

U.S.-LIBYA POLICY

HEARING

BEFORE THE

COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

ONE HUNDRED SIXTEENTH CONGRESS

SECOND SESSION

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U.S.-LIBYA POLICY

WEDNESDAY, FEBRUARY 12, 2020

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The committee met, pursuant to notice, at 10:20 a.m. in room SD-419, Dirksen Senate Office Building, Hon. James E. Risch, chairman of the committee, presiding.

Present: Senators Risch [presiding], Rubio, Gardner, Romney, Barrasso, Young, Perdue, Menendez, Cardin, Shaheen, Coons, Murphy, Kaine, and Booker.

OPENING STATEMENT OF HON. JAMES E. RISCH, U.S. SENATOR FROM IDAHO

The CHAIRMAN. The Senate Foreign Relations Committee will come to order.

I want to thank our witnesses for appearing today to discuss a topic of growing concern and that is the worsening political and humanitarian situation in Libya. Many of the reports coming out of Libya are troubling, and recent developments warrant attention.

Libya is in the midst of its third civil war in 9 years. This latest round of conflict was triggered last year when Khalifa Haftar, commander of the self-proclaimed Libyan National Army, launched an offensive against the U.N.-recognized government in Tripoli just days before the U.N. was set to launch a carefully constructed peace conference.

Months of fighting between his LNA and the internationally recognized Government of National Accord, the GNA, have failed to yield tangible results on the ground and it remains a stalemate.

Foreign influence has only complicated matters as usual and continues to flood Libya with illegal arms and advisory support and training, all in direct violation of a U.N. arms embargo. These outside actors have a variety of reasons for their involvement, and all of them, from the Middle East to Europe, often pursue their agendas at the expense of the Libyan people.

Chief among these actors are Turkey and Russia. Turkey has deployed uniformed troops and questionable Syrian-based militias to Libya in an effort to pursue its own agenda.

The GNA recently signed a troubling agreement with Turkish President Erdogan that threatens to rewrite the exclusive economic zones of both countries, challenging gas exploration and the construction of the pipelines between Greece, Israel, and Cyprus. Erdogan clearly intends to extend his military assistance to Libya

as a means to cement Turkish economic influence and political control over the eastern Mediterranean.

Russia, fighting on the side of Haftar, has dramatically increased the number of Wagner mercenaries operating in Libya. And as we see in Syria, Russia seeks to secure its foothold in the Mediterranean and extend its sphere of political influence into the Middle East and North Africa. Again, following a Syrian model, Putin floods Libya with mercenaries and weapons while he simultaneously attempts to supplant the U.N.-led political process through sham peace talks.

We have serious concerns about a Russian foothold in the southern Mediterranean where the Kremlin controls the flow of refugees and migrants, complicates our CT mission, sows discord within the EU, and ambushes an already beleaguered U.N. political process.

Finally, there is the human cost. The fighting has killed over 2,000 Libyans with over 150,000 displaced. Military activity recently forced the U.N. to close its refugee center.

The United States remains concerned about a very real terrorist threat, particularly ISIS, emanating from Libya. ISIS has taken advantage of the instability and increased its activity in southern Libya.

In addition to CT, the U.S. is concerned with seniority in an increasingly militarized Mediterranean, a vital corridor for international trade. Our NATO allies in Europe remain concerned that migration and terrorism will further destabilize their countries, causing the kind of disorder that Russia wants and will exploit.

Third, the stability of Libya's natural resources is a concern for Libya's sake and for global markets. Oil remains Libya's most important avenue to prosperity. Disappointingly, Haftar has dramatically reduced Libya's oil supplies in an effort to undermine the GNA.

Aligned with these national security interests, U.S. policy should be to proceed along three tracks: support the U.N.-recognized government, discourage foreign powers from meddling in Libya's affairs, and encourage a return to U.N.-led peace talks.

The German-led dialogue convened in January was promising. However, countries continue to violate the arms embargo, and the ceasefire has been punctuated by violence.

The most effective way to stop foreign involvement in Libya is to end the conflict. I agree with the administration and U.N.'s call for countries to live up to their Berlin commitments and to comply with their obligations to implement the U.N. arms embargo.

We must also consider the appropriate scope of U.S. involvement in Libya.

As we explore the right tools to support a stable, peaceful Libya, I hope our witnesses will shed additional light on what leverage the United States has to affect a better outcome.

And I know the ranking member has strong feelings in this regard, and I will yield the floor to you.

**STATEMENT OF HON. ROBERT MENENDEZ,
U.S. SENATOR FROM NEW JERSEY**

Senator MENENDEZ. Well, thank you, Mr. Chairman.

Let me first welcome—since this is the first full committee hearing we have had—welcome Senator Perdue back to the committee. You had a more privileged position before, but we are glad to see you back. So welcome again.

And, Mr. Chairman, I recognize the start of this year has been somewhat unusual. So I want to thank you for holding today's hearing. There is a lot important work for us to do and a full agenda for hearings for this committee. In particular, I look forward to working with you on a hearing on Iran policy, as we have discussed and agreed, as well as getting hearings scheduled as soon as possible with Secretary Pompeo and Administrator Green to review the State and USAID fiscal year 2021 budget request. Those budget hearings are vital for the exercise of our oversight authorities.

As you know, I have been eager for the committee to take a more assertive role in understanding the administration's policy towards Libya. As I see it, the administration's approach to Libya is emblematic of its overall approach to foreign policy. An absence of U.S. leadership, inconsistent public statements, and a seeming internal lack of clarity have left our partners and allies confused about the U.S. commitments and paved the way for our adversaries to advance their own interests.

Military strongmen, militias, tribal politics, migration patterns, smuggling networks, and proxy actors have beleaguered Libya for years. There are no easy answers.

But I am not even sure today what questions the administration is asking or if they are asking any at all. What are the factors driving our policy?

In early April 2019, Secretary Pompeo expressed deep concern about Khalifa Haftar's military offensive against the internationally recognized and United States-supported Government of National Accord. Two weeks later, following reports of attacks on civilians and possible war crimes, the White House reported that President Trump had directly praised Haftar and discussed a shared vision for Libya's future in a telephone call.

In the meantime, the United States joined Russia to block a British-drafted U.N. Security Council resolution calling for a ceasefire, a reduction of negative foreign influence, and supporting humanitarian access. What message does this send to our allies?

More than 150,000 people have been displaced, thousands have been killed. There are reports about potential war crimes and violations of humanitarian law. More than 700,000 migrants and refugees are stranded in Libya, held captive by violence and questionable political agreements that effectively prevent them from seeking recourse. And because of ongoing security concerns, UNHCR was recently forced to cease operations at a facility serving highly vulnerable refugees.

Haftar and his backers, including the Emiratis, Egyptians, and others, have targeted hospitals and migrant detention centers. And Russia, as it so often does when the United States has ceded leadership, has recently increased its presence, deploying mercenaries from the infamous Wagner group.

With the United States equivocating and the European Union split, Turkey has found a deepened foothold for its longstanding ambitions in the Mediterranean. In November, Turkey and the GNA announced an expanded maritime agreement that critical U.S. partners, including Greece and Cyprus, called illegal and absurd. The parameters of this agreement undermine U.S. policies, partnerships, and security in the eastern Mediterranean. Turkish deployment of troops, including from Syria, adds to the list of violations of the U.N. arms embargo.

Our absence is a declaration of policy itself.

So I am hopeful that today we will gain a clear understanding of what this administration believes our interests are in Libya, what our objectives are, and what concrete plans the administration has to achieve them.

First, fundamentally I believe we must work with our partners to reduce the influx of weapons and proxy fighters and ensure that Libya does not, once again, become a home for international terrorist organizations seeking fertile ground to regroup, reconstitute, and threaten the United States or our partners.

Second, we also have an interest in upholding the integrity of international humanitarian law and U.N. arms embargoes. If we fail to hold our ostensible partners accountable, we are sending a devastating message that the United States will not use our diplomatic voice or leverage to uphold the integrity of the international system. Yesterday's vote in the Security Council, however, was a welcome step.

Additionally, we must look beyond Libya's borders to ensure that our partners, allies, and adversaries alike know that the United States will stand by its commitments, will embrace the international institutions and systems of governance we have fought for, and will invest in promoting our own interests and security.

As in Syria, Russia and Turkey are eagerly stepping into the void that this administration's equivocation and diplomatic retreat creates. They are creating in Libya a world conducive to their interests and values, not ours, and that is a much bigger problem than just Libya itself.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Menendez.

For members, we are challenged a bit this morning in that we have four votes starting at 10:30, and after discussions with the ranking member, we have concluded it would probably be best to take a break at the conclusion of vote number one so we can go down and vote on the first and the second. And then we will come back here, and then after that, rotate out and continue on.

We also have an all-members briefing on the coronavirus outbreak at 11:30 in Senate Dirksen 430. It would be my intent, though, to continue on with this hearing. I think most of us have been in a number of those briefings, but anyone who has to attend that, we will certainly understand.

So with that, let us turn to our witnesses. First of all, we will have David Schenker, and David is the Assistant Secretary of the Bureau for Near Eastern Affairs. Prior to joining the Department of State, from 2006 to 2019, Mr. Schenker was Director of the Program on Arab Politics at the Washington Institute for Near East

Policy. From 2002 to 2006, he served in the Office of the Secretary of Defense as Levant Country Director advising the Pentagon on issues relating to Syria, Lebanon, Jordan, Israel, and the Palestinian territories. Mr. Schenker, you are up.

STATEMENT OF HON. DAVID SCHENKER, ASSISTANT SECRETARY, BUREAU OF NEAR EASTERN AFFAIRS, U.S. DEPARTMENT OF STATE, WASHINGTON, DC

Mr. SCHENKER. Thank you, Chairman Risch, Ranking Member Menendez, members of the committee. I am honored to appear before you today to discuss Libya.

The U.S. has a few interests in Libya: consolidating counterterrorism gains, maintaining the free flow of oil, blunting a Russian strategic foothold on NATO's southern flank. We also have a keen interest in a negotiated solution to Libya's civil war.

Libya is geographically proximate to Europe. It poses direct immigration and security challenges to Europe. While the U.S. will pursue its interests, it is up to the Europeans to undertake their share of the work. Thus, we were heartened when Germany established the Berlin Process.

The best way to advance our interests is to stop the fighting and escalating foreign intervention resulting from the LNA—the Libyan National Army's—attack on Tripoli. Now is the time to wind the conflict down.

Nearly 700 Libyan civilians have died since these clashes began in April of 2019. Nearly 200,000 children were unable to attend school. Civil aviation has been under constant threat. Hundreds of thousands of Libyans, as well as migrants and refugees, have been displaced.

The near total shutdown of Libya's oil sector since January 17th by LNA-aligned forces has created a looming humanitarian disaster and to date deprived Libya of \$1 billion in oil revenues. The National Oil Corporation must be allowed to operate without interference by armed groups.

There is no durable military solution to the conflict. The U.S. supports the U.N. Special Representative's work to promote a Libyan political process. Last week, the U.N. Special Representative of the Secretary-General, with strong support from the United States convened representatives from the GNA and the LNA. For the first time in a year, the two sides have engaged on establishing a sustainable ceasefire.

Negotiations among Libyans need to address difficult issues: the dismantling of non-state armed groups—militias that operate with impunity—the rooting out of extremist elements, the reunification and reformation of Libya's economic institutions to ensure equitable distribution of Libya's resources. If the violence continues, it will only mean hardened positions on all sides.

Bringing the Libyans back to the negotiating table has been complicated by the involvement of external actors. Libya is not the place for Russian mercenaries or fighters from Syria, Chad, and Sudan. It is not the place for Emiratis, Russians, or Turks to fight battles through intermediaries they sponsor and support with sophisticated weapons in pursuit of their own agendas. Peace and stability across the Mediterranean are at stake.

Last month, I accompanied Secretary Pompeo to the Berlin Conference. The Secretary told leaders there—I quote—“there are things we can do today to foster a stable, sovereign, united country that is inhospitable to terrorists, and 1 day capable of generating prosperity through its energy resources. We must support a sustainable ceasefire between Libyan parties and not just with words. We must take actions to end the violence and flow of arms.”

In Berlin, leaders called for a ceasefire supported by U.N. monitoring and rejected foreign interference. Regrettably, some participants have not upheld their commitments. All made a commitment, however, to halt deployments of personnel, fighters, mercenaries, and military equipment.

Following Berlin, we have joined our voice at the U.N. Security Council in support of a draft resolution reinforcing the U.N. arms embargo and calling for mercenaries, such as those of the Kremlin-linked Wagner Group, to leave Libya.

We have sanctioned spoilers threatening Libya peace, security, and stability, and we will continue to make use of sanctions when warranted.

In 2016, the United States cooperated with the GNA to oust ISIS from the coastal city of Sirte. U.S. stabilization assistance aims to prevent a resurgence of these terrorist groups. U.S. diplomatic engagement with the Libyans is centered in Tunisia, the temporary home of the Libya External Office, the LEO, our diplomatic representation to Libya led by Ambassador Richard Norland and supported by an excellent expeditionary diplomatic team.

Although security concerns have kept us from reestablishing a full-time diplomatic presence in Libya, we continue to review options to deliver our message from Libyan soil, including with day trips.

