conference in Palermo which brought together many of the same actors who attended the Paris Summit just six months earlier. Some observers dismissed the Palermo Conference as little more than a publicity stunt intended to prevent France from being seen as the driving force for peace in Libya. Whatever the Italian intention, the Palermo Conference had the effect of once again undermining the United Nations.

The Italian government has significant interests in the Libyan energy sector through Eni.<sup>33</sup> Domestically, the flow of irregular migrants into Italy is perceived as a major national security threat, increasing anti-immigrant sentiment. Unlike the French, the Italians have consistently backed forces based in Libya's west (and Tripoli), largely because Tripoli is the primary point of departure for migrants headed to Italy and it is the seat of the major economic interests. As the French have increasingly backed Field Marshal Haftar, Italy has sought to shore up support for the GNA. Earlier this month, Italy's Prime Minister Conte hosted Fayez Serraj in Rome.<sup>34</sup>

#### ***Russian interventions***

Russia has been engaged in Libya for several years, albeit not to the same degree as European or Arab states. Since at least 2016, Russia has been printing Libyan banknotes for the unrecognized Central Bank of Libya, affiliated with Field Marshal Haftar's supporters.<sup>35</sup> Unsurprisingly, this has created financial difficulties for average Libyans.<sup>36</sup> The Wagner Group, Russian mercenaries supported by Russian military intelligence, have been operating inside Libya for several years, including sending a reported 300 soldiers into Benghazi to support the LNA.<sup>37</sup> Russia has reportedly also established at least two forward operating bases inside Libya.

In 2017, Field Marshal Haftar made a public appearance on a Russian aircraft carrier parked off the Libyan coastline and visited Moscow in November 2018 to meet with Russian Defense Minister Sergei Shoigu. In early May, it was reported that high ranking aides to Field Marshal Haftar were in Moscow, presumably to lock in support for his assault on Tripoli. According to

<sup>31</sup> Crispian Balmer, "Italy's Salvini bashes France over Libya role in new diplomatic spat." *Reuters* 22 January 2019. <https://www.reuters.com/article/us-france-italy-salvini/italys-salvini-bashes-france-over-libya-role-in-new-diplomatic-spat-idUSKCN1PG0QI>

<sup>32</sup> Federica Saini Fasanotti and Ben Fishman, "How France and Italy's Rivalry Is Hurting Libya." *Foreign Affairs* 31 October 2018 <https://www.foreignaffairs.com/articles/france/2018-10-31/how-france-and-italys-rivalry-hurting-libya>

<sup>33</sup> Ahmad Ghaddar and Ron Bousso, "Eni to acquire half of BP's Libya oil and gas assets." *Reuters* 8 October 2018 <https://www.reuters.com/article/us-oil-libya-bp-eni/eni-to-acquire-half-of-bps-libya-oil-and-gas-assets-idUSKCN1MI1RP>

<sup>34</sup> Niccolò Magnani, "Libya, Conte-Al Serraj Interview" *Il Sussidiario*. 7 May 2019 <https://www.ilsussidiario.net/news/esteri/libia-vertice-conte-al-serraj-presto-vedro-haftar-premier-tripoli-in-tour-ue/1879950/>

<sup>35</sup> RT. <https://www.rt.com/business/344475-libya-prints-banknotes-russia/>

<sup>36</sup> Aidan Lewis, "Separate banknotes symbols of Libyan disunity, financial disarray." *Reuters* 3 June 2016. <https://www.reuters.com/article/us-libya-economy/separate-banknotes-symbols-of-libyan-disunity-financial-disarray-idUSKCN0YP156>

<sup>37</sup> Alec Luhn and Dominic Nicholls, "Russian mercenaries back Libyan rebel leader as Moscow seeks influence in Africa." *The Telegraph UK*. 3 March 2019. <https://www.reuters.com/article/us-libya-economy/separate-banknotes-symbols-of-libyan-disunity-financial-disarray-idUSKCN0YP156>

Russian Foreign Minister Lavrov, Russia's policy in Libya is "to not bet on any one party" and hedge its bets by simultaneously backing multiple conflicting parties.<sup>38</sup>

Russian interests in Libya are part of a larger regional strategy to monitor NATO's southern coastline activities, isolate Europe from Africa, and control the southern Mediterranean region. Russia already has military bases in Syria, Egypt and now in Libya; talks with Algeria have been reported. Russia has economic interests in Libya as well. It's been reported that Russia is seeking reconstruction contracts with the intent on building a new naval base in Libya.<sup>39</sup>

#### ***U.S. interventions***

The United States has shown little interest in Libya since the Obama administration's support for NATO military engagement. The reported strategy of "leading from behind" in Libya has prioritized the role of the United Nations, a strategy that the United States doubled-down on following the assassination of Ambassador J. Christopher Stevens in 2012. Both the Obama and Trump administrations have seen the Libya conflict as largely a European problem where U.S. equities are limited. The United States sent a low-level delegation to the meetings in Paris and Palermo in 2018.

USAFRICOM has identified Libya as one of its four lines of effort but the strategy of "by, with, and through" places a premium on regional partnerships which have been slow to materialize in the Libyan context. As a result, the U.S. strategy continues to be to respond kinetically to terrorist threats and publicly support the United Nations. Following a reported call between President Trump and Field Marshal Haftar this past month, some have questioned if the U.S. strategy has been influenced by Saudi Arabia and Egypt.<sup>40</sup>

#### **Plan A: United Nations in the lead**

When the NATO military campaign in Libya ended in October 2011, the United Nations established the Support Mission in Libya (UNSMIL) to support the country's transition to an elected government. None of the countries that participated in Operation Unified Protector wanted to own the project of reconstructing Libya and so the United Nations was charged with the responsibility of managing Libya's post-Gaddafi transition.

Importantly, UNSMIL is neither a peacekeeping nor humanitarian mission; it is a political mission. UNSMIL's mandate is to exercise mediation and good offices in support of the implementation of any political agreement(s). Only upon request can UNSMIL provide essential services or humanitarian assistance; these are provided through IOM and UNDP.

Proposals to insert a peacekeeping mission in Libya in 2011 were met with resistance by Libyans who believed that they were capable of resolving their own conflicts and feared foreign

<sup>38</sup> Samuel Ramani, "Russia's Mediation Goals in Libya." *Carnegie Endowment for International Peace* 18 April 2019. <https://carnegieendowment.org/sada/78940>

<sup>39</sup> Henry Meyer, Samer Al-Atrush and Stepan Kravchenko. "Russia has a Plan for Libya – Another Qaddafi." *Bloomberg* 19 December 2018. <https://www.bloomberg.com/news/articles/2018-12-20/russia-has-a-plan-for-libya-another-qaddafi>

<sup>40</sup> Vivian Salama, Jared Malsin, Summer Said. "Trump Backed Libyan Warlord After Saudi Arabia and Egypt Lobbied Him." *The Wall Street Journal*. 12 May 2019. <https://www.wsj.com/articles/trump-backed-libyan-warlord-after-saudi-arabia-and-egypt-lobbied-him-11557668581>

intervention.<sup>41</sup> The continuation of violence has prompted renewed calls for the introduction of “a modest international force for very specific security-related purposes.”<sup>42</sup> Such proposals continue to be unsupported by the majority of Libyans.