Since the overthrow of the Qadhafi regime, the U.S. has invested more than \$550 million in assistance in Libya, as well as more than \$164 million in humanitarian assistance. U.S. humanitarian response programs support several sectors, including health, food, water, sanitation, and hygiene, protection, and shelter. And we will continue to use these vehicles to bring actors together on both sides of the conflict to mitigate the effects of the conflict on the Libyan people.

We will continue to press upon Libyan leaders and countries involved in Libya that the only viable path forward is a peaceful resolution that provides inclusive democratic governance.

Thank you for this opportunity to testify today.

[The prepared statement of Mr. Schenker follows:]

PREPARED STATEMENT OF HON. DAVID SCHENKER

Chairman Risch, Ranking Member Menendez, Members of the committee: Thank you for this opportunity to discuss U.S. Libya policy. The best way to address this crisis is to stop the fighting that started in early April with the Libyan National Army's (LNA) military offensive, enabled by foreign intervention, aimed at wresting control of Tripoli from the Government of National Accord (GNA). Foreign intervention has escalated and could escalate yet further in the days to come, posing a threat to the international order in the Eastern Mediterranean and to U.S. interests in the region. Now is the time to wind this conflict down.

And the best way to stop the fighting is to stop the foreign intervention fueling it, in the form of weapons, personnel, and funds.

Last week, the U.N.'s Special Representative of the Secretary-General, Ghassan Salame, convened representatives from the GNA and the LNA for talks aimed at establishing a ceasefire, beginning with the—scaled and incremental—withdrawal of foreign mercenaries. This is the first time in a year that the two sides of the conflict have engaged about an end to the violence. This initial meeting did not result in a formal agreement. Sustained efforts will be required to secure and implement a ceasefire, and we are pressing both sides to engage constructively.

Nearly 700 Libyan civilians have died since these clashes began in April. Nearly 200,000 children were unable to attend school at various points in 2019. Multiple health facilities lack supplies and medicine. The fighting threatens civilian lives, infrastructure, and civil aviation. According to the International Organization for Migration, as of December 2019, over 355,000 Libyans have been displaced. The conflict has further threatened the already tenuous safety and security of foreign migrants and refugees residing in Libya.

The near-total shutdown of Libya's energy sector since January 17, by LNA-aligned forces, has worsened electricity outages across the country and severely curtailed civilian access to fuel and other refined petroleum products used for cooking, heating, transportation, and the delivery of clean, potable water to residential areas. As we have communicated to Libyan actors publicly and privately, the National Oil Corporation must be allowed to fulfill its mandate on behalf of the Libyan people, which it cannot do when armed groups occupy its facilities or interfere with its operations. Meanwhile, the Libyan people continue to suffer as the country's oil revenues collapse, with costs that already exceed \$1 billion.

We have repeatedly emphasized to all stakeholders that there is no durable military solution to the Libyan conflict. The United States supports the U.N. Special Representative's work to promote a Libyan political process. Ultimately, the Libyan people must resolve this crisis. Libyan leaders who are contributing to the ongoing conflict—and those who back them militarily—must establish and respect the truce, de-escalate to achieve a sustainable ceasefire, and refocus efforts on a Libyan-led political process. Negotiations need to seriously address difficult issues driving the conflict, including the dismantling of non-state armed groups—"militias"—that operate with impunity; the rooting out of extremist elements; and the reunification and reform of Libya's economic institutions to ensure transparency and the just distribution of Libya's resources. Achieving a political solution and moving toward national reconciliation will take time. If the violence continues, it will only harden positions on all sides and make finding a viable solution more difficult.

The United States continues to undertake efforts to achieve stability in this geopolitically significant, oil rich nation. In 2016 the United States cooperated with the GNA to oust ISIS from the coastal city of Sirte. We continue relationships with counter-terrorism partners across the spectrum in Libya to defend and protect it from a resurgence of terrorist groups. U.S. diplomatic engagement with Libya is centered in Tunisia, the temporary home of the "Libya External Office," our diplomatic representation to Libya, led by Ambassador Richard Norland and supported by an expeditionary diplomatic team.

We are conveying to Libyans on all sides of the conflict—as well as their foreign backers—that the conflict must be resolved through negotiations. We have sanctioned spoilers threatening Libyan peace and stability and will continue to make use of those authorities when warranted, but there is no substitute for consistent engagement. U.S. diplomats work daily with Libyans across the political spectrum to find common ground on the issues that divide them. Ongoing security concerns have forestalled the reestablishment of a full-time diplomatic presence in Libya, but we are represented through U.S. stabilization and development assistance programs to help alleviate urgent needs. Beginning with short day trips, we are looking at formulas that allow us to deliver our message from Libyan soil, where it will have the most impact.

U.S. humanitarian response programs support several sectors, including health; food, water, sanitation, and hygiene; protection; and shelter. For instance, we have helped equip classrooms for schoolchildren in conflict-affected areas, and funded nutrition programs for vulnerable populations. Through other stabilization and governance programs, the United States supports recovery in conflict-affected areas to strengthen the local conditions necessary to enable political compromise, prevent further fracturing of the country, expand spaces for moderate actors, and protect security gains made against terrorism. We will continue to use these vehicles to bring together actors on both side of the conflict.

Through USAID-led efforts to stabilize Sirte following our liberation of the city from ISIS, the United States is implementing more than \$11 million worth of early recovery activities to meet immediate service delivery needs and build the operational capacity of key institutions. Since the overthrow of the Qadhafi regime, the

United States has invested more than \$550 million in assistance to Libya, as well as more than \$164 million in humanitarian assistance.

The task of bringing the Libyans back to the negotiating table has been complicated by the involvement of external actors. Libya is not the place for Russian mercenaries, or fighters from Syria, Chad, and Sudan. It is not the place for the Emiratis, Russians, or Turks to be fighting battles on the ground through intermediaries they sponsor or support with sophisticated and deadly equipment in pursuit of their own agendas. What is at stake is more than Libya, but peace and stability across the southern and eastern Mediterranean region.

Last month, I accompanied Secretary Pompeo to the Berlin Conference. Secretary Pompeo told leaders there, “There are things we can do today to foster a stable, sovereign, united country that is inhospitable to terrorists, and 1 day capable of generating prosperity through its energy resources. We must support a lasting cease-fire between the Libyan parties, and not just with words. We must take actions to end the violence and flow of arms.”

The international leaders gathered in Berlin called for a sustained ceasefire, committed to support U.N. monitoring when a formal ceasefire is achieved, and to reject foreign interference.

Regrettably, many Berlin Conference participants have not upheld these commitments. All Berlin participants made a commitment to implement an immediate and permanent halt of deployments of personnel, fighters, mercenaries, and military equipment to Libya. That they have not yet respected this commitment reflects the urgent need for them to engage with each other to overcome the suspicions and enmities, rooted in ideology and politics, that divide them.

Following Berlin, we have joined our voice at the U.N. Security Council in a draft resolution reinforcing the U.N. arms embargo, and calling for mercenaries, such as those of the Kremlin-linked Wagner Group, to leave Libya.

It is time for those who continue to violate existing U.N. Security Council resolutions—including the U.N. arms embargo on Libya—to face consequences. We will continue to impress upon countries involved in Libya that a peaceful resolution is not just in our mutual interest, but the only viable path forward to end the conflict in Libya. And we reaffirm that the United States supports a political solution that allows the Libyan people to realize a desire for inclusive, democratic governance they have sought since 2011, when they rose up against authoritarianism and deposed the Qadhafi regime.

Thank you for this opportunity to testify today.

The CHAIRMAN. Thank you very much.

Now we will hear from Christopher Robinson. Mr. Robinson is the Deputy Assistant Secretary in the State Department’s Bureau of European and Eurasian Affairs. He is an experienced diplomat with over 23 years of experience as a career foreign officer. Mr. Robinson is well placed to speak to Russia’s equities in the Libya conflict, having recently served as Minister Counselor for Political Affairs at the U.S. embassy in Moscow, as well as Deputy Director for Russian Affairs at the U.S. Department of State. Mr. Robinson.

STATEMENT OF CHRISTOPHER ROBINSON, DEPUTY ASSISTANT SECRETARY, BUREAU OF EUROPEAN AND EURASIAN AFFAIRS, U.S. DEPARTMENT OF STATE, WASHINGTON, DC

Mr. ROBINSON. Good morning. Chairman Risch, Ranking Member Menendez, and members of the committee, it is a pleasure to be here today with the Assistant Secretary of State for Near Eastern Affairs to discuss U.S. policy towards Libya.

Russia is a determined and resourceful competitor to the United States. The Kremlin seeks to use military power and proxy actors to impose its will on nations seeking to assert their independence and sovereignty. Ukraine is the most egregious example where in 2014, Russia invaded and occupied Crimea and then used mercenaries and its own army to foment a conflict in the Donbas. Russia invaded Georgia in 2008 and continues to interfere in the affairs of its neighbors.

In 2015, Russia expanded its reach to Syria where its military and political support of the Assad regime, including sheltering the regime from accountability for its use of chemical weapons, has fueled a conflict that has cost the lives of hundreds of thousands of innocent civilians and forced millions to flee Syria.

Libya now risks becoming the next venue for Russia's malign efforts to exploit international conflicts for its own narrow political and economic gain. As Under Secretary for Political Affairs David Hale testified before this committee last December, our diplomats are seized with countering Russian adventurism in Africa, where Russia's actions exacerbate instability and undermine U.S. interests. In Libya, as Under Secretary Hale pointed out, we have called out Russia's destabilizing policies, including its use of proxy actors like the Wagner Group which is under U.S. sanction. Secretary Pompeo made clear during last month's Berlin Conference that all participants, including Russia, must abide by the U.N.'s arms embargo on Libya.

In recent months, Russia's surge of mercenaries supporting the attack by the Libyan National Army on Tripoli has led to a significant escalation of the conflict and a worsening of the humanitarian situation. Wagner is often misleadingly referred to as a Russian private military company, but in fact, it is an instrument of the Russian Government which the Kremlin uses as a low-cost, low-risk instrument to advance its goals. Russian military support has emboldened General Haftar to continue his destabilizing offensive.

External support to the Libyan parties, including Russia's military support of Haftar, is the primary factor allowing the conflict to drag on and metastasize into a broader proxy war. Russia's direct involvement in the conflict exacerbates instability as Moscow seeks access to military facilities and resources in Libya with ramifications for southern Europe. Moscow may seek to use an enhanced presence in Libya as a platform to expand its malign influence in Africa and across the Mediterranean.

By bringing the GNA and LNA to Moscow in January, the Kremlin showed it seeks to create parallel diplomatic tracks, which would sideline the United Nations and advance narrow Russian interests. However, the reduction in violence that came into effect in January has begun to fray. For the United Nations to succeed in converting the shaky truce into an enduring ceasefire, external parties must uphold the commitment they made in Berlin to freeze deployments of personnel and equipment. So far, the external actors involved in Libya, especially Russia, have not followed through on this commitment.

Since 2011, the U.N. support mission in Libya has had an international mandate to promote conflict resolution and to support a political solution, efforts that Moscow increasingly undermines. The United States, on the other hand, supports these international efforts, particularly by focusing on economic and security dialogues among Libyans to achieve tangible, practical solutions.

The administration is engaged in a range of actions to blunt Moscow's efforts to exert malign influence in Libya. It is not too late for Moscow to change course and genuinely support a political settlement. We will continue to call out Russian interference in Libya.

The Kremlin is mistaken if it thinks using mercenaries provides it deniability for its reckless policies.

Our engagement is also demonstrated through the sanctions we have imposed on the Wagner Group and its owner, Putin crony, Yevgeniy Prigozhin. In keeping with the administration's approach to burden-sharing, we are actively pressing for our European allies to also sanction Wagner and Prigozhin. Russia needs to understand that it cannot act with impunity to destabilize Libya.

Thank you for this opportunity, and I look forward to our discussions this morning.

[The prepared statement of Mr. Robinson follows:]

PREPARED STATEMENT OF CHRISTOPHER ROBINSON

Good morning Chairman Risch, Ranking Member Menendez, and members of the committee. It is a pleasure to be here today with the Assistant Secretary of State for Near Eastern Affairs to discuss the future of U.S. policy toward Libya.

Russia is a determined and resourceful competitor to the United States. The Kremlin seeks to use military power and proxy actors to impose its will on nations seeking to assert their independence and sovereignty. Ukraine is the most egregious example, where in 2014, Russia invaded and occupied Crimea and then used mercenaries and its own army to foment a conflict in the Donbas. Russia invaded Georgia in 2008 and continues to interfere in the affairs of its near neighbors such as Moldova.

In 2015, Russia expanded its reach to Syria, where its military and political support of the Assad regime, including shielding the regime from accountability for its use of chemical weapons, has fueled a conflict that has cost the lives of hundreds of thousands of innocent civilians and forced millions to flee Syria.

Libya now risks becoming the next venue for Russia's malign efforts to exploit international conflicts for its own narrow political and economic gain. As Undersecretary for Political Affairs David Hale testified before this committee last December, our diplomats are seized with countering Russian adventurism in Africa, where Russia's actions exacerbate instability and undermine U.S. interests. In Libya, as Undersecretary Hale pointed out, we have called out Russia's destabilizing policies, including its use of proxy actors, like the Wagner Group which is under U.S.-sanction. Secretary Pompeo made clear during last month's Berlin Conference that all participants, including Russia, must abide by the U.N. arms embargo on Libya.