From its outset, UNSMIL has been undermined by external actors (see above) and had its credibility challenged by political miscalculations, institutional dysfunction, and scandals involving successive Special Representatives of the Secretary-General (SRSGs). UNSMIL had six envoys in its first six years. The third envoy, Tarek Mitri, was in charge during the critical period leading up to the escalation in violence in 2014. In interviews since his resignation, Mitri has lamented that the UN rushed elections in 2012, and “the election made the power struggle take precedence over the state-building process. Building the state should have preceded the struggle for power.”<sup>43</sup> Under Mitri, UNSMIL was also criticized for having no one on staff with expertise in reforming security institutions.<sup>44</sup>

Mitri was replaced in 2014 by Spaniard Bernardino Leon. Leon’s tenure ended after emails surfaced exposing Leon’s efforts to secure a high-paying position in the UAE. Leon resigned as SRSG in 2015 and has since taken a position in the Emirates as the director general of a diplomatic academy.<sup>45</sup> At the very least, Leon’s connections with the Emiratis raised questions about UNSMIL’s neutrality for many Libyans.

German Martin Kobler was then tapped to be SRSG. Kobler was ultimately pushed out after meeting with Petroleum Facilities Guard leader Ibrahim Jadran, a move seen by many – including members of the National Oil Corporation (NOC) – as legitimizing a warlord.<sup>46</sup> Kobler was accused of facilitating a deal with Jadran whereby the Tripoli-based Presidency Council would allow Jadran to control certain oil facilities in return for recognition.<sup>47</sup> The deal was seen by many as UNSMIL appeasement of a criminal.

By 2017, Kobler was under increasing scrutiny for having overseen the failed implementation of the Libyan Political Agreement (LPA). Initially, former Palestinian prime minister Salam Fayyad was chosen to replace Kobler but his candidacy was scuttled due to opposition from other Member States. Kobler was replaced in June 2017 by Lebanese academic Ghassan Salamé.

Initial support for Salamé began to unravel as Salamé was unable to deliver significant progress towards ending the Libyan conflict. Salamé’s ability to mediate between Field Marshal Haftar

<sup>41</sup> Fred Wehrey, *The Burning Shores* (New York: Farrar, Straus and Giroux, 2018), p. 101

<sup>42</sup> “Empowered decentralization: A city-based strategy for rebuilding Libya.” *Brookings* 11 February 2019 [https://www.brookings.edu/wp-content/uploads/2019/02/FP\\_20190228\\_libya.pdf](https://www.brookings.edu/wp-content/uploads/2019/02/FP_20190228_libya.pdf)

<sup>43</sup> Randa Takieddine. “Former UN envoy: Libya held its elections too soon.” *Al-Monitor* 12 October 2014 <https://www.al-monitor.com/pulse/politics/2014/10/httpahavatcomarticles4939912-----html>

<sup>44</sup> Fred Wehrey, *The Burning Shores* (New York: Farrar, Straus and Giroux, 2018), p. 100

<sup>45</sup> Randeep Ramesh. “UN Libya envoy accepts £1,000-a-day job from backer of one side in civil war” *The Guardian* 4 November 2015. <https://www.theguardian.com/world/2015/nov/04/un-libya-envoy-accepts-1000-a-day-job-from-backer-of-one-side-in-civil-war>

<sup>46</sup> Sami Zaptia. “‘Dismayed’ Tripoli NOC chairman Sanalla slams UNSMIL’s Kobler as ‘ignorant’ for meeting ‘criminal’ Jadran.” *The Libya Herald* 24 July 2016. <https://www.libyaherald.com/2016/07/24/dismayed-tripoli-noc-chairman-sanalla-slams-unsmil-kobler-as-ignorant-for-meeting-criminal/>

<sup>47</sup> Claudia Gazzini. “After Libya’s oil grab, compromise could lead to a restart of exports.” *The International Crisis Group* 14 September 2016. <https://www.crisisgroup.org/middle-east-north-africa/north-africa/libya/after-libyas-oil-grab-compromise-could-lead-restart-exports>

and Fayez Serraj was undermined by repeated diplomatic conferences and negotiations hosted by France, Italy, Egypt, and the UAE (listed above). International pressure on Salamé increased as Field Marshal Haftar's LNA started its military offensive through southern Libya in January 2019. Reports that Field Marshal Haftar planned to assault Tripoli had circulated since at least December 2018. Salamé pressed for a political solution and announced that UNSMIL would host a long-awaited National Conference in Ghadames, Libya between April 12-13. This proved to be the proverbial breaking point for UNSMIL's credibility for Libyans.

Field Marshal Haftar launched his military offensive against the GNA ten days before UNSMIL's National Conference, ending hopes of a political solution in the foreseeable future. That Field Marshal Haftar attacked Tripoli while SRSG Salamé and UN Secretary General António Guterres were in Libya, further demonstrated the irrelevance of the SRSG and the United Nations to Libyans. Since the start of Field Marshal Haftar's April campaign, France, the UAE, Saudi Arabia, Egypt, and the United States have all signaled that Field Marshal Haftar's aggression will be tolerated and accepted rather than condemned.

Many Libyans have lost faith in UNSMIL and no longer see it as a credible institution capable of bringing peace to Libya.

#### **Plan B: After the United Nations**

If "Plan A" was to allow the United Nations to resolve the Libyan conflict, that experiment has failed. The United Nations was not able to constrain external actors who frequently sought to advance narrow self-interest at the expense of peace and stability in Libya. The United Nations was not given the resources or mandate necessary to fulfill its charge; in retrospect, a political mission did not have the coercive power to constrain internal spoilers and external actors.

Four weeks after Field Marshal Haftar's advance on Tripoli ended all hope of a UN-led peace process, it now seems clear that the LNA does not have the strength to take Tripoli without a significant influx of military and financial support from external actors and at great cost and humanitarian suffering to the people of Tripoli.

General Thomas Waldhauser, Commander of the United States Africa Command, told the Senate Armed Services Committee in March 2017 that "[t]he instability in Libya and North Africa may be the most significant, near-term threat to U.S. and allies' interests on the continent."<sup>48</sup> Unfortunately, the situation in Libya has deteriorated significantly since General Waldhauser's testimony and his warning is all the more exigent. A political solution to the Libyan conflict remains the best possible outcome and while other international actors can play an important role, the United States is uniquely placed to play a constructive role.

Precisely because the United States has remained largely disconnected from the Libyan conflict since 2012, the United States is now still perceived as an honest broker by many Libyans. This does not mean that the United States is obligated or even should entertain the possibility of shouldering the responsibility for resolving Libya's conflict. However, the United States does have the convening power to bring various internal and external actors together and apply

<sup>48</sup> Testimony before the Senate Armed Service Committee. 9 March 2017. [https://www.armed-services.senate.gov/imo/media/doc/Waldhauser\\_03-09-17.pdf](https://www.armed-services.senate.gov/imo/media/doc/Waldhauser_03-09-17.pdf)

pressure against potential spoilers. The United States has considerable diplomatic capacity to organize a process that leads to a peaceful transition in Libya.

Today, the United States enjoys good relations with all the relevant external actors (Qatar, the UAE, Saudi Arabia, Egypt, France, and Italy). The United States has already demonstrated its capacity to resolve crises in Libya, as it did in mid-2018 when the United States was able to resolve the Libyan Oil Crescent conflict and reopen critical oil spigots, allowing Libya to access necessary foreign currency.

The Trump administration has not identified a Special Envoy for Libya following the departure of Jonathan Winer in January 2017. My testimony does not advocate for the naming of a new Special Envoy for Libya as others have argued. There are many capable people already employed at the Department of State and in roles where they could lead a renewed U.S. engagement in Libya. However, it is critical that the United States signal its sincerity by sending appropriate senior-level delegations to international meetings on Libya. The recent practice of sending mid-level officers denotes a lack of interest and appreciation for the seriousness of the national security threats that emanate from chaos in Libya.

The Libyan people have expressed a desire for reconciliation and an end to the post-Gaddafi transition period; it is their leaders and external actors that have refused to hear this message. The U.S. Institute of Peace is working with civil society in southern Libya and it is clear that these historically marginalized communities long for peace and stability. They reject the criminal elements and terrorists that have taken root in the country.

Absent U.S. leadership to corral the internal and external actors operating inside Libya today, it is unlikely that the current stand-off between the Field Marshal Haftar and anti-Haftar forces in Tripoli can be resolved without significant costs to the unarmed civilian population. Such a bloodbath will create a new flood of irregular migrants into Europe and provide terrorist groups with an opportunity to exploit Libya's ungoverned spaces.

Former U.S. Representative to the United Nations Ambassador Nikki Haley was correct when she warned that "[t]hose that pursue a military solution will wind up helping terrorist groups that thrive on instability."<sup>49</sup>

*The view expressed in this testimony are those of the author and not the U.S. Institute of Peace.*

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<sup>49</sup> Ambassador Nikki Haley, "Remarks at a UN Security Council Briefing on Libya" 17 January 2018. <https://usun.state.gov/remarks/8254>



Mr. DEUTCH. Thank you, Mr. Hill.

We are expecting votes to be called relatively soon. We will turn to questions now. I will go to the ranking member first, and we will try to get in as many as we can. If members would like to not use the full 5 minutes, that might allow for more of us to get questions in. But, Mr. Wilson, you are recognized.

Mr. WILSON. Mr. Chairman, thank you very much. And in line with the time constraints, first of all, I want to thank each of the witnesses. You were very thoughtful in your suggestions on how to address the utter instability in Libya.

Beginning with Mr. Hill, and proceeding with each of you, ISIS has staged a string of attacks in Libya in recent weeks. Can you describe the terrorist attacks' current operational capabilities in Libya? To what extent has ISIS benefited from the renewed fighting?

Mr. HILL. Thank you very much, Ranking Member Wilson. It is very clear that ISIS and other terrorist groups thrive on instability and the chaos that has ensued. To their specific capabilities at any given time, I am not best qualified to answer that.

But it is very clear that they are opportunistic, and that as government institutions are incapable or unwilling to perform the public safety mission, ISIS and others will exploit that. And as we have seen in the past, they are brutal in their terrorist assaults.

So it is clear that any continuation of this violence only assists ISIS and its cohort.

Mr. WILSON. Thank you.

Mr. Fishman.

Mr. FISHMAN. I agree. And Fred can talk more authoritatively on this than anyone. But Haftar's position as a counterterrorism specialist is, frankly, misguided. The actual people who cooperated with the U.S. Government and AFRICOM in 2016 where a 6-month operation took place to rid Sirte of ISIS were largely a group from Misrata. Those are the people that Haftar is now fighting, and those are the people that are on the defensive now that President Trump has called Haftar, and we do not know where U.S. policy stands on that.

Mr. WILSON. Thank you.

Ms. Doherty.

Ms. DOHERTY. I strongly echo the points made by my colleagues. I was serving in the White House during the Sirte campaign, and we did partner with the GNA-aligned Misrata militias, who are currently under attack by Haftar's forces.

And I will just underscore that it is clear that ISIS is taking advantage. We have seen I think three attacks in the last 3 weeks, and truly the only way to address this instability that they will continue to exploit is through a negotiated political process.

Mr. WILSON. Thank you.

And, finally, Dr. Wehrey.

Dr. WEHREY. I just echo what was said. ISIS is definitely on the rebound. Last year alone, they conducted about 25 attacks, including against key installations or institutions in Tripoli, the National Oil Corporation. They are confined to the desert. They have got urban cells in Tripoli.

But, again, just to underscore, Haftar's attack has really opened up this political vacuum. He is attacking the Misratan militias that, as we have heard, attack the Islamic State. In Sirte, I was embedded with those militias in 2016 during the battle. I saw the sacrifices they made. They received American counterterrorism support.

What is happening now is because of this civil war, the militias on both sides are more focused on fighting each other than containing the Islamic State. And so it is a gift for the Islamic State, and we are seeing an uptick in attacks, and that is going to continue, unfortunately.

Mr. WILSON. And I yield back.

Mr. DEUTCH. Thank you, Mr. Wilson.

Mr. Connolly, I saw you standing up. You are recognized.

Mr. CONNOLLY. Thank you, Mr. Chairman, and welcome to our panel.

In the interest of time, I just want to ask one basic question, and I will start with you, Dr. Wehrey. On April 7, the Secretary of State, the highest diplomat in the U.S. Government, stated unequivocally that we oppose the military offense by Khalifa Haftar's forces and urge the immediate halt of these military operations against the Libyan capital.

But 8 days later, the White House announced that the President of the United States spoke to Haftar and recognized Field Marshal Haftar's significant role in fighting terrorism and securing Libya's oil resources. After that, 4 days later, the Acting Secretary of Defense, Patrick Shanahan, emphasized where we need Field Marshal Haftar's support is in building democratic stability there in the region.

What in the world would account for such an enormous pivot in U.S. policy with respect to Haftar in the space of 8 days?