In recent months, Russia's surge of mercenaries supporting the attack by the Libyan National Army (LNA) on Tripoli has led to a significant escalation of the conflict and a worsening of the humanitarian situation there. Wagner is often misleadingly referred to as a Russian private military company, but it is an instrument of the Russian government, which the Kremlin uses as a low-cost, low-risk instrument to advance its goals. Russian military support has emboldened Haftar to continue his destabilizing offensive.

External support to the Libyan parties, including Russia's military support of Haftar, is the primary factor allowing the conflict to drag on and metastasize into a broader proxy war. Russia's direct involvement in the conflict exacerbates instability as Moscow seeks access to military facilities and resources in Libya, with ramifications for southern Europe.

Moscow may seek to use an enhanced presence in Libya as a platform to expand its malign influence in Africa and across the Mediterranean.

By bringing the GNA and LNA to Moscow in January, the Kremlin showed it seeks to create parallel diplomatic tracks that would sideline the U.N. and advance narrow Russian interests.

However, the reduction in violence that came into effect on January 12 has begun to fray. For the U.N. to succeed in converting the current shaky truce into an enduring ceasefire, external parties must uphold the commitment they made January 19 in Berlin to freeze deployments of personnel and equipment. So far, the external actors involved in Libya have not followed through on this commitment.

Since 2011, the U.N. Support Mission in Libya has had an international mandate to promote conflict resolution and to support a political solution—efforts that Moscow increasingly undermines. The United States, on the other hand, supports these international efforts, particularly by focusing on economic and security dialogues among Libyan technocrats to achieve tangible, practical solutions. By engaging with

Libyans from across the political spectrum and conflict divide, the United States has demonstrated itself to be an honest broker, rather than a self-serving manipulator.

The administration is engaged in a range of actions to blunt Moscow's efforts to exert malign influence in Libya. It is not too late for Moscow to change course and genuinely support a political settlement. We will continue to call out Russian interference in Libya. The Kremlin is mistaken if it thinks using mercenaries provides it deniability for its reckless policies. This is also demonstrated through the sanctions we have imposed on the Wagner Group, and its owner, Putin crony Yevgeniy Prigozhin. In keeping with the administration's approach to burden sharing, we are actively pressing our European allies to also sanction Wagner and Prigozhin. Russia needs to understand it cannot act with impunity to destabilize Libya.

The CHAIRMAN. Thank you so much.

We will go to a round of questions. We will start with Senator Menendez.

Senator MENENDEZ. Thank you, Mr. Chairman.

Thank you both for your testimony.

Secretary Schenker, looking at the quotes behind me, can you understand that there is confusion regarding our policy? Can you please state unequivocally whether the United States support's Haftar's ongoing campaign to take over Tripoli?

Mr. SCHENKER. Thank you, Senator.

I can say unequivocally the United States recognizes the GNA, as does the rest of the international community. We do not support the Haftar offensive on Tripoli.

I think these statements are actually consistent. Haftar has, at times, been a counterterrorism partner for the United States in Libya. And while we see many of his actions having been counterproductive, we see Haftar as a part of the problem but also necessarily as part of the solution, and we are encouraging him to participate in negotiations.

Senator MENENDEZ. So the administration does not support his ongoing campaign to take over Tripoli. Right?

Mr. SCHENKER. Correct.

Senator MENENDEZ. Now, let me move to the comment you just made that in some respects he is viewed as someone who has fought against threats by those who we would be concerned about. Some of his backers assert that he is the saving grace against would-be jihadists who threaten the entire continent. However, it was the GNA, with the support of the United States, who ousted ISIS from Sirte, and while there are very few totally clean hands all around, there are credible reports that Haftar has enlisted Salafi militias to fight alongside him.

So can you point to clear instances of threats from Islamists that Haftar or the LNA have neutralized?

Mr. SCHENKER. Not in this forum, but he has cooperated with us in instances on the ground.

Senator MENENDEZ. So I would love to have whatever the forum is necessary to understand that more clearly because I do not get it quite clearly. So I would look to follow that up with you.

Have U.S. officials engaged directly with Haftar, and what is your message to him?

Mr. SCHENKER. Absolutely, Senator. Since August of 2019 when Ambassador Norland was confirmed, he has met with Haftar 4 times. Our chargé at the LEO has met—Josh Harris—has met with Haftar once. Victoria Coates at the National Security Council has

met with him several times. We are engaged with him. Yes, we meet with him, we talk with him.

Senator MENENDEZ. What is your message to him?

Mr. SCHENKER. The message to him is to engage in the U.N.-led political process by Ghassan Salame, and to stop the offensive on Tripoli, and that is the primary message.

Senator MENENDEZ. And what is the response he gives you to those messages?

Mr. SCHENKER. It has not been, to this point, exactly as we had hoped, but—

Senator MENENDEZ. He has rejected all of your messages.

Mr. SCHENKER. He did not sign onto the Berlin communiqué which was a 55-point communiqué that talked about—

Senator MENENDEZ. So what does Haftar have to show for his advances other than increased proxy involvement in the country?

Mr. SCHENKER. Haftar controls basically 75 percent of the territory through a conglomeration of militias that he has put together that is called the LNA. But he does not control—this territory does not comprise half the population.

Senator MENENDEZ. Now, the French Ministry of Armed Forces confirmed in July that France had initially purchased U.S.-manufactured Javelin anti-tank missiles recovered from militia forces aligned with Haftar. Credible reports have indicated that Emirati air support, including through the use of Chinese-manufactured drones, has targeted hospitals and migrant centers in Libya. Russia, as we have already discussed and some of your testimony speaks to, has deployed mercenaries on behalf of Haftar. Turkey has deployed Syrian troops to fight on behalf of the GNA.

So what engagement have you had with the major external players on military and logistical support they are providing? Because I have to tell you in my conversations with some of the representatives of these countries here, they tell me why are you complaining. The U.S. supports Haftar.

Mr. SCHENKER. Sir, we have engaged involved countries to de-escalate. We have asked the United Arab Emirates, Turkey, and Egypt to use their influence with the GNA and the LNA to support the U.N. joint military commission. I cannot speak to the provenance of the equipment that was allegedly used by the UAE. In terms of drones, I do not believe they are American. But we require of all recipients of U.S.-origin defense equipment to abide by their end use obligations.

Senator MENENDEZ. But we have major players which we have relationships with and we are not pressing them.

Mr. SCHENKER. We are pressing them.

Senator MENENDEZ. It does not seem so. When I talk to them, they tell me “I do not know why you are complaining, Senator. The U.S. tells us they are with Haftar.” Anyhow, I will stop there but it is something to be pursued. I have other questions for later.

Thank you.

The CHAIRMAN. Senator Romney.

Senator ROMNEY. Thank you, Mr. Chairman.

I am going to just pick up, first of all, where Ranking Member Menendez was going, which is that there is confusion I think on the part of a lot of people as to what the posture of the United

States is with regard to the two factions that are going at each other in Libya. The sense of what we have heard from the President is that he is inclined to support Haftar. The sense of the State Department is that they are inclined instead to support the government.

Are we speaking with one voice? Are the President and the State Department on the same page? Is there consistency in point of view? And if there is, can we communicate that better to the world and to the people in Libya?

Mr. SCHENKER. Thank you, Senator. There is no division. There is one U.S. policy on Libya. We support the GNA. We recognize the GNA. The LNA is a force on the ground, and we deal with them. We engage with them.

The policymaking process is messy at times. I think we have seen that in the past. But we are all on the same page as far as our push for a stable and secure Libya, support for an immediate end to the fighting, an end to external influence and the involvement of foreign mercenaries in the conflict.

We all support Ghassan Salame's efforts. We are working with the U.N. We are supporting the Berlin Process. The Secretary was in Berlin with the National Security Advisor both attending this conference, sponsored by Angela Merkel. The President spoke with Angela Merkel about Libya a few weeks ago. We are all on the same page.

Senator ROMNEY. I think recently we have heard a number of people point out, I think correctly, that it is the President who sets foreign policy, not the State Department or anybody else. It is the President's choice. And I think it would be helpful if the President's posture with regard to Libya were communicated on a global basis such that there was real confidence among our allies and those in the region as to where we stand.

What do you believe our objective is with regard to Haftar? What do we hope that we want to get him to do? As we look down the road, are we looking for him to be part of a coalition government? Are we looking to a division of some kind? Are we looking for him to be defeated militarily? What are we trying to aim to do with Haftar?

Mr. SCHENKER. Thank you.

It is up to the people of Libya to determine the future of Libya and what their future government looks like.

Senator ROMNEY. Of course. But what would we like to see with regard to this conflict between the two?

Mr. SCHENKER. We want to see the GNA continue with the process, right now in the mediation that is being sponsored, the Five Plus Five military talks being led by Ghassan Salame in Geneva with five representatives on the military side from the LNA, five from the GNA to talk, to further consolidate this de-escalation and turn it into a durable ceasefire and engage in a political process that involves what Ghassan Salame describes as the 13 plus 13 plus 13 plus 1, basically a broad spectrum of Libyan political actors getting together and talking about these difficult issues that have driven the conflict: the equitable distribution of oil resources, the status of militia in the country, and the role of political Islam in Libya. And this is all for Libyans to determine.

Senator ROMNEY. Thank you.

Mr. Robinson, it is not lost on us that the Russians have learned from the experience of Iran, which is establishing proxies that can go out and do things, that you can say, well, it really was not us. That has a certain impact. They are not necessarily guided by Geneva Accords. They are not guided by U.N. resolutions. They are not guided by foreign policy, if you will, headline foreign policy of their countries. Russia is doing that now with impunity.

What are we to do as it relates to this militia effort—excuse me—this mercenary effort on the part of Russia? How are we to counter that? Because we are going to see—obviously, you have pointed out we have seen it at least twice. How are we going to deal with this as we go forward? What can we do to reduce its impact?

Mr. ROBINSON. Thank you, Senator.

You are correct. Russia's use of proxy actors that it claims—it seeks plausible deniability when their deniability is not plausible—is not just a challenge in Libya, but is a challenge that we see expanding around the world, whether sub-Saharan Africa, the western hemisphere. We see Russia increasingly resort to this to achieve its malicious foreign policy goals.

And so we have raised this directly with Moscow that Russia's increasing use of proxy actors, particularly private military contractors, threatens stability globally. We have used sanctions in order to reduce their ability to operate, particularly Prigozhin and the Wagner network. We are working with our allies so that they also place these groups under sanction and importantly to call out these activities, to publicly attribute them to the Russian Government so that they cannot seek deniability.

The CHAIRMAN. Thank you.

Senator Cardin.

Senator CARDIN. Well, thank you both for your service.

The United Nations arms embargo is in place and it has been violated by many players. So list for us who are the major violators of the U.N. arms embargo which, of course, the next step is to enforce that. And if they are violating it, why do we think it is going to be different with the next embargo that is passed by the United Nations Security Council? Who is number one on the list?

Mr. SCHENKER. There are a broad range of violators, and I would not want to rank them. But we have seen armaments from Egypt. We have seen them from the Emirates. We have seen Turkish equipment there.

Senator CARDIN. Of course, Turkey is a NATO partner.

Mr. SCHENKER. Correct.

Senator CARDIN. And they are supporting the GNA, but they have their own reasons for doing that, which are not exactly the same reasons that we are trying to get peace in that region.

Mr. SCHENKER. Yes. Well, paradoxically while we have worked to discourage Turkish deployments to Libya, their deployments have, in fact, reestablished the status quo in Tripoli. Whereas Haftar, backed by the Wagner forces, was making incremental advances, the deployment of Turkish forces have slowed that advance and have created an environment that has served to be more conducive to negotiations—

Senator CARDIN. But that brings you to the issue of, if you get to a ceasefire, is the ceasefire the current lines, or do you go back to the April lines? Which I fully understand this, the importance of trying to not give them a reward for bad behavior in a ceasefire.

So are you saying that we support what Turkey is doing right now in Libya?

Mr. SCHENKER. No, I am not. We try to discourage them from doing so.

Mr. ROBINSON. If I could just add on that. We have engaged with Turkey on this that we want all sides to de-escalate. Turkey has publicly committed to the Berlin Process and to the commitments there. President Erdogan stated publicly that their intervention and deployments were a direct response to Russia's use of Wagner forces that further escalated and destabilized the situation. And so Turkey has publicly committed to a ceasefire, and we are engaged in that discussion.

And to your earlier point, Senator, I think you are right. The Wagner forces in particular, by some media accounts, are over 2,000 soldiers with heavy equipment and are one of the key factors in destabilizing the situation.

Senator CARDIN. So I am trying to see—you see just about every participant is violating the arms embargo. What is your optimism that if we are able to get a peace process moving, that there will not be significant efforts to avoid the embargo? And what will the U.S. role be if a peace process moves forward? Are we expected to be an active participant in that?

Mr. SCHENKER. Senator, we support the U.N.-led process, but we are into burden sharing as well. The Europeans have indicated that if there is enforcement of the ceasefire—and I will turn this over to Chris here—that they would take the lead here. We are not going to have U.S. troop deployments.

Senator CARDIN. So our position will be pretty much what it has been up to now, is that we will voice our concerns, our support, but we will not be putting our resources, particularly our military resources, behind any type of a solution here? Do we expect that Russia will also do what the United States is doing and remove itself from that region?

Mr. ROBINSON. So let me take that last question first then.

Senator CARDIN. It was sarcastic, I must admit.