Dr. WEHREY. What I can say is probably speculation, but what I will offer is an analysis of its effect on the battle. I think it neutralized diplomatic efforts that were underway to effect the withdrawal of Haftar's forces, to effect a cease-fire. It had a real sort of, I mean, shocking effect. Various interlocutors in the region are not, you know, taking U.S. diplomacy. You know, they are confused by it now.

Again, I think it is a huge boon to the States that are fueling this conflict, the Arab States. So it is a gift to Haftar. As we have heard, it is a reversal of U.S. policy. You have got an internationally recognized government in Tripoli that, for all of its flaws—and I have seen those flaws—you know, the policy in the U.S. was to support that government. Suddenly, we are reversing it. It is a huge policy confusion.

And so what I would urge is, you know, the U.S. needs to come out with a clear statement on a cease-fire, you know, walking that back so we can get down to a return to the political process.

Mr. CONNOLLY. And just real quickly, Mr. Hill, if I understood your testimony, if we are backing Haftar, or even halfway encouraging him, we are backing the wrong guy from what you said. You know, people misunderstand who he is.

Mr. HILL. Haftar is a destructive force inside Libya. It is clear that he has personal ambitions that trump those of the country in

general. I think his decision to walk away or indeed take actions to undermine the U.N.'s national conference, which was slated to be middle of April, and then he assaulted 10 days in advance, I think that demonstrated his disdain for the United Nations and the political process in general.

I do not know that there is a political solution that he would accept, other than complete domination, and it raises questions about his ability to be a productive force going forward.

Mr. CONNOLLY. No good can be served if we have this kind of vacillation, profound vacillation, at the highest levels of the U.S. Government.

Thank you very much. I yield back.

Mr. DEUTCH. All right. Thank you, Mr. Connolly.

Mr. Watkins is recognized.

Mr. WATKINS. Thank you, Mr. Chairman.

Which foreign or international actors would be the best to lead a peace process? And the other part, because I want to be brief, what actors inside Libya should the U.S. interact with? And what is the nature of that interaction?

Dr. WEHREY. I will start with the Libyans. I mean, Libya, it is a country with a relatively small population of 6 million. And there is a lot of what I would call the sort of silent majority. We are not hearing their voices. They do not support the sort of militia mafia. They are not supporting a new dictatorship.

We have been, I mean, engaged in serious outreach to them for a number of years—civil society, tribal leaders. There are many Libyans that I met in Benghazi that supported Haftar out of desperation, right, because he promised a return to order. But they are very uneasy and especially now, quite frankly, disgusted with how this conflict has evolved and his own personal ambitions.

So the field is I think really ripe for American engagement. I think, as we have heard, Libyans have been ill-served by their political class. Many of these elites are just out for, you know, sort of a scramble for the economic spoils. But there is a base that we can engage with, and we have been.

As far as international States, I mean, the big problem in this is there has been these European rivalries. The French and the Italians have been pursuing different agendas. The British have been tied up with Brexit. I think the Germans have been taking a very forceful and moral stand on this.

But as we have heard, I think the United States has a unique role as a relatively neutral broker. In my conversations with multiple Libyans, we are still seen as relatively neutral, and we need to capitalize on that now in this current crisis.

Ms. DOHERTY. I will just add on the U.N. process, or, rather, on the peace process that the U.N. is still, in my opinion, the best avenue toward a negotiated political settlement that will deliver true progress for the Libyan people.

We have seen previously harmful effects by European capitals having sort of elite-led negotiations that have been largely divorced from the realities on the ground, and that the U.N.-led process, with strong U.S. leadership, is the right way forward.

And I caution we should not be looking toward a binary solution of a Haftar-Sarraj sitdown. Really, what we need to be doing

is working with the U.N. to bring in the municipalities, the tribal power brokers, and the Libyans that Fred is talking about, these vibrant civil society activists and marginalized voices.

Mr. FISHMAN. And to add to that, that is why the timing of this offensive was so egregious, because Haftar basically preempted this U.N.-been organized dialog. There is no question that the U.N. efforts have been stymied repeatedly over the years. The structure of compromise has been ugly, but the U.N. needs to be the center of gravity of negotiations, despite what my colleague, Mr. Hill, said.

The U.S. is the best position to reinforce the U.N.'s ability to get the parties to the table, including to reject or to send a strong signal that other regional actors and spoilers need to step away from interfering in Libya's transition.

Mr. HILL. I think we would all agree that the U.S. has a unique role to play, and has the ability, the leverage, to bring many of the players who are currently playing an unhelpful role around the table to try to talk through some of this. But, ultimately, this has to be a Libyan-led process.

This does not get resolved unless Libyans themselves are able to find a path toward reconciliation. So while the U.S. or U.N.—we can debate about which one should start the conversation and start to try to remove some of these external actors that have been so unhelpful—at the end of the day, this has to be a Libyan-led process.

Mr. WATKINS. Thank you. I yield the balance of my time.

Mr. DEUTCH. Thank you, Mr. Watkins.

Mr. Allred, you are recognized.

Mr. ALLRED. Thank you, Mr. Chairman, and thank you to our panel. I think you have brought up some very good points in your written testimonies and here today, and I think this is a very important topic.

I want to begin with why the U.S.'s leadership is so critical here. You all touched on it briefly in the last question. With the Europeans having their own disagreements here, with our own regional allies putting their hands into the pot, with Russia also having some equities here, why is the U.S.'s leadership role so critical in Libya?

And, Dr. Wehrey, if you could begin.

Dr. WEHREY. Well, again, I think it does stem from the Libyans' memory of our support to the NATO intervention. And, again, we are seen as sort of above these sort of petty squabbles that define other powers. And I think we have shown our ability in the past with some very forceful diplomacy to safeguard Libya's national institutions, especially on the oil.

And in the summer of 2018, American diplomats were crucial in basically persuading General Haftar to return oil installations that he had seized to the rightful control of the National Oil Corporation. We played a huge role in reforming the central bank. We supported counterterrorism efforts.

So, again, we are not seen as backing narrow agendas. Of course, our interests lie in counterterrorism. But I think, again, the perception in Libya is that we can be—we can act as this very important broker.

Mr. ALLRED. Thank you.

Ms. Doherty.

Ms. DOHERTY. Thank you. So I lived in Libya right after the revolution. In 2011 and 2012, I was in Benghazi and Tripoli, and then later in Tripoli in 2013 and 2014. And in those early days in Benghazi, I saw the gratitude that the Libyan people felt toward the United States, and the fact that 700,000 people in Benghazi were sheltering and thinking that they were going to be brutally massacred by a dictator and that the United States stood up. And that legacy looms large in how they perceive the United States today.

Because we do not have the colonial legacy, because we do not have the geographic proximity, we are still seen as a neutral and a trusted and an important actor. In fact, the Libyans that I still talk to today, many of whom are in Tripoli and quite scared about what is happening right now, are asking for the U.S. to reassert itself diplomatically and play a leadership role.

Mr. ALLRED. Mr. Fishman.

Mr. FISHMAN. So there is a difference between U.S. engagement and leadership and U.S. taking ownership over the issue. President Trump sent a really significant signal in April 2017 when he said publicly, with the then Italian Prime Minister, "We have no role in Libya, except for counterterrorism."

That enabled the bureaucracy to continue helping Libya on the important technical issues that Fred mentioned. But on a political level, it really signaled to the rest of the world that the executive branch really does not care. That was also reflected in the fact that there have been three leader—Presidential-level summits—two in France, one in Italy. The representative from the United States, was a mid-level State Department official, not head of State, not even secretary of State. That sends a signal of lack of interest.

I think the consensus of this group is if that leadership was elevated, we would see far less interference by unproductive actors on the outside and maybe some progress on the U.N. effort.

Mr. ALLRED. Mr. Hill, briefly, if you could.

Mr. HILL. Thank you. There is no other country that has significant relationships with all of these countries in such a way that pressure could be brought to bear to potentially change—produce behavior modification. Other States may try, but the U.S. is uniquely qualified to do it.

Mr. ALLRED. Well, thank you all. To me, this underscores the damage that was done by President Trump's call to Haftar. I have a very hard time understanding what this administration is doing in Libya, and I am deeply, deeply concerned that we are—the signals that we are sending, given, as you all have said in your written testimonies, the closing window of opportunity here for us to do something productive.

So I am glad that we are having this hearing, and I hope Congress can help lead on this. And I yield back, Mr. Chairman.

Mr. DEUTCH. Thank you, Mr. Allred.

Mr. Chabot, you are recognized.

Mr. CHABOT. Thank you very much, Mr. Chairman.

I was in Libya in August 2012 and spent the better part of a day and a half with our Ambassador there. And he was pretty upbeat about the situation and attended an Iftar dinner. And a lot of folks

from the area attended that dinner, and there seemed to be a lot of camaraderie and brotherhood.

And, of course, a month later that Ambassador was dead along with three other Americans. And it seems like in many ways it has gone downhill from there, even though there had been some signs of hope, but the situation is pretty chaotic, as all the witnesses have testified here this afternoon.

Ms. Doherty, let me ask you this because you raised this particular point. That the chaos in Libya, if it is not dealt with, if it is not stabilized, if something positive does not happen, will not stay within its borders; it is going to spread throughout the region.

And after she answers this question, I would be happy if any of the other panel members might like to, what do you see as the most likely spillover to other areas? And, obviously, number 1 is to deal with this so that does not happen. But where are the other spots that we should be concerned in the region? I will start there.

Ms. DOHERTY. Thank you for your question. The most vulnerable spot that I perceive would be Tunisia. We have already seen ISIS take advantage and cross borders. There were attacks in Ben Gardane in 2016, for example, and so Tunisia I believe remains at great risk.

Beyond that, Libya's southern borders are particularly porous, in some cases almost non-existent. And so there are threats to the Sahel that we should be looking at. And the south, in particular, is extremely difficult from both security and an economic perspective. So more attention, generally, needs to be paid there. But that is where we have seen, in fact, the most recent ISIS attacks take place.

And then there is obviously the maritime border with Europe and the vulnerability that will be exposed there if we do not have a stable government partner that we can work with.

Mr. CHABOT. Thank you very much.

Any of the other panel members that want to touch on it, you are welcome to.

Mr. FISHMAN. I would just mention there are tens of thousands of not only African but Asian migrants stuck in Libya, all before this latest iteration of the civil war.

The southern European countries, especially Italy, has been trying to keep them there, but long term they have got to go somewhere. Spain is now the most common route for migrants to Europe, but you are talking about tens of thousands of people and increasingly under duress.

Megan alluded to it in her statement, they are so desperate that people are drowning by swimming across or to find rescue boats. That situation is going to be unbearable.

Mr. CHABOT. OK. Thank you.

Mr. HILL. I would add that, while I agree with my colleague Megan about Tunisia is certainly the front line State, and you might consider lumping Egypt in there, but also Europe is paying a huge cost for the flood of migrants, both from a counterterrorism perspective but also a political stability perspective. And that cannot be underappreciated because it does directly impact U.S. interests. And so I would not want to miss that piece of it.

Mr. CHABOT. Thank you.

Dr. WEHREY. Let me just underscore the threat to Tunisia. I mean, Tunisia's fragile democracy is already under strain. There is backsliding in terms of authoritarianism. That border—I have spent time on that border. I was actually there when the ISIS attack occurred. It is a haven for smugglers.

As forces that were on that border are now drawn into the civil war, it is going to get worse. I am very worried about a sort of securitizing of the Tunisia problem along the border. The border communities that depend on trade are going to suffer.

To reiterate the concern on the south, again, I was in the south in 2017. It is a desperate situation for these communities in Niger or Chad. Some of them are being drawn into the conflict. They are being used as mercenaries by Khalifa Haftar's forces, and so this is having a devastating effect on those southern countries.

Mr. CHABOT. OK. Thank you.

I have probably got time for one more question. Ms. Doherty, I will make this one a quick one. As far as you had mentioned that emergency medical workers, et cetera, are under attack right now. Is there anything that we, our allies, that our friends in Libya can do to protect them more? You know, what should be done about that?

Ms. DOHERTY. Thank you for that question. The most helpful thing would be a cease-fire and a return to a political process, and so we hope that the United States, including Congress, will stand up and push for that. Beyond that, ensuring unimpeded humanitarian access, so calling for set times at which there can be safe evacuations of civilians and the delivery of humanitarian aid, right now it is very messy.

There are a lot of first-line responders who are endangering themselves and going to the front lines. And so if there were set times at which there would be a cessation of hostilities, where aid could be delivered, that would be useful. Beyond that, the United States could ensure appropriate humanitarian response. There is a Tripoli flash appeal from the United Nations requesting about \$10 million that is only partially funded. But the most important thing to do is to stand up and end this conflict.

Mr. CHABOT. Thank you very much. My time has expired, Mr. Chairman.

Mr. DEUTCH. Thank you, Mr. Chabot.

Mr. Malinowski, you are recognized.

Mr. MALINOWSKI. Thank you, Mr. Chairman, and thanks to all of you for excellent testimony.

We have a tendency to think of Libya as a hopeless case, and it is easy to understand why. But I think as we discuss it, it is important to remember that it was not always and perhaps does not always need to be.

We should remember that after the revolution that toppled the awful Gaddafi regime, Libya had arguably one of the most peaceful and successful multi-party democratic elections of any post-conflict society in recent memory, a civilian government that was committed to democratic principles, to working with the United States and the international community to stamp out terrorism.