Mr. ROBINSON. No, I understand that, sir, and I think that is really one of the challenges. We have seen a repeated pattern of behavior that while Russia publicly commits to international obligations to end conflicts, whether it is the Minsk Agreements for Ukraine, U.N. Security Council Resolution 2254 for Syria, or its own self-generated Astana Process with Turkey and Iran, it does not honor its international commitments on a repeated basis. That is why we will keep pressure on Moscow to publicly attribute and hold them to account.

Senator CARDIN. And that is I guess my point. Look, none of us want our soldiers out—we want burden sharing. We want Europe to pick up the needs. But when the United States is not there, as Senator Menendez says, it is filled. The void is filled and not by our friends.

So do we really think we can enforce a peace process in regards to Libya knowing what Russia is going to be doing without the U.S. having some active role in determining how to enforce?

Mr. SCHENKER. I think we can. I think what we have seen since the Berlin process, we had an immediate spike and since then, we have had a de-escalation of sorts where you see some of those violators of the arms embargo pull back from the front lines to give this process a chance. So I do not want to come across at all as optimistic. This is a civil war, 9 years in the making, and it is going to be very difficult. But there is a glimmer of hope that the ceasefire will take hold.

The CHAIRMAN. Thank you, Senator Cardin.

Senator Perdue, you are going to have to wait. We are out of time on the floor on the first vote.

Senator PERDUE. Thank you very much. I will be back.

The CHAIRMAN. We are going to be anxiously awaiting your questions when we get back.

So the committee will be at ease, subject to the call of the chair.
[Recess.]

The CHAIRMAN. The committee will come to order.

Senator Perdue, you are up.

Senator PERDUE. Thank you, Mr. Chairman. Is this hazing for the new member?

The CHAIRMAN. It is.

Senator PERDUE. Thank you for your forbearance.

I want to talk about two things very quickly. The last time I was with President el-Sisi, he was most concerned in Libya about the Muslim Brotherhood. This is an ongoing thing with him.

But first, I want to talk about Russia very quickly. I would like both of you to give me your responses on the Russian activity. We talked about Wagner and their effort there, the proxies of Russia there. If you look at a little bit of history between Murmansk, Kaliningrad, Sebastopol, and now Latakia and Tartus, we see that they have been beneficiaries of this nefarious activity. Three in just the last—what—5 to 6 years—10 years anyway between the Crimea and Sebastopol and now Latakia and Tartus.

When I look at Tripoli, this is an easy thing for them. It does not cost a lot of money. They have encouraged this nefarious activity. What is their end game, and how do you suggest that we and the allies actually stand up there? There is a limit to sanctions. I understand we are sanctioning pretty much everybody in Russia right now. How much further can we go, and are we not in an era of diminishing return with that alone? And do we not need a little more cohesive approach from NATO, all of the allies with regard to this nefarious activity that Russia is engaged in particularly with Wagner over the last 3 or 4 years—or 2 years?

Mr. ROBINSON. Thank you, Senator. I think you are absolutely correct that we see a growing pattern of Russian behavior here.

I think in terms of Russian objectives, one is they want to demonstrate that they are a global power and that no international conflict will be settled without them having a seat at the table and their interests, however they may define them, in that conflict being acknowledged and taken care of.

Particularly with regard to the Libya conflict, we see Russia intent to—you are correct—secure itself a military foothold on NATO's southern flank, on the southern part of the Mediterranean, and as well as to gain control over Libya's natural resources, again to serve its own narrow political and economic interests.

You are correct that while we have used sanctions, they are one tool out of many, that we need to use all our means of diplomatic, information, and economic power in order to deter Russia from aggressive behavior. So we have done a lot of work at NATO in terms of raising efforts to counter Russian aggression.

Senator PERDUE. Sorry to interrupt. But their gray war—it just does not seem to me that the sanctions have had much impact on their gray effort.

Mr. ROBINSON. Some elements make it more difficult for Russia to operate. I mean, they need to be able to move personnel and funds, and we can make it much more difficult for them to operate. We can publicly attribute the work that they are doing so that they do not have deniability, and that remains a key tool in our toolbox to counter Russian aggression. And you are correct. We need to continue to work with our allies and partners, particularly in Europe, to raise the costs for Russia, to deter Russia, and to call out their bad behavior.

Mr. SCHENKER. I agree 100 percent with what Chris said, yes. It is a malign actor, and it would be helpful if we could expand what is now a unilateral sanction to a multilateral. It would be much more effective, I think, if we had Europe on board.

Senator PERDUE. Well, they just do not seem to be deterred. These things keep falling in their lap. Latakia and Tartus I am very concerned about. They are not down on the horn, but this southern flank of Europe really concerns me. I think they have their eyes on Tripoli.

El-Sisi is very concerned about the Muslim Brotherhood and their part in the GNA. Talk to me just a little bit about is this really a danger. Is this a force compared to what ISIS is doing? Or is ISIS on the rebound there? And is Russia playing—a three-part question. Is Russia benefiting regardless of the outcome? Do they get just as much benefit from an instability there versus a real outcome?

Mr. SCHENKER. Thank you. I will talk about the Islamist question here.

To be sure, the GNA does have ties with Muslim Brotherhood affiliated militia in Tripoli. But I would also add, as we heard earlier, I think from Senator Menendez, that Haftar has his own different flavor of Islamists. They are Salafists, and he has aligned with Salafist militia. This is something that will be determined, I think, in political talks between the LNA and GNA about the status of Islamists in the country, what their role will be, what the role of political Islam will be in that country.

As for ISIS, you know that in September, we had a drone strike in south Libya that killed some 43 members of ISIS. This is an ongoing problem and something that is easier to contend with from a U.S. point of view or would be easier to contend with if there was no war in Libya, if we had U.S. troops and assets stationed in Libya.

Senator PERDUE. So I am out of time, but you would agree that the instability there does create a fertile atmosphere for ISIS recruiting and ISIS growth?

Mr. SCHENKER. It does.

Senator PERDUE. Thank you very much.

Thank you, Mr. Chairman.

The CHAIRMAN. Senator Shaheen.

Senator SHAHEEN. Thank you, Mr. Chairman.

Thank you both for being here.

You both talked about how our sanctions regime would be more effective if the Europeans were better participants in that. What are we doing to try and encourage Europe to participate? And why are they unwilling to do that?

Mr. ROBINSON. So, Senator, you are correct. Our sanctions are most effective when we can do that in partnership with our allies. That enables both to deter their behavior but to send a clear message to Moscow in particular that the transatlantic community is united on whatever the issue is, whether it is Ukraine, Syria, or Libya.

We have engaged with the European partners. We had a team in Brussels just in January to share more information on these private military contractors and our concerns there.

Senator SHAHEEN. So why are they so unwilling? Do they feel like there are benefits to their companies in European countries because they are benefiting from the sale of arms?

Mr. ROBINSON. They have not expressed that view to us. I think they move in a more deliberative process. We and Brussels have not always moved in sync. Our authorities enable us to move quicker in some cases to impose sanctions than the EU process for imposing sanctions. But we are working very closely with them on that.

Senator SHAHEEN. So how optimistic should we be that they are actually going to come along, and how much of a deterrent is it that the United States did not consult with them or let them know about the strike against Soleimani, did not let them know about our withdrawal of troops from Syria, have not been a very good partner in terms of what our activities have been with regard to what the Europeans are doing? How much is that affecting our ability to get them to join us?

Mr. ROBINSON. So particularly with regard to Russia and then more broadly with the Berlin process as well, I think they have seen U.S. leadership. We have a good track record of close cooperation on a range of these issues. Our European allies see the threat the same way. We just use, at times, different tools to address the threat. So we are very focused on that, and we will continue to pursue that with our allies.

Senator SHAHEEN. Do you agree with that, Mr. Schenker?

Mr. SCHENKER. I do.

Senator SHAHEEN. I want to follow up on Senator Perdue's questions about ISIS because southern Libya has been exploited by parties to the conflict, as you both pointed out. It is destabilized by a variety of groups. So what more should we be doing?

And earlier this month, we heard reports that Turkey sent over 4,000 foreign militants from Syria to fight on behalf of the GNA in

Tripoli and that at least dozens of them are extremist affiliated. So how concerned should we be about Turkey's involvement there and the potential for the Turks to be encouraging, whether deliberately or not, the reformation of ISIS and the growth?

Mr. SCHENKER. Senator, if I can touch on the first part of that, the issue of the persistence of ISIS in Libya. This is an enduring problem. And the best way to solve that is to support an end to the fighting, end of the civil war, and that way we can be better placed to have a more hands-on approach, closer proximity to the problem.

But this is a problem in the Sahel states that border Libya as well. The way we are dealing with this right now is we are in discussions with our allies about NATO Middle East, or NATOME, in terms of expanding NATO presence working with our allies, the French, and others on countering these type of threats in North Africa, as well as in the Sahel.

Mr. ROBINSON. And, Senator, specifically with regard to Turkey and the challenge of terrorism, Turkey is a key NATO ally and a critical partner in the coalition to defeat ISIS, so we continue to engage with them on that. We have expressed our concerns and the need to de-escalate in Libya, but they remain a vital partner in the campaign against ISIS.

Senator SHAHEEN. So do you discount the reports that suggest that some of those Turkish soldiers who went into Libya are actually extremists who are fighting with them, just as we saw the Turkish troops that moved into Syria included militias that were extremists?

Mr. ROBINSON. Again, I do not have any information specifically on that, but we have engaged with Turkey to de-escalate and to engage, and they have expressed both publicly and privately their commitment to the Berlin Process and to a peaceful resolution of the conflict in Libya.

Senator SHAHEEN. I appreciate what they have said publicly. I hope that we will continue to press them on who actually is being sent to Libya to fight and what their affiliations are because clearly Turkey is talking out of both sides of its mouth. Thank you.

The CHAIRMAN. Thank you, Senator Shaheen.

Senator Rubio.

Senator RUBIO. Thank you.

Thank you for being here. I appreciate it very much.

I am sorry to be late to the hearing. This may have already been asked before. But it is such a unique mess we have on our hands with regard to all the different sides involved in that conflict and in particular now that sort of Turkish involvement that from open source reports—I read something again this morning. It appears to be that some of their engagement is via the regular forces potentially. Some of their engagement is also via aligned groups that may or may not have been a part of their efforts in Syria. And then the reverse of that is these reports in the media about the Russian contractor role and that some of the people—at least that I have read about in some article last night—that are operating on the Wagner side are not necessarily even Russians or Europeans. They are, I guess, soldiers for hire in the region.

I guess I am trying to fully understand what our view is or what our best assessment is of what the Russian intention is with regard

to Libya. Is it basically to reach an outcome that would allow them to have influence in the future of the country? It sounds like it is another one of those proxy plays where they have been able to outsource the operation to a private contractor that they deny having links to so they do not have to explain to people back home why some Russian is dead. But at the same time, it gives them enough influence over the future outcome of a conflict in a way that is beneficial to them, whether it is a seaport access or natural resources.

Mr. ROBINSON. So, Senator, you are absolutely correct. I think the Russian intention is clear. They seek to sow chaos, to inflame conflict to serve their interests. In this particular case, their interest is to demonstrate that they are a great power and particularly to secure themselves a military presence on NATO's southern flank and to secure access or control over Libya's oil resources.

With regard to Russia's use of mercenaries, we need to continue to be clear that there is no plausible deniability. This a Kremlin-directed organization that is used by the Kremlin to carry out its very narrow foreign and security policy interests. We will continue to call them to account for this, hold them responsible. We have sanctioned them, and we will continue to hold Russia to account.

Senator RUBIO. The other thing I would point is this appears to now be the second place in which the Turks find themselves on the opposite side of an increasingly growing conflict from the Russians. So we have seen just in the last 72 hours sort of open conflict with the Assad regime just outside of Idlib. We have seen now in this case that they are increasingly ramping up their presence in Libya. It is an interesting dynamic because at the same time as they are in conflict with the Russians, they are also engaged in buying weaponry from them and so forth, which has created a conflict with the United States.

What is the Turkish objective in being involved in this outcome?

Mr. ROBINSON. So Turkey is a key NATO ally. It is a key player in regional security issues. And I think you are correct. They have both Iran and Russia on their near borders and face a threat from those directions. And so we continue to engage with them. You are correct. Turkey has suffered serious losses of its soldiers in Syria at the hands of the Assad regime backed by the Russian Government. And so while we have some differences with the government in Ankara on certain issues, we are engaged with them because we take their security concerns seriously.

Senator RUBIO. What is their rationale for Libya being a place they want to be engaged?

Mr. ROBINSON. So President Erdogan was very clear that they deployed forces in response to Russia's escalation and its massive deployment of Wagner resources. They have publicly committed and privately committed to the Berlin Process, to a peaceful settlement of this conflict, and they are engaged substantively on that. And so in this case, we are engaged with Turkey on that. It is Russia that remains the bad actor.

Senator RUBIO. And finally, what has been the impact on the CT, the counter-terror, mission in Libya given this uncertainty particularly with both ISIS and al Qaeda elements having, at least historically in the past, tried to establish a presence there? I would imag-

ine that the existence of this conflict has, in some ways, potentially undermined those efforts.

Mr. SCHENKER. Thank you, Senator.

In our view, it has complicated the counterterrorism campaign. As I pointed out earlier, we had strikes in September killing 43 members of ISIS in south Libya. We still have allies on the ground who we are working with to fight terrorists, but we no longer have that presence on the ground in Libya.

The CHAIRMAN. Thank you, Senator Rubio.