The promise was stolen by these armed militias, aided and abetted often by outside powers, and not sufficiently discouraged by the United States, arguably over two administrations, not just this one.

I had the dubious honor in 2011 of meeting Haftar in Benghazi. He was seen at the time when Gaddafi was still fighting as at least a competent commander, and so many people went to see him, but virtually everybody I met at the time already recognized him as a betting dictator or somebody who was in it for himself. And nothing that has happened since has been surprising, and you all eloquently described the pernicious role that he is playing today.

So one response from this committee, a number of us today will be sending a letter to Attorney General Barr and FBI Director Wray, myself, Mr. Wilson, Ms. Wagner, Mr. Connolly, Mr. Allred, Mr. Trone, among others, asking the Department of Justice to begin an investigation of Mr. Haftar and his subordinates for war crimes.

It is important to remember Mr. Haftar, in addition to all of the other things you mentioned, is a citizen of the United States and subject to our laws. And I think it is about time that we held him accountable under our laws for the crimes he is committing and the effect he is having on our interest in Libya.

Let me ask a couple of questions, perhaps starting with you, Mr. Wehrey. Why is Russia so intent on supporting Haftar? How does this fit into Russia's overall strategy?

Dr. WEHREY. I think it is a mix of opportunism, economic interest. I think with Haftar there are longstanding ties Haftar studied in the Soviet Union. Under Gaddafi, Russia had a number of outstanding arms contracts that they lost with the 2011 revolution, so they have had longstanding economic designs on Libya.

They want I think a friendly ally. They are not 100 percent wedded to Haftar in my analysis and according to the analysis of Russia experts. They have engaged multiple sides in this conflict, but they have—and I want to underscore this—their role has bolstered Haftar's ability to oppose the U.N. process crucially when they printed billions of dinars for him, or to fund his government in the east, and there are reports that they have done that since the fighting started.

They have hosted him in very high profile, you know, visits. So, again, I think—he I think aligns with their authoritarian vision that we see Russia backing elsewhere in the region.

But I am not sure, as we have noted, that he can deliver Libya to them, and I would be cautious about saying that Russia is trying to pull a Syria in Libya, because the landscape in Libya is completely different in terms of, what kind of army does Haftar really have? It is completely different than the Syrian army, again. And Russia's ties with Syria are much deeper than they are with the Libyan Officer Corps.

So, again, it is a pernicious rule that Russia is playing, but I think it is ultimately an opportunistic one.

Mr. MALINOWSKI. Got it. And how about—and just for anybody, how about the UAE, and is it true, as we have seen reported in the press, that the UAE is supplying or paying for the armed drones and other weapons that Haftar is using in the siege of Tripoli?



Dr. WEHREY. I could take that again. The U.N. panel of experts is investigating the use right now in this conflict of these Chinese-made drones that are known to be in the UAE inventory. The UAE used these in Benghazi. They have an airbase outside of Benghazi from which they have flown these drones, as well as air tractor aircraft.

So, again, the UAE has been an important provider of close air support to Haftar that, again, was instrumental in Haftar's conquest of Benghazi. I was in Benghazi with Haftar's forces when they were stalemated. This was 2015. He was not able to move in Benghazi and conquer that city without external support, namely from the United Arab Emirates when they did—they sent in armored vehicles and air strikes.

And then also, if we are honest, the French played a role as well as backing them.

Mr. MALINOWSKI. Thank you.

Mr. DEUTCH. The gentleman's time has expired.

Mr. Vargas, you are recognized.

Mr. VARGAS. Thank you, Mr. Chairman, and thank the panel for being here today.

After the murder of Ambassador Stevens back in 2012, I think the United States lost a lot of interest in Libya, frankly. I think I am—I was on the committee for 2 years, then I went off, and I have been on Financial Services, came back.

But you do not hear a lot about Libya other than Benghazi, and more the investigations and not the people in Benghazi or in Tripoli. And I think that that is very unfortunate because I do think we are in a situation right now that it is a crisis and growing.

But I was interested in talking more about the issue as it associates—I think people are looking at the general and thinking that Haftar does have the military strength, if he wants to, to take over the country, a lot like we maybe underestimated Assad.

But, Doctor, you said that that is not the case, that it is more our outside friends, frankly, propping him up. Is that the case?

Dr. WEHREY. It has been a huge part of his success. If we look at his Libyan National Army, again, it is a bit of a misnomer. It has got a core of regular units, but it has been able to collect tribal and militia units around it. Even in the battle of Tripoli, he does not have sufficient manpower to go into these urban—you know, densely urban areas.

If you look at it from an actual force perspective, urban warfare, you need a lot of troops to go into urban fighting. He does not have that, so he is relying now on air strikes, precision air power, and the United Arab Emirates is reportedly providing that.

So, again, I think the French, the Russians, the Emirates have been crucial to his military advances.

And also, I will mention his sweep across the country with these military forces was often done through negotiations with tribes and cash. He was paying—a lot of these militias in the country are rent-a-militias, right? Whoever pays them the most—

Mr. VARGAS. Right. Well, whether he is cheating or not at war, I mean, it does seem like he has some momentum here, just to be frank. And I was trying to figure out—I think many of us—were the changes in opinions so quickly from the administration when

you have the President saying one thing and his top diplomat saying another thing.

I thought maybe the President just believes that this is a guy that is going to win, so we had better have a good relationship with him. Otherwise, we are going to lose him to Russia. I mean, it almost seems that way, but that is why I am curious that you do not have that view at all.

Dr. WEHREY. I do not at all. I mean, it took him 3 years to win Benghazi. He stalled on the outskirts of Tripoli now. The reports I am getting is it is almost equally matched. I mean, he is not able to move in, so he is not delivering as he has promised.

Mr. VARGAS. Would anyone disagree with that?

Dr. WEHREY. Let me—

Mr. VARGAS. Oh, I am sorry. I did not mean to interrupt you.

Dr. WEHREY. Even in the areas of the south where he has conquered, the big thing earlier this year, he moved across the south and everyone said, "Oh, he is securing the south, the oilfields." Those forces have left, right? The south is now back to the way it was before he arrived. So it is a very loose definition of territorial control.

Mr. VARGAS. Mr. Hill, would you agree with that?

Mr. HILL. Entirely. From all reports, it looks like Haftar's forces have stretched their supply lines to the max. He does not have the ability to move further in, and, in fact, is now seeking other military routes to create new supply lines, so that he can change tactics because the current siege has not worked, or has not produced the results that were intended from his perspective.

So I would agree 100 percent with Fred.

Mr. VARGAS. Ms. Doherty, how about yourself?

Ms. DOHERTY. I would say that 6 weeks of fighting have proven that Khalifa Haftar is not able to take Tripoli quickly and—

Mr. VARGAS. Well, not quickly, but able to take it. Is he able to take it? I mean, I think the practical sense, 6 weeks is not—you know, it is a large city, obviously.

Ms. DOHERTY. Right. Well, it did take him 3 years to take Benghazi. So if we are in for the long haul, we are looking at an extremely protracted conflict with significant repercussions. But I would say the reports that we are seeing are that the fighting is largely stalemated, and the true game-changer would be additional foreign support to Haftar to move the battle.

Mr. VARGAS. Mr. Fishman.

Mr. FISHMAN. I think Haftar's foreign backers were sold a bill of goods where when they talked to Haftar, even Mohammed bin Salman 10 days before Haftar's move on Tripoli, he was probably reassured by Haftar's presentation that all would go smoothly. That clearly has not been the case, and the danger is that the Saudis will give him money, or the UAE will give him more drones, and that is why U.S. effort to push back on this support is especially needed.

Mr. VARGAS. My time is up, but I agree with that and I hope we do get back to this peace process.

Thank you, Mr. Chairman.

Mr. DEUTCH. Thank you, Mr. Vargas.

Mr. Lieu, you are recognized.

Mr. LIEU. Thank you, Mr. Chair, and thanks for calling this hearing on Libya.

Question for Mr. Fishman. Public reporting is that Haftar visited Saudi Arabia in the days before he launched his military campaign. Are the Saudis supporting Haftar?

Mr. FISHMAN. I can only go by reports. I think the visit definitely elevated Haftar's position in the Sunni Muslim world, and elevated his position among his Salafi followers. But the extent of the support that Saudis are actually giving him, I cannot state definitively.

Mr. LIEU. UAE is providing him support, correct?

Mr. FISHMAN. This has been historically the case.

Mr. LIEU. What is your sense of—and this is for the panel—of the support that Haftar has among the people in Libya?

Mr. HILL. Well, I think it is pretty obvious, given his inability to take Tripoli, that he does not enjoy support across the country that he thought he did. It may be that he anticipated that the fractious nature of the militias and groups within Tripoli would play to his advantage, but those groups all coalesced in an anti-Haftar coalition. So there is a significant and real anti-Haftar sentiment that exists in the country, and I would be skeptical about his ability to unite or whether or not he should even be seen as a uniter. I am not sure that that is his objective.

Dr. WEHREY. I will just echo that. I was in Tripoli before this started, and some groups in Tripoli, they were so fed up with the militias in Tripoli, they were ready to welcome him in peacefully. But then the way he has conducted this war, he has really turned public opinion against him. Ordinary citizens, militias in Tripoli that were fighting each other, are now unified against him.

And I will just mention in the east, in Benghazi where he really rose to power, there were people that backed him out of desperation. Again, he promised order. You know, he promised a restoration of normalcy in Benghazi. He was going after militias.

But then many people I talked to had a sense of buyer's remorse, right? Look, we supported this guy, but then in the areas that he has controlled, he has implemented restrictions on freedom of the press. He has actually allowed Islamists freedom in the social space. So people are saying, look, we did not sign up for this.

So there is a huge amount of, I think, dismay about this man and his ambitions and the bargain, really, that comes with supporting him.

Mr. LIEU. As was mentioned earlier, Donald Trump basically contradicted Secretary Pompeo a little over a week later on support for Haftar. Do any of you know what the current State Department position is on who the United States is supporting, if anyone, in Libya? Does anyone have any idea? OK. No one has any idea.

So let me say, I oppose their intervention of Western powers, including the United States, to take out Gaddafi. I thought it was going to result in a power vacuum, and eventually result in a worse case than when he was in control. That looks like what we have now, and it has resulted in this massive humanitarian crisis.

So my question now is for Ms. Doherty. The International Organization for Migration estimates that the current fighting in Libya has displaced nearly 60,000 civilians. The IOM considers more than

3,400 migrants detained in and near Tripoli to be at high risk of harm. So what are the U.N. and others doing to protect refugees and civilians inside Libya?

Ms. DOHERTY. So the U.N. and humanitarian partners are responding to the best of their ability, given the current conflict right now. So IOM is trying to access detained migrants and provide services. The U.N. refugee agency has actually called for all detained migrants and refugees to be released, particularly the ones that are in conflict zones awaiting the front lines.

The World Health Organization has about 12 emergency medical teams that they are supporting, and with additional backup teams that are rushing in to the front lines and trying to provide support. Unfortunately, they are doing so at great risk. I mentioned earlier they have lost 12 ambulances, and they have also faced loss of life and injury.

So there is a response. It is being mounted right now by many actors. This is also an opportunity for the U.S. to ensure that the humanitarian response is funded.

Mr. LIEU. When you say they lost 12 ambulances, are these because of what Haftar is doing or what the government is doing, or both?

Ms. DOHERTY. So it is very hard to get granular details and attribution, but to the best of my understanding, most of the ambulances have been lost because of shelling and in the crossfire.

There was one attack on May 8. The director of the Tripoli ambulance and emergency services lost his legs in a grisly attack, and the ambulance was taken, and that appears to be—to have been by LNA forces. But further investigation is required.

Mr. LIEU. All right. Thank you. I yield back.

Mr. DEUTCH. Thank you, Mr. Lieu.

It looks like votes are about to be called, which will leave just enough time for Ms. Omar and me.

Ms. Omar, you are recognized.

Ms. OMAR. Thank you, Chairman Deutch, for allowing me to join you in this subcommittee. I think my line of questions were sort of addressed a little bit by Mr. Lieu, and I just kind of wanted to see if we can expand on that.

I know right now the conflicts and the new iteration of the civil war is putting a lot of Somali and Eritrean refugees who have been in prisons, who are awaiting resettlement, in danger, and their particular removal has not been decided on.

And so I wanted to see if you can maybe give us further details to what you just stated on what their State is, and how the United States can assist more particularly in that area.

Ms. DOHERTY. Thank you for that question. And I will note that even before the conflict, refugees and migrants in detention centers faced atrocious human rights abuses and inhumane conditions. Our ability to help them is even further limited by the fact that we are now in a full conflict. So the best way that we can protect these vulnerable people is to apply diplomatic pressure to end the conflict.

But until we get there, we need to ensure that they are not in conflict zones and that they can be safely evacuated where their claims can be processed and they can be treated for injuries.

We saw on April 23 that militias attacked the Qasr bin Ghashir detention facility, injuring many migrants and refugees who were already facing abominable conditions. So what we are seeing on the ground as this goes forward are more threats, more loss of life, to these extremely vulnerable people.

And I will also note that there are even more refugees and migrants who are outside of detention centers, and they do not have access to the same protections or services as regular Libyan citizens who rely on social networks and who rely on families to take them in.

So if we look toward how the U.S. can help in this situation, obviously ending the conflict, but also helping make sure that people that are intercepted at sea are not returned to a war zone. These detention centers are running out of food, and they are being attacked, so it is not safe to return them.