Mr. Robinson, I would like to follow up on a question that Senator Rubio asked. Is it your sense that the Turks are figuring out they are holding hands with the wrong person under the table yet? You know, this has been very frustrating for a lot of us. We meet with the Turkish officials, and I have met with Erdogan myself. It is just incredibly frustrating and hard to understand why they have taken up this romance after hundreds of years of conflict, and they are turning to them instead of to people who are their official allies. It seems to me at some point in time, they are going to catch on that they are making a huge mistake. Has that thought taken root at all with them yet? Have they woken up to that yet?

Mr. ROBINSON. I think you have seen the Turkish Government call out Russia for its responsibility on what is happening in Syria and that Russia is not honoring its commitments. This is a continuing problem.

Again, we are engaged with Turkey. They are a NATO ally, and we take their threat seriously. But we see a pattern of behavior where Russia does not honor its agreements, whether it is the ones they negotiated, for example, Syria with the Astana Process. They say one thing but their actions tell another story.

The CHAIRMAN. Well, and I appreciate your statements about Turkey being an ally, and we know they are an ally. They are an official ally, but they are not acting like an ally in a lot of respects. And I am thinking particularly about the S-400's, which is a major, major issue for us, and we have not been able to get by that yet.

Anyway, I hope they wake up soon and come back in the fold. They have been a good ally, an important ally over the years, and it is sad to see this thing going the direction it has gone in recent years.

So with that, Senator Kaine.

Senator KAINE. Thank you, Mr. Chair.

And to the witnesses, an important hearing.

I want to just ask a simple one. Is current U.S. policy to support the GNA or the LNA or both?

Mr. SCHENKER. Thank you, Senator.

We recognize the GNA as the government of Libya.

Senator KAINE. The U.S. and the U.N. both recognize the GNA as the legitimate government of Libya at this point.

Mr. SCHENKER. Correct.

Senator KAINE. And does that mean that is who we support right now?

Mr. SCHENKER. Yes. We support the GNA, but we support a negotiated solution, taking into account—

Senator Kaine. You are trying to find a way to end the civil war and how can we be helpful in that.

Mr. Schenker. Right, and that includes necessarily dealing with the LNA.

Senator Kaine. Why did the U.S. participate in April and May in blocking the U.N. Security Council resolution calling for a ceasefire, calling for the LNA to stop proceeding and waging war against the GNA?

Mr. Schenker. It is a good question.

Senator Kaine. Britain put a resolution on the table to try to stop the LNA's waging war against the GNA, and by the accounts that I have read, it was the U.S. and Russia that blocked that Security Council resolution.

Mr. Schenker. Well, I do not know why Russia blocked the resolution. I can tell you that there are so many of these resolutions that we work on that have no teeth, that do not have any meaning, and we do not want to sign onto meaningless resolutions.

Senator Kaine. I know you are citing general concerns. But do you know specifically why in this case? Because in this case, the reporting was that Secretary Pompeo spoke favorably about the resolution, but then quickly thereafter, the White House urged the U.S. mission at the U.N. to block the resolution and folks were very surprised about it. Russia had asked for conditions on the resolution, and those conditions were not given. But the U.S. actually was the one that raised the veto threat.

Mr. Schenker. Senator, I cannot specifically comment on that, but I can tell you—

Senator Kaine. And that is because you do not know the answer to the question.

Mr. Schenker. I do not know.

But what I will tell you is that I have worked on other resolutions, for example, ceasefire resolution around the time of the—

Senator Kaine. Can I just—you have a deep background. But I do not believe the challenges with other resolutions is relevant to the question about why we blocked this one. So I am going to move to just a second point.

Just in the last couple of days, Virginia citizens and American citizens filed a big human rights case in the District of Columbia against Field Marshal Haftar, who at some points in the past has been a Virginia resident. And so they argue that that gives them jurisdiction against him.

You know, it seems as I have followed this from last spring to now, there has maybe a little bit of an evolution of the thinking that, well, maybe Haftar was okay, or maybe we should reach out to him or maybe we should block the ceasefire resolution to be more favorable to the LNA or hopefully to get their help on anti-terrorism or others. There has been a rethinking of that, which I think is smart.

We have recognized the GNA as the legitimate government. We should be doing things to shore them up, not weaken them. I do not think being involved in peace discussions to try to bring out—in ways we can and others, kick out proxies in the civil war. That is the kind of thing we should be doing.

But we sort of undermined the government that we recognize when we took steps that were seen broadly as puffing up the LNA, including blocking the Security Council resolution. And so hopefully that time of sending the mixed messages is over and we send the clear message that we support the GNA. We want them to be stronger. And I hope that that is the message that is now being sent unequivocally and loud and clear by the administration.

Mr. SCHENKER. Senator, it is.

As for Haftar and what is happening in your district, I have to refer you to DOJ.

Senator KAINE. Right, right. Yes. That is just more public information.

But with that, thank you, Mr. Chair. I will yield it back to you, Senator Rubio and Senator Menendez.

Senator RUBIO [presiding]. Senator Murphy.

Senator MURPHY. Thank you very much, Mr. Chairman.

Thank you both for being here today.

I wanted to stay for a moment on our policy with respect to General Haftar and ask you a very specific question about how we can try to make clear which side we are on. You have, obviously, gotten a good number of questions, deservedly so, from members of this committee who are confused and who reflect general confusion around the world about where the United States stands. And I thank you for your very clear testimony today.

But we have a tool at our disposal that has not yet been engaged and that is CAATSA sanctions. CAATSA says that the President shall impose sanctions on individuals who knowingly engage in a significant transaction with a person that is part of or operates for or on behalf of the defense or intelligence sectors of the Russian Federation. The Wagner Group has been designated under CAATSA, and they are clearly in business with Haftar. So are we planning on sanctioning Haftar? Is that a discussion that is underway? And if we are not planning to do so, why not?

Mr. ROBINSON. Just a general comment overall. The administration is fully committed to implementation of CAATSA sanctions. As you well know, Senator, we are very engaged with this committee on that issue. The administration has sanctioned nearly 350 Russian individuals and entities. But sanctions are always one tool in the toolbox, and they need to be used to change behavior and achieve a specific outcome. And it is an issue of choosing of how we apply the tool and at the right time.

Mr. SCHENKER. Senator, thank you.

On CAATSA—let me go back first. We have sanctioned a number of individuals in Libya under U.N. authorities. We have a similar EO that echoes a U.N. authority for sanctions on those who undermine stability in Libya. We have done that too, including the Speaker of the House of Representatives of Libya who has been designated. So we use these tools when we think it appropriate.

Right now, Haftar is participating as a member of the Five Plus Five mil-to-mil committee, cooperating with the U.N. We want to encourage this, and we are hoping that he goes to the next step in these talks, which is the political talks. I cannot get into the internal deliberation, though, of what we are talking about designating him or not.

Senator MURPHY. I understand the balance. I think it would be important to have these internal discussions in part because the statute is not permissive, and so if he in fact is operating in coordination with an entity that has been designated, I do not know that there is a lot of discretion involved there.

I wanted to get in the question about the UAE. As far as I can tell, your testimony, Secretary Schenker, today is the first time that the administration has acknowledged that the UAE is a bad actor here in the sense that they have clearly, according to many reports, including for the United Nations Panel of Experts, been in violation of the arms embargo, and they are one of, if not the primary, actor of funding of much of the activity inside Libya today.

And yet, we are still in business with the UAE. The administration used emergency powers to sell \$8 billion worth of arms to them in 2019. Seven percent of all of our arms sales are to the Emiratis. So we have levers that are available to us to play with the Emiratis, both in public statements and in the mechanics of how we do business with them.

But it has just been striking to me that we have this rhetoric about trying to put pressure on outside actors who are supporting destabilization inside Libya and yet, with the Emiratis, it does not seem like we are really willing to go to the mat. We are not willing to tell them if you continue to fund Haftar and others, we will not sell you arms, and we do not seem to be willing to call them out with the exception of your statements today. Tell me why I am wrong about that.

Mr. SCHENKER. Well, in fact, the Secretary called the UAE, as well as Turkey and Egypt and others, out in Berlin at the Berlin Conference. So we are not shy about pointing this out.

We do believe, however, that diplomatic engagement with them will be more likely to get better results in the long run, and they appear to be cooperating now and adhering to the framework of the Berlin Process.

We also have a broad range of equities with the Emiratis frankly right now as well.

Senator MURPHY. Have you come to the conclusion that they are in violation of the arms embargo?

Mr. SCHENKER. I think that would be a question for the State Department's Office of the Legal Advisor.

Senator MURPHY. All right. I would contest the fact that they are cooperating. I think they continue to be in violation of that embargo. I am happy to follow up with them.

I just would urge you to use some firmer measures. I do not think you are getting what you need from the Emiratis right now, and I do not know that these quiet diplomatic back channels are going to get you there.

Thank you, Mr. Chairman.

Senator RUBIO. The ranking member.

Senator MENENDEZ. Thank you, Mr. Chairman.

Let me just make a comment for the record to both of you. You can take it back to the Department. As one of the authors of CAATSA, it is not voluntary. It is not discretionary. It is mandatory.

I think the administration thinks that it can ignore Congress with impunity, violate the congressional, not only intent but also, the actual wording of the law. And that will have consequences.

Listening to the President's defense team, one of the consequences they say that Congress can have is to hold up nominations. Well, if that is what we have to do to have faithfulness to the law, including CAATSA, that is what we will do. So this is not a question of discretion.

Secretary Schenker, let me ask you something. Going back to Senator Kaine's questions of the resolution that we joined Russia in vetoing, what message do you think it sends to the international community and our partners that we joined Russia to defeat a British initiative?

Mr. SCHENKER. We were engaged with the British and the French and all our partners at the U.N. before to try and improve this resolution, but there have been so many that have been tabled, including one that I started to explain to Senator Kaine, including one this year where we worked maybe 5 days solid to get an agreed-to resolution supporting a ceasefire in Libya. And we finally got the resolution, and the time it took to get the resolution was 5 times longer than the ceasefire lasted. We do not consider this productive, spending time on these resolutions that do not accomplish anything. So we want resolutions that have teeth as well.

Senator MENENDEZ. What is our leverage here to produce a resolution that will work? If we are not supporting the British, we are joining with the Russians who are a bad actor in Libya—do we agree on that? Russia is a bad actor in Libya?

Mr. SCHENKER. Yes.

Senator MENENDEZ. Okay. So Russia is a bad actor in Libya, but we joined Russia against Britain. Wow. So what is our leverage here? I am trying to understand what our leverage is.

Mr. SCHENKER. We are about to sign onto a Security Council resolution on Libya that we have worked with the British and the French that we think is productive, that seems to hold to account member states that violate the arms embargo and that is more meaningful in a way and that, as Chancellor Merkel said, will name names. We think this is important. We think it is productive.

Senator MENENDEZ. I cannot wait to see the naming of names.

Let me turn to something else. The Turkish-GNA agreement is based on a flawed reading of international law. Our partners, including Greece and Cyprus—Greece, a NATO ally; Cyprus, part of the European Union—have expressed vocal opposition to this agreement which, also as I said in my opening statement, undermines U.S. security interests.

Will the United States insist that any potential future Libyan Government eschew the underpinnings of this agreement and work with other eastern Mediterranean countries to comply with international law and peaceful energy exploration?

Mr. ROBINSON. So thank you, Senator.

Regarding the maritime delimitation in this agreement, we have called on all parties to refrain from actions that risk heightening tensions in the eastern Mediterranean at this very sensitive time. These developments, as you have rightly pointed out, highlight the risk that the Libyan conflict will take on wider regional dimensions

and the urgent need for all the parties to work towards an agreed solution. And the announcement of the delimitation memorandum has raised tensions in the region, and we are engaging with all the parties to de-escalate.

Senator MENENDEZ. Okay. Well, that is very nice. All the parties. But there is only one set of parties that is creating this problem. It is Turkey making this outrageous declaration that this strip that goes through international waters and actually lands of Greece, for example, as well as Cyprus, is somehow welcomed. So why is it we say all the parties? What are the other parties doing? They are not doing anything except being the victims of a determination that creates into conflict their exclusive economic zones. Why do we say all the parties when in fact we know there is a party here creating a real problem. That is Turkey.

Mr. ROBINSON. Senator, we do not want the tensions to escalate. We do not want any country to take rash actions that would further inflame tensions. And so again, we are engaged diplomatically with everybody involved in order to de-escalate this.

Senator MENENDEZ. But who did something here? Did Greece do something?

Mr. ROBINSON. No, Senator.

Senator MENENDEZ. Did Cyprus do something?

Mr. ROBINSON. No, Senator.

Senator MENENDEZ. Thank you. So by process of elimination, Turkey is the one who did it. Yes, we call on all parties.

Final question. Libya has become a transit country for hundreds of thousands of migrants, refugees, and trafficking victims. And we all recall the horrific stories about actual slave markets from a few years ago. What steps are we taking to promote refugee and migrant protections, particularly with the Europeans?

Mr. SCHENKER. Thank you.

In terms of Libya is what I can address first here, Senator, we last year I think gave \$30 million to the UNHCR and the International Organization of Migration to help ameliorate conditions on the ground. To be sure, the situation for migrants and refugees is deplorable. They are vulnerable, highly vulnerable, subject to torture, sexual violence, trafficking, arbitrary detention, et cetera.

At least with the Europeans, there is an agreement between the Libyan coast guard and the Italian navy that has just been renewed, a memorandum of understanding, that involves how to do these patrols and includes elements on how to better treat migrants. But certainly this is a significant concern. Libya is both a destination and a point of transit for migrants and is a continuing point of concern, although I must say in 2019 there was something like 120,000 refugees and migrants from Libya to Europe, meaning to Italy and Malta. In 2019, there was only something like 15,000.

Senator MENENDEZ. Thank you.

The CHAIRMAN. [presiding]: Senator Coons.

Senator COONS. Thank you, Chairman Risch, Ranking Member Menendez. Thank you for turning our committee's attention to Libya and the longstanding security and humanitarian challenges there.

Last November, I introduced the Libya Stabilization Act, along with my colleagues, Senators Graham and Murphy and Rubio, and

it is my hope to discuss for a few minutes some of the principal aims of it.

At the top of the list is the lack of a clearly articulated U.S. policy towards Libya. And the point of this bill is to bring high level attention to that process and to get us to a policy that is specifically focused on creating conditions on the ground to stabilize the country and ensure a long-term peace. And so this hearing is an important step towards articulating some of the core elements of that.

I think a critical place to start is the actual enforcement of the U.N. arms embargo, which has been in place nearly a decade but is routinely violated, and I think the United States should use its considerable influence and leverage to deter continued violations.

If I could, Mr. Assistant Secretary, does the administration have a strategy for stepping up enforcement of the arms embargo? I appreciate that there have been statements at the United Nations. I appreciate resolutions. But how will we move towards actual deterrence and compliance?

Mr. SCHENKER. Thanks, Senator.

We have been encouraging our partners and those who are actively involved in the conflict of Libya to step back, to discontinue this foreign interference, mercenaries, and sending of weapons there.

If we do anything, we believe, first of all, that diplomatically we are in a better place now moving forward, and there has been somewhat of a de-escalation on the ground in terms of where these munitions are placed, what countries there are in the region, et cetera.

That said, we would want to do something that is multilateral not unilateral.

Senator COONS. Well, my concern is that we are an essential party, and an absence of focus, prioritization, clarity will lead to continued drift. And there frankly, as my friend and colleague, Senator Menendez's question implied in a different context, he was talking Turkey and maritime delimitations—but there is a principal actor here, through the Wagner Group, has been interfering not just, as you mentioned previously, Deputy Assistant Secretary, not just in Syria, not just in Ukraine, in the Central African Republic, in Mozambique, and more recently here in Libya, and I suspect they are the party least interested in having pleasant, calm, diplomatic conversations about the U.N. arms embargo.

What additional leverage do you think we could or should apply multilaterally that might deter Russian violations of the U.N. arms embargo?

Mr. SCHENKER. Well, I will just say one word and Chris can go from there.

But we have encouraged our European allies—I have encouraged them, all parties of the Berlin process—to designate Wagner as well so it is not a unilateral sanction. I think that would be most effective.

Mr. ROBINSON. Senator, we have been direct with the Russians in calling them out for their actions both publicly and privately. Secretary Pompeo, Ambassador Sullivan in Moscow—we have raised specifically our concerns so that there is no plausible

deniability for Russia's actions and that we hold them to account wherever these private military contractors or other proxy actors operate and that we hold Russia responsible. As I have already said, we have sanctioned Wagner. We have expanded the sanctions against Yevgeniy Prigozhin, and we are working very diligently to ensure that Brussels takes similar actions.

Senator COONS. Why are we getting resistance or lack of response or engagement from our European allies who are more directly and intimately at risk here and see the destabilization and see the projection of power by Russia?

Mr. ROBINSON. Europe has different authorities for operating. They have different standards for imposing sanctions, and so it is, as I said, many times a longer, slower process than frankly we would like, but we try to work very closely. We have a robust information sharing process with our European partners. And there is real concern and an awareness of the threat Russian proxy actors pose—and you are correct—across sub-Saharan Africa and in the western hemisphere and elsewhere.

Senator COONS. But one component of the bill I mentioned is to specifically require the Department of State and Department of Defense to have a joint strategy for countering Russian aggression, engagement, influence in Libya, particularly because, as you called out in your opening comments, they may well be seeking not just access to resources but also critical basing and refueling opportunities.

Last I think is the dire humanitarian situation which is equally alarming. It is just the third question I am getting to, not the least concerning.

As you said, some 2,000 Libyans, hundreds of civilians have been killed, and more than 150,000 people displaced. And we have seen detention centers and aid workers attacked and security undermined.

The Libya Stabilization Act would authorize funds to address the humanitarian crisis and to help unify some of Libya's governing and financial institutions that are currently scattered, which I think could be a critical step in restoring security and services.

Do you agree this would be a wise investment for the United States as we continue to try and lead with our allies in resolving Libya's conflict?

Mr. SCHENKER. I do and I look forward to discussing the bill with you. I think it is important legislation. I think that we have to continue to make investments in Libya.

Senator COONS. Any closing comment you would like to make, Deputy Assistant Secretary?

Mr. ROBINSON. Senator, you raised one point about the importance of joint action and the joint plan. And I will say Russia has been successful in its use of proxy actors to carry out malign influence operations because it has brought a whole-of-government approach. This administration has brought together a whole-of-government approach to counter Russian influence and aggression, and we are putting that plan into action, including to counter Russia in Libya and elsewhere we find Russian aggression.

Senator COONS. Thank you. I appreciate that. I think frankly we need not just a whole-of-government approach but a whole-of-gov-

ernment approach closely coordinated with our trusted allies and relationships with those allies that allow us to sustain this kind of important work.

As you have laid out in Libya, foreign interference, humanitarian strife, the implications of this conflict for our CT efforts, for security across the whole Sahel, and the political stability frankly of our vital European allies are just a few of the reasons why I am grateful to the chair and ranking for this hearing on Libya. It reinforces my belief the United States is absolutely an essential actor, and we could play an outsized and positive role in stabilizing Libya and advancing our national interests.

So thank you and I hope we will proceed to a markup of the bill.

Thank you very much, gentlemen.

The CHAIRMAN. Thank you very much. Thank you to everybody who participated in this hearing.

Senator Coons, as far as your bill is concerned, we thank you and Senator Rubio for this piece of legislation. As you know, it is in staff right now being worked over to try to get to a yes for everybody. And as you know, as we try to move things towards the middle of the road, we do better if we can get everybody on board on it. So that is an ongoing effort right now, and it is a good faith effort. We will try to get it up so we can get the bill.

A sincere thank you to both of our witnesses for being here today. It was very helpful.

For the information of members, the record will remain open until the close of business on Friday. If indeed there are QFRs, we would ask the witnesses to respond as rapidly as possible so that we can close the record.

And thanks to the committee, and this meeting is now adjourned. [Whereupon, at 12:00 p.m., the hearing was adjourned.]

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

RESPONSES OF HON. DAVID SCHENKER TO QUESTIONS SUBMITTED BY SENATOR ROBERT MENEDEZ

Question. Thank you for stating that the administration supports the GNA and does not support General Haftar's offensive on Tripoli. Unfortunately, many of our partners have not understood this message:

What steps will the administration take going forward to make it clear that this is U.S. policy?

Answer. The United States' recognition of the Government of National Accord (GNA) as Libya's government has not changed. The administration's position is that only an inclusive, negotiated political solution can solve the conflict in Libya and that the fighting in Tripoli must end immediately. Achieving this requires diplomatic engagement with all sides of the conflict. The United States has made its position clear through numerous public statements and private diplomatic engagements with the full range of countries involved in Libya.

Question. What steps will the U.S. take to ensure that external actors stop violating the U.N. Arms Embargo on Libya?

Answer. Secretary Pompeo attended the Berlin Conference convened on January 19, an event that sought progress toward a political solution to end the conflict. The conference conclusions highlighted the commitment of participants to refrain from interference in the armed conflict and to abide by the arms embargo. Since the Berlin Conference, the United States voted for two United Nations Security Council Resolutions (2509 and 2510), which were both adopted, reaffirming strong support for the arms embargo. The resolutions stress that individuals or entities who violate the arms embargo, or assist others in doing so, are subject to designation under the

Libya sanctions regime. However, designations of individuals or entities that violate the arms embargo can be blocked by a single member of the U.N. Sanctions Committee (including Russia). The United States has strongly called for strict implementation of the arms embargo and accountability for violators and is supportive of the recent EU decision to launch a new maritime operation, to include aerial and satellite assets, focused on enforcement of the arms embargo. The Department has engaged diplomatically with a number of countries that are suspected of having violated the embargo in order to encourage them to return to compliance, accept that there is no durable military solution to the conflict, and support a negotiated political solution to the conflict.

Question. Given Haftar's unwillingness to stop his offensive on Tripoli or participate in the Berlin Conference, what steps is the administration willing to take to push him to take these steps?

Answer. The United States has made clear to all Libyan parties to the conflict—and their foreign backers—that they must participate in the U.N.-facilitated political, military and economic dialogue tracks. The United States successfully brought together delegations from the GNA and self-styled Libyan National Army (LNA) for economic talks in Tunis in December. U.S. officials have coordinated closely with Special Representative of the Secretary-General (SRSG) Ghassan Salame and his staff during all rounds of U.N.-facilitated talks, and have played an active role in pressing the Libyan parties to participate. When the parties have taken steps to escalate the conflict or undermine dialogue, the administration has made its condemnation of these actions clear, including publicly when appropriate.

Question. Will you commit to having the NEA Bureau provide a classified follow-up briefing with my staff on US–Haftar cooperation?

Answer. NEA is committed to keeping Congress fully informed of our activities and will consider any request for a classified briefing regarding matters that fall under the purview of the bureau.

Question. Do you believe the U.N. and UNSMIL have the capacity to promote a meaningful dialogue and solution?

Answer. The United States supports the efforts of SRSG Salame to broker an inclusive, Libyan-led and Libyan-owned political solution to the conflict. U.N. efforts have made progress in spite of the complicated array of local factions involved in the conflict and continued foreign interference which threatens to further escalate the violence. In addition to hosting ceasefire talks in Geneva, the SRSG plans a political process bringing together representatives of the Libyan House of Representatives, the High State Council, and additional representatives to reflect Libya's geographic, ethnic, and political diversity. The U.N. Security Council reviews UNSMIL's mandate annually, providing a regular opportunity to ensure an appropriate alignment of tasks and resources to the mission as the situation in Libya evolves.

Question. Is it our policy to continue to promote a civilian-led government?

Answer. The United States continues to promote civilian leadership of any future Libyan government, the form of which must be determined by the Libyan people.

Question. Given the fractured state of politics and decentralization of Libyan security structures,

What is your assessment of Sarraj and his ability to lead a government? Do you believe he is someone who could lead a united Libya?

Answer. The GNA is by design a temporary, transitional government. PM al-Sarraj was not elected to his position. The leader of a future, permanent Libyan government should be chosen via free and fair elections that reflect the will of the people. The United States does not take a position on the merits of individual candidates.

Question. Do you see a role for Haftar in a future Libyan government? What kind of role?

Answer. The United States continues to support General Haftar's participation in negotiations to achieve an inclusive political solution to the conflict. Haftar's role in a future Libyan government will ultimately be determined by the results of those negotiations.

Question. How many refugees evacuated from Libyan detention centers have been resettled in the United States via transit facilities in Niger and/or Rwanda?

Answer. The U.S. has so far resettled 134 refugees, mostly Unaccompanied Refugee Minors from Niger. There are currently another 70 in process.

Question. What steps are the U.S. taking to press for increased humanitarian access to migrant detention centers throughout Libya? In addition, is the U.S. pressing parties to the conflict to close detention centers, as outlined in the Berlin Conference communiqué?

Answer. The United States continues to advocate for the humane treatment and protection of IDPs, refugees, and migrants in Libya in our engagement with Libyan authorities. We support efforts by U.N. agencies and Libyan authorities to facilitate the swift and orderly closure of migrant detention facilities. Our support funds efforts to extend assistance and services to help previously detained persons reintegrate safely into urban settings. We continue to urge the Libyan government to enhance protections for migrants and refugees in its territory.

Question. What oversight are you exercising with UNHCR to ensure our funding is providing protection, including safe shelters outside the conflict?

Answer. We maintain regular and ongoing dialogue with and oversight of UNHCR and other partners at all levels, engaging with them in Washington, directly on the ground in Tunis, as well as at partner headquarters in Geneva. We monitor partner activities closely and gather supplemental information from a wide range of actors working in Libya to ensure we have a full understanding of the operational context. Our partners are consistently transparent in communicating with us, sharing both progress and setbacks, and make every effort to implement safe shelter and other programs to the best of their ability. We will continue to ensure that our oversight and feedback processes are in place and effective, and that our partners are providing protection to the most vulnerable refugees, asylum seekers, and migrants.

Question. Please describe what the U.S. is doing to work with the EU to end systemic abuse of migrants and refugees fleeing from Libya?

Answer. Since 2015, the European Union has provided billions of dollars to address root causes of migration throughout Africa as well as to curb the irregular flow of migrants through Libya. The EU works with international partners such as the International Organization for Migration (IOM) and United Nations High Commissioner for Refugees (UNHCR) to support the protection and humanitarian needs of migrants and refugees within and departing Libya. The United States supports this approach and maintains open dialogue with the EU on funding and programing priorities. In FY 2019 the United States provided over \$28 million in humanitarian assistance through implementing partners in Libya.