We should also be willing to look at levers for punishing those who violate international humanitarian law, and I hope that the U.S. Congress will look into this further.

Ms. OMAR. I appreciate that. I was on the same thought process of Mr. Lieu. I really oftentimes do not understand people who think that we are able to save more lives by asking for regime change or by interfering in situations that oftentimes will exasperate with our intervention.

And I felt like that would be the case in Libya, and the Somali diaspora used to say Libya will become the next Somalia. And in many cases, it has had more atrocities occur than in Somalia. One of those is the modern day enslavement that is taking place in Libya, and I know that there are not a lot of reports that are being focused on that. You do not see that on the evening news.

But since you have spent a significant amount of time in Libya, I wonder if you can tell us a little bit about the status of the trafficking and the enslavement of African migrants, and what the international community has been doing and what could be done further.

Ms. DOHERTY. Thank you. So migrants are still being abused and also sold. Often they are sold to people who want to—if they have wealthy families, they will ransom them. They are also sold for forced labor. It is a true travesty.

There had been efforts, both by the United States and other international partners, to address some of these systemic human rights abuses, both to improve conditions in detention centers, but also to address the slave auctions and the horrible things that we saw.

In fact, the international community have been working with the GNA. They—I believe there were 200 arrest warrants issued in relation to an incident involving slave auctions. So there have been some very fragile but important steps toward addressing these issues.

The problem is, now there is no way to do that in the middle of a conflict.

Ms. OMAR. Thank you. I think I am running out of time. Mr. Chairman, I hope once we sort of are past this conflict that you will dedicate some time on this committee in addressing this particular atrocity that is taking place in Libya. Humans cannot be sold and us not respond, so thank you.

Mr. DEUTCH. Thank you for raising it, Ms. Omar. As we wrap up, let me just ask, there have been suggestions about the need to help—to ask the administration to clarify its policy. It has been suggested that the United States needs to lead at the United Nations. There has been a lot of discussion about the confusion surrounding the President's phone call with Haftar.

My question, as we wrap this up is, what—be specific. Is there a framework at the United Nations that can work? And what specifically should the United States do to help lead it? Anyone. Dr. Wehrey?

Dr. WEHREY. I think for all of its flaws, the U.N. roadmap of a national, you know, conference and an eventual push toward elections was the right one, although, again, we have to be careful about a rush to elections. I think that was one of the problems in 2012. We rushed to elections without having certain frameworks in place, security, so I think elections right now would be inadvisable.

Again, I think a high-level Presidential reversal of that statement/clarification is absolutely needed because if American diplomats are still trying to adopt a more moderate, you know, centrist approach, you know, supporting some sort of cease-fire or something, it does not help that that statement is out there, right? And so, again, I think a very visible public statement is absolutely needed.

I think one of the big problems of the U.N. process was it was not inclusive enough. So, again, that was one of the focuses—the points of this national conference was to sort of widen the circle to include armed groups. There was never really a security track, and so people like Haftar could stand out and later sabotage it.

So you have got to talk to these militias. There needs to be a roadmap for building a new security architecture.

And I will just close with something very important. There were actually talks before this war, between different armed factions, between different officers, about unifying the army. So there are these contacts ongoing, and I think the United States could play an important role in shepherding those talks and moving them forward.

Mr. DEUTCH. Thank you. Ms. Doherty, I want to give you the last word here because we have to get to votes.

Ms. DOHERTY. I appreciate that. I will just conclude, then, by saying that I agree with Fred's comments on inclusion and supporting a process that does not rush toward elite-led negotiations or elections, that U.S. diplomacy has played an important role in Libya before, and that we can continue to support the United Nations, specifically through a United Nations Security Council resolution calling for a cease-fire and future secondments and technical assistance.

Thank you.

Mr. DEUTCH. Great. Thank you very much.

Thanks so much to all of the witnesses. This was an exceptional hearing. Thanks for your testimony.

Members of the subcommittee, you may have some additional questions. We ask that they be submitted, that the witnesses respond to those in writing. I request that my colleagues, to the ex-

tent they have questions, submit them within 5 business days to the subcommittee clerk.

And with that, without objection, the subcommittee is adjourned.  
[Whereupon, at 3:33 p.m., the subcommittee was adjourned.]

APPENDIX

**SUBCOMMITTEE HEARING NOTICE  
COMMITTEE ON FOREIGN AFFAIRS  
U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON, DC 20515-6128**

**Subcommittee on the Middle East, North Africa, and International Terrorism**

**Ted Deutch (D-FL), Chairman**

May 15, 2019

**TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS**

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held by the Subcommittee on the Middle East, North Africa, and International Terrorism in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at <https://foreignaffairs.house.gov/>):

**DATE:** Wednesday, May 15, 2019

**TIME:** 2:00 pm

**SUBJECT:** The Conflict in Libya

**WITNESSES:** Mr. Benjamin Fishman  
Senior Fellow  
The Washington Institute for Near East Policy

Ms. Megan Doherty  
Senior Director for Policy and Advocacy  
Mercy Corps

Frederic Wehrey, Ph.D.  
Senior Fellow  
Middle East Program  
Carnegie Endowment for International Peace

Mr. Thomas Hill  
Senior Program Officer, North Africa  
United States Institute of Peace

**By Direction of the Chairman**

*The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.*



## COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON Middle East, North Africa, and International Terrorism HEARINGDay Wednesday Date 05/15/19 Room 2167Starting Time 2:11 PM Ending Time 3:33 PMRecesses 0 ( to ) ( to ) ( to ) ( to ) ( to ) ( to )

Presiding Member(s)

*Chairman Theodore E. Deutch*

Check all of the following that apply:

Open Session ☒Executive (closed) Session ☐Televised ☒Electronically Recorded (taped) ☒Stenographic Record ☒

TITLE OF HEARING:

*The Crisis in Libya*

SUBCOMMITTEE MEMBERS PRESENT:

*See Attached*

NON-SUBCOMMITTEE MEMBERS PRESENT: (Mark with an \* if they are not members of full committee.)

*Ilhan Omar, MN*HEARING WITNESSES: Same as meeting notice attached? Yes ☒ No ☐

(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)

TIME SCHEDULED TO RECONVENE \_\_\_\_\_

or

TIME ADJOURNED 3:33 PM
  
 Subcommittee Staff Associate

# HOUSE COMMITTEE ON FOREIGN AFFAIRS

## SUBCOMMITTEE HEARING

### SUBCOMMITTEE ON THE MIDDLE EAST, NORTH AFRICA, AND INTERNATIONAL TERRORISM

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X	Adam Kinzinger, IL
X	Lee Zeldin, NY
	Brian J. Mast, FL
	Brian K. Fitzpatrick, PA
	Guy Reschenthaler, PA
X	Steve Watkins, KS