RESPONSES OF HON. DAVID SCHENKER AND CHRISTOPHER ROBINSON TO QUESTIONS
SUBMITTED BY SENATOR LINDSEY GRAHAM

Question. Assistant Secretary Schenker and Mr. Robinson, significant numbers of Russian military and contractor forces have been deployed in support of the Libyan National Army (LNA) in opposition to the recognized, legitimate government in Libya:

How does Russia benefit from the destabilizing presence in Libya, and how does their interference impact our operations in Africa?

Answer. Through its presence in Libya, which includes significant numbers of mercenaries, including from the Kremlin-linked Wagner Group, Russia seeks to dictate the political outcomes there, reestablish economic interests lost after the 2011 revolution, gain a position from which it can further threaten NATO's southern flank, and establish a platform to extend its influence in Africa and the Mediterranean. Russia's destabilizing actions have intensified the conflict, increasing the likelihood of greater instability that could negatively affect U.S. interests in the region.

Question. Assistant Secretary Schenker and Mr. Robinson, with Chinese influence increasing across the African continent, how does the expanding Chinese Economic investment in Libya impact U.S. interests in Libya and in Africa?

Answer. Prior to 2011, China invested in Libya's energy, telecommunications, and infrastructure sectors. Huawei developed Libya's telecommunications infrastructure and remains closely connected with Libya's two mobile networks. Although China has expressed interest in reviving these commercial contracts, it has largely been unable to do so given persistent instability in Libya.

We are working with Libyans and external actors to achieve the security necessary to unleash Libya's significant economic potential. At the same time, we con-

tinue our economic dialogues with Libyan authorities on a reform agenda that prioritizes the transparency U.S. companies need to thrive in Libya. The U.S. government facilitates compromise among Libyans on thorny economic issues, and our leadership role makes us well placed to counter harmful Chinese economic practices in the future. We meet regularly with U.S. businesses that remain invested in Libya, and advocate with Libyan authorities on the issues that matter most to our businesses. We will continue to lay the groundwork for American businesses to partner with Libya on its economic development.

RESPONSES OF HON. DAVID SCHENKER AND CHRISTOPHER ROBINSON TO QUESTIONS
SUBMITTED BY SENATOR BENJAMIN L. CARDIN

BERLIN AGREEMENT

U.N. Ambassador Kelly Craft called for participants in the Jan. 19 Berlin Conference to abide by their commitments to maintain a truce and support UNSMIL-led negotiations. We have seen renewed fighting since, and neither the LNA nor the GNA committed to a ceasefire or the 55-point Berlin communiqué:

Question. [for Schenker and Robinson]

What is the status of efforts to secure a U.N. Security Council resolution endorsing the Berlin principles?

Answer. The Security Council is expected to vote on the adoption of the UK-drafted UNSC resolution on Libya on the evening of February 12. We expect the resolution to pass, albeit with an anticipated Russian abstention.

Question. [for Schenker and Robinson]

What contributions might the U.S. government make to demobilization, disarmament, and integration programs foreseen by the Berlin agreement?

Answer. The draft U.N. Security Council resolution for Libya requests the U.N. Secretary-General take forward the tasks ascribed to UNSMIL in the operationalization annex to the Berlin Conference Conclusions and make recommendations to the Security Council on the options reflected in this annex. Once these recommendations are finalized, we will be able to determine what contributions we can make towards the programs outlined in the Berlin Conference Conclusions.

Question. What is the Department doing to encourage participation by European allies in efforts to de-escalate the conflict?

Answer. [for Robinson]. We are engaged in constant diplomatic discussions with our European allies, particularly the United Kingdom, France, Turkey, and Italy, on a bilateral basis as well as in multilateral fora such as the Berlin conference and in the U.N. Security Council. Libya is geographically proximate to Europe. It poses direct immigration and security challenges to Europe. We have encouraged Europeans to bear their share of the burden of enforcing the arms embargo, and also using their own influence with Turkey, the UAE, and Russia to persuade those countries to stop fueling the conflict and withdraw their forces from Libya.

Question. [for Schenker]

What prospects are there for a “Libyan-led political process” if neither Libyan party in the conflict can agree on common principles?

Answer. Negotiations among Libyans need to address multiple difficult issues: the dismantling of non-state armed groups, militias that operate with impunity, the rooting out of extremist elements, and the reunification and reformation of Libya’s economic institutions to ensure equitable distribution of Libya’s resources. While the perspectives of the Government of National Accord and Libyan National Army are a necessary part of intra-Libyan discussions, other Libyan voices also must be heard. The U.N. Special Representative of the Secretary-General plans a political process bringing together representatives of the House of Representatives, the High State Council, and additional representatives that will reflect Libya’s geographic, ethnic and political diversity.

ARMS EMBARGO

The U.N. arms embargo has been violated by nearly every international supporter of the GNA and LNA, despite protests by the U.N. Secretary General and remarks by Ambassador Craft calling for violators to face “real consequences.”

Question. [for Schenker and Robinson]

What actions is the administration willing to take to improve the enforcement of the U.N. arms embargo?

Answer. The United States attended the Berlin Conference convened on January 19, which emphasized the importance of progress towards a political solution to end the conflict in Libya. The conclusions of the conference highlighted the commitment of participants to refrain from interference in the armed conflict and to abide by the arms embargo. Since the Berlin Conference, the United States has supported two United Nations Security Council Resolutions, which reaffirm strong support for the arms embargo. The resolutions stress that individuals or entities who breach the arms embargo, or assist others in doing so, are subject to designation under the Libya sanctions regime (1970). Proposals to designate for U.N. sanctions individuals or entities that breach the arms embargo can be blocked by a single member of the U.N. Sanctions Committee (such as Russia). The United States has called for strict implementation of the arms embargo, and accountability for violators, and supports the recent EU decision to launch a new maritime operation, to include aerial and satellite assets, focused on strengthening implementation of the arms embargo. The Department has engaged with a number of countries suspected of having violated the embargo in order to encourage them to return to compliance, accept that there is no durable military solution to the conflict, and support a negotiated political solution to the conflict.

Question. [for Schenker and Robinson]

What efforts is the department recommending, if any, to confront countries who are violating the arms embargo?

Answer. The Department recognizes that adherence to the arms embargo is a crucial element in creating an environment in which a political solution can be negotiated. Many countries that participated in the Berlin summit pledged to refrain from sending arms to Libya but continue to violate the arms embargo. The Department is working in the U.N. sanctions committee to ensure that reports of the Panel of Experts contain clear conclusions based on substantiated facts. Germany is the chair of the committee and Chancellor Merkel has vowed to “name names.” On enforcement, the Department has encouraged EU member states to act. We support all steps that will reduce the flow of foreign military equipment and personnel to Libya. For the arms embargo to be effective it must cover all avenues through which weapons are provided to Libya and the Department will continue to press European partners and the sanctions committee to ensure that the embargo is enforced uniformly. The Department continues to engage diplomatically with a number of countries that are suspected of violating the embargo in order to encourage them to return to compliance, accept that there is no durable military solution to the conflict, and support a negotiated political solution.

Question. [for Schenker and Robinson]

Which countries’ arms shipments bear the most significant responsibility for inflicting civilian casualties and prolonging the conflict?

Answer. There is no military solution to the conflict, and all countries that violate the arms embargo are prolonging the conflict. We are urging all external actors to deescalate and use their influence to support GNA and LNA participation in the U.N.’s joint military commission meetings in Geneva as a first step toward securing a sustainable ceasefire and renewed political process.

CEASEFIRE

Despite participation of concerned states in the Berlin process, a ceasefire between the GNA and LNA has proved elusive, leading to a protracted stalemate that will only increase danger, displacement, and urgent humanitarian needs for civilians stranded in the conflict zone:

Question. [for Schenker and Robinson]

What types and amounts of support is the administration willing to provide to enable monitoring and verification of any ceasefire that emerges from U.N.-facilitated negotiations?

Answer. The draft UNSC resolution calls for the U.N. Secretary-General to submit a report to the Security Council on the necessary conditions for, and proposals on, effective ceasefire monitoring under the auspices of the U.N. The Secretary-General will likely provide several different options for monitoring that would have to

be further discussed and agreed upon by the Security Council. Once these options are finalized, we will be able to determine what support we will be able to offer.

Question. [for Schenker and Robinson]

How capable are U.S. partners in North Africa, Europe, and Africa of providing ceasefire monitoring, arms embargo enforcement, and security sector reform assistance? What financial, material, or personnel support might they require from the United States?

Answer. The draft U.N. Security Council resolution calls for the U.N. Secretary-General to submit a report to the Security Council on the necessary conditions for, and proposals on, effective ceasefire monitoring under the auspices of the U.N. The Secretary-General will likely provide several different options for monitoring that would have to be further discussed and agreed upon by the Security Council. At this time, it is not clear what resources will be required. Libya is geographically proximate to Europe. It poses direct immigration and security challenges to Europe. While the United States will pursue its interests, it will also be incumbent on the Europeans to undertake their share of the work.

Question. [for Schenker]

What, in your view, are the key issues that need to be resolved in order for a ceasefire to be agreed? How insistent are GNA officials that the LNA return to its pre-April 2019 positions? What preconditions, if any, are the LNA placing on the ceasefire negotiations?

Answer. Subjects of discussion in ongoing ceasefire talks include confidence building measures, such as exchanges of prisoners, returns of mortal remains, and expediting the return of Internally Displaced Persons to their homes, as well as a process to disarm, demobilize and reintegrate non-state armed actors. LNA leader Khalifa Haftar has maintained that a lasting ceasefire could only be attained once Turkish and Turkish-backed Syrian fighters withdraw from Libya, militias are disarmed, Libya's resources are distributed equitably, and 'terrorists' surrender. The GNA has consistently called for the LNA to redeploy its forces to pre-April 2019 positions. Nevertheless, each side has furnished its five military officials to participate in U.N.-hosted "5+5" proximity talks currently underway in Geneva. The United Nations hopes that points of convergence can be identified in these that will allow the parties to eventually transform a fragile and unreliable truce into a formal ceasefire agreement that would include mechanisms for addressing longer-term core security concerns.

RUSSIAN AIMS IN LIBYA

Question. [for Schenker and Robinson]

Given Russia's robust support for Haftar and the LNA, how does U.S. policy in Libya feed into AFRICOM's 2020 posture statement stating that the command must "prioritize great power competition" with China and Russia?

Answer. Russia's destabilizing activities in Libya are deeply concerning and threaten the interests of the United States and our allies. The administration has prioritized great power competition in its foreign policy, as demonstrated in the National Security Strategy and National Defense Strategy. The Department works closely with the Department of Defense, including AFRICOM, to counter Russian malign activities in Africa. The Department of Defense is best positioned to answer specific questions regarding the posture of its combatant commands.

Question. [for Schenker and Robinson]

What is Russia's ultimate objective in supporting Haftar? Are they seeking a strategic presence on Libya's Mediterranean coast, or are they content with shorter term economic gains?

Answer. Through its presence in Libya, which includes significant numbers of mercenaries, including from the Kremlin-linked Wagner Group, Russia seeks to dictate political outcomes in Libya, reestablish economic interests lost after the 2011 Revolution, and gain a position from which it can exert influence on NATO's southern flank. Russia's provocations have intensified the conflict, increasing the likelihood of greater instability that could negatively impact U.S. interests in the region.

Question. Is there any prospect of Russia supporting a UNSC resolution to curb violence in Libya, or should we expect the same consistent obstruction they have shown in Syria (frequently abetted by China)?

Answer. [for Robinson]: Russia has consistently sought to delay the process of adopting a U.N. Security Council resolution on Libya since the UK introduced the text post-Berlin. Russia's tactics have been less heavy-handed than on Syria, however, as we believe it recognizes the strong overall support for a Libya resolution in the Security Council, including from China and South Africa. While Russia has sought to delay the adoption of the text through unhelpful edits, ultimately, we expect Russia to allow the resolution to pass by abstaining on, rather than vetoing, the text.

Question. [for Robinson]

How can the United States effectively advocate for a de-escalation of the conflict if we are not present; particularly given Russia's very pronounced presence?

Answer. The Libya External Office (LEO) in Tunis, under the leadership of Ambassador Norland, is focused on balanced and pragmatic engagement with all sides of the Libya conflict in order to achieve a lasting end to the violence and strengthen U.S.-Libya counterterrorism and energy cooperation. The LEO team meets regularly with Libyan political, economic, and security leaders to advance U.S. priorities, and U.S. diplomats communicate directly with the Libyan people through extensive public engagements and exchange programs. The Department is continually assessing options for the resumption of more regular U.S. diplomatic activities in Libya. The State Department also continues to engage external actors involved in Libya to abide by the commitments made in Berlin and stop fueling the conflict.

FREE SYRIAN ARMY FORCES IN LIBYA

In addition to deploying Turkish forces to Libya to pursue security cooperation with the GNA, Ankara has reportedly sent approximately 2,000 Syrian fighters in Libya, ostensibly in the direct employ of the GNA:

Question. [for Schenker and Robinson]

NEA clear with EUR, what accountability exists for actions of the Syrian forces Turkey is sending to Libya?

Answer. We oppose the use of foreign forces in Libya. This includes Turkish-backed Syrians and we continue to emphasize these concerns to both Turkey and the Libyan Government of National Accord. We also emphasize with all stakeholders, both Libyan and external, the need for accountability.

Through our U.S. assistance we seek to promote good governance, and empower civil society and journalists to expose abuses and demand accountability.

Question. [for Schenker and Robinson]

How widely do you expect the supporters of the GNA and LNA to expand the participation of paid mercenaries in this conflict, and what obstacles does this approach pose to achieving a sustainable ceasefire?

Answer. The United States opposes all participation of mercenaries in the Libyan conflict. Following Berlin, we have joined our voice at the U.N. Security Council in a resolution reinforcing the U.N. arms embargo, and calling for mercenaries to leave Libya. These mercenaries include the Kremlin-linked Wagner Group.

Question. [for Robinson]

What efforts is the Department taking to discourage Turkey's destabilizing influence in Libya?

Answer. The United States opposes all destabilizing foreign influence in Libya, which is prolonging the suffering of the Libyan people. We emphasize in our highest-level interactions that Turkey must uphold its commitments made at the Berlin Conference, to include respecting the U.N. arms embargo. We are urging all countries involved in Libya, including the UAE and Turkey, to deescalate the conflict and use their influence to support a sustainable ceasefire and renewed political process. We support the U.N. Special Representative's work to promote a Libyan-led and Libyan-owned political process, free from harmful foreign intervention.

HUMAN RIGHTS AND GLOBAL MAGNITSKY

Protracted armed clashes in Libya have left scores of thousands displaced inside Libya and interrupted access to basic services such as healthcare and electricity. Militias and armed groups, often with links to the competing governments, harass and persecute civilians with impunity, and carry out arbitrary detention, torture, unlawful killings, indiscriminate attacks, disappearances, seizure of property and forced displacement:

Question. [for Schenker]

How might the administration use Global Magnitsky sanctions to target actors in Libya accused of violations of the law of armed conflict and international humanitarian law?

Answer. We are deeply troubled by reports of violations of the law of armed conflict and international humanitarian law in Libya. In December 2019, the United States imposed sanctions on a senior commander in Haftar's forces, Mahmoud al-Werfalli, for his role in serious human rights abuse. In addition, Executive Order 13726 allows the administration to sanction persons who are involved in, or who have been involved in, the targeting of civilians through the commission of acts of violence, abduction, forced displacement, or attacks on schools, hospitals, religious sites, or locations where civilians are seeking refuge, or through conduct that would constitute a serious abuse or violation of human rights or a violation of international humanitarian law. We continue to work with the interagency to ensure that Global Magnitsky and other sanction authorities are deployed where appropriate.

Question. [for Schenker]

What plans does the Department of State, either alone or in collaboration with the U.N. have to ensure that atrocities and gross violations of human rights are accurately documented amidst the continued conflict in Libya?

Answer. The United States has called for an immediate ceasefire and a return to Libyan-led, U.N.-facilitated political mediation to allow Libya to improve governance. Accountability for human rights violations and abuses will be a key component of a sustainable political solution to the conflict.

In addition, the Department of State closely monitors reports of human rights violations and documents many of them in our annual Country Reports on Human Rights Practices section on Libya, as well as in various other Congressionally mandated reports.

The U.N. Support Mission in Libya's Human Rights, Rule of Law, and Transitional Justice Directorate documents gross violations of human rights in Libya. The Department strongly supports UNSMIL's mandate and focus on human rights issues. The Department is aware of the work of several Libyan and international NGOs also working to document human rights violations and abuses.

Question. [for Schenker]

What effects might human rights concerns have on current or future U.S. security cooperation with Libya?

Answer. The United States takes human rights concerns into consideration with regard to our policy and programming in Libya, particularly as they pertain to our security assistance. We strongly urge the internationally recognized government of Libya and all Libyan parties to respect human rights, and we are committed to ensuring that perpetrators of gross violations of human rights do not receive U.S. training or assistance. Accountability for human rights violations will be key to a sustainable political solution to the conflict.

U.S.-LIBYA RELATIONS

The U.S. needs a clearer vision for Libya, where a sudden frenzy of diplomacy is occurring with America playing only a marginal role. The U.S. also needs a policy for the fierce regional competition under way in the eastern Mediterranean, where a Russo-Turkish axis is forming. If not, America may find it increasingly difficult to pursue its objectives in either area.

Question. [for Schenker]

What is the status of planning for a future return to Libya of U.S. diplomats and other personnel?

Answer. The Department is continually assessing options for the resumption of more regular U.S. diplomatic activities in Libya. The most important factors to resume a permanent U.S. diplomatic presence in Tripoli are the security situation and the availability of adequate facilities.

Question. [for Schenker]

How prepared is the department to return to Libya if a ceasefire is agreed and mediation efforts bear fruit?

Answer. The United States suspended Embassy operations in Tripoli in July 2014 due to significant fighting in the capital. The safety and security of U.S. citizens,

including U.S. government personnel, is our highest priority. The Libya External Office is continually assessing options to resume more regular diplomatic activities in the country.

Question. [for Schenker]

If they were joining us today, what message would you deliver to Khalifa Haftar and PM Fayeze al Sarraj, respectively? What would you say to the Libyan people?

Answer. We have repeatedly emphasized to all stakeholders that there is no durable military solution to the Libyan conflict. Ultimately, the Libyan people must resolve this crisis. Libyan leaders who are contributing to the ongoing conflict—and those who back them militarily—must establish and respect the truce, de-escalate to achieve a sustainable ceasefire, and refocus efforts on a Libyan-led political process. Negotiations need to seriously address difficult issues driving the conflict, including the dismantling of non-state armed groups—“militias”—that operate with impunity; the rooting out of extremist elements; and the reunification and reform of Libya’s economic institutions to ensure transparency and the just distribution of Libya’s resources.

RESPONSES OF HON. DAVID SCHENKER TO QUESTIONS
SUBMITTED BY SENATOR TED CRUZ

America’s nation-building projects have consistently failed, leaving behind countries shattered and overrun by terrorist organizations:

Question. Please assess the degree to which either the Government of National Accord or the Libyan National Army are making progress in unifying Libya.

Answer. No faction in Libya currently possesses the necessary legitimacy and military strength to impose its control over the country. Both the Government of National Accord (GNA) and the self-styled Libyan National Army (LNA) rely on local armed groups of varying levels of allegiance to secure areas under their nominal control. As a result of these dynamics, only an inclusive, negotiated political solution involving a wide range of Libyan actors can bring unity and stability to Libya. The continuing violence has hardened positions on all sides and made finding a viable solution more difficult. Negotiations need to seriously address difficult issues driving the conflict, including dismantling non-state armed groups that operate with impunity; rooting out extremist elements; and reunifying and reforming Libya’s economic institutions to ensure transparency and the just distribution of Libya’s resources. Moving toward national reconciliation will take time.

Question. Among the pitfalls associated with United States nation-building projects, one of the most persistent—across military and non-military efforts—has been that we end up providing money and weapons to governments that are controlled or unduly influenced by terrorist organizations, including the Palestinian and Lebanese governments:

Please assess the degree to which the U.S.-backed Government of National Accord is linked to terrorist and/or Islamist organizations, including the Muslim Brotherhood.

Answer. The United States recognizes the Government of National Accord (GNA) as Libya’s government but does not support a military solution to the conflict in Libya. Both the GNA and the self-styled Libyan National Army (LNA) rely on coalitions of disparate armed groups for support. Some armed groups and political factions ideologically aligned with the Muslim Brotherhood have defended or supported the GNA, while others have violently opposed it. The LNA includes Salafist armed groups, which have imposed strict interpretations of Islamic law in areas the LNA claims to control.

RESPONSES OF HON. DAVID SCHENKER TO QUESTIONS
SUBMITTED BY SENATOR CORY A. BOOKER

Question. What is your message to the UAE or Saudi (who are our allies) who may be trafficking of Sudanese fighters into Libya?

Answer. Our message to these governments, and to all others who may be fueling the conflict in Libya is the same: now is the time to wind this conflict down. Libya is not the place for Russian mercenaries, or fighters from Syria, Chad, and Sudan. It is not the place for the Emiratis, Russians, or Turks to be fighting battles through

intermediaries they sponsor or support with sophisticated and deadly equipment in pursuit of their own agendas.

Question. How should these reports shape our decisions with regard to Sudan's State Sponsor of Terrorism designation and engagement with Hemeti?

Answer. Sudan's new civilian-led government has enacted important reforms and taken steps to increase cooperation on a number of issues of importance to the United States. We encourage our Sudanese interlocutors, including General Hemeti and Sudan Liberation Army (opposition) chairman Minni Minawi and other Darfuri opposition leaders to serve as forces for peace, security, and stability. Hemeti insists that General Haftar has recruited members of the Rapid Support Forces (RSF) to serve in Libya and that they are there in personal capacities, not serving RSF members. Opposition leaders admit they have forces in Libya and have stated they will repatriate them to Sudan once they have reached peace agreements with Sudan's transitional government.

In line with the relevant statutory criteria, when considering rescission of a State Sponsor of Terrorism (SST) designation, the Department of State reviews all available evidence to assess whether the relevant government is supporting acts of international terrorism and obtains assurances from the government that it will not support such acts in the future. The relevant government must demonstrate that it meets these statutory criteria and policy criteria for rescission before a determination is made regarding rescission of its SST designation.

UAE AND SAUDI TRAFFICKING FIGHTERS

Question. The U.N. Panel of Experts for Libya has documented the role played by Sudanese fighters being recruited or trafficking into Libya. Most Sudanese fighters are supporting operations by Khalifa Haftar's LNA. There are reports that Saudi Arabia and the UAE have paid the Sudanese paramilitary commander General Mohamed Hamdan Dagalo (also known as Hemeti) for the deployment to Libya of Rapid Support Forces (RSF) troops under his command to fight for the LNA. In November 2019, the panel found Sudan and the general in non-compliance with the U.N. arms embargo:

How will these reports be considered when rating Saudi Arabia and the UAE in the annual Trafficking in Persons report?

Answer. The Department takes seriously any allegations of human trafficking, which includes official complicity in the recruitment and use of child soldiers or individuals subjected to trafficking in theaters of conflict. All credible reporting will be scrupulously reviewed and corroborated in advance of making tier ranking recommendations to the Secretary for the annual Trafficking in Persons Report. Tier rankings are determined after careful analysis of government efforts across the prosecution, protection, and prevention paradigm, in accordance with the Trafficking Victims Protection Act, as amended. The Department continues to engage all governments, including those of the United Arab Emirates and Saudi Arabia, on comprehensive efforts to combat the crime of human trafficking.

Question. Will the administration support the call for the establishment of a [International] Commission of Inquiry or similar mechanism for Libya?

Answer. The administration is concerned that there has been a consistent deterioration in the humanitarian and human rights situation in Libya over the last year. We remain committed to supporting the Libyan people as they struggle for peace, prosperity, and democratic governance.

The administration strongly supports promoting accountability for violations and abuses of human rights and violations of international humanitarian law in Libya, including through cooperation and information sharing with the U.N. Support Mission in Libya (UNSMIL), which is mandated, among other things, to monitor and report on human rights and coordinate international assistance.

The United States voted in favor of the adoption of a U.N. Security Council resolution on the Libyan ceasefire on February 12. We also joined the U.N. in calling on parties to the conflict to live up to the commitments they made at the peace summit in Berlin in January and to continue to engage in a new round of ceasefire negotiations.

Any ceasefire that is achieved must create space for serious and concrete discussions among Libyans about how to resolve the issues that have fueled the conflict, including accountability for violations and abuses of human rights and violations of international humanitarian law.

RESPONSES OF CHRISTOPHER ROBINSON TO QUESTIONS
 SUBMITTED BY SENATOR ROBERT MENENDEZ

Question. What steps are you taking to counter Turkey's aggression in the Eastern Mediterranean?

Answer. We have been consistently clear with Turkey and other regional partners that all parties should refrain from actions that raise tensions in the Eastern Mediterranean and should resolve their disputes peacefully and in accordance with international law. In instances where the United States has had concerns regarding specific Turkish actions, we have engaged privately with Turkey, as well as issued press statements. For example, we stated publicly in December 2019 that the memorandum of understanding on maritime delimitation between Turkey and the Libyan Government of National Accord raises tensions in the region and is unhelpful and provocative.

Question. Are you engaging with Tunisia and Egypt on Eastern Mediterranean security specifically? If so, what steps have you taken and what steps will you take going forward?

Answer. We engage with both Tunisia and Egypt about Eastern Mediterranean security under the broader umbrella of regional security. The United States and Tunisia share security goals, and Tunisia is a reliable security and counterterrorism partner in North Africa. We will continue to address regional security challenges with Tunisia on a bilateral basis through the annual Joint Military Commission, and now through multilateral channels at the United Nations, where Tunisia serves as an elected member of the Security Council. The United States and Egypt have a long history of regional security cooperation, including on counterterrorism, and will hold the annual bilateral Military Cooperation Committee (MCC) in March to advance shared security interests.

Question. Russia's objectives in Libya are fairly straightforward: increasing its footprint in Africa and increasing access to the Mediterranean. Coupled with its efforts in Syria, Russia appears to be succeeding on both fronts.

How does Russia's increased activity in Libya directly affect U.S. security interests?

Answer. Through its presence in Libya, which includes significant numbers of mercenaries, including from the Kremlin-linked Wagner Group, Russia seeks to dictate the political outcomes in Libya, reestablish economic interests lost after the 2011 revolution, gain a position from which it can threaten NATO's southern flank, and establish a platform to extend its influence in Africa and the Mediterranean. Russia's destabilizing actions have intensified the conflict, increasing the likelihood of greater instability that could negatively impact U.S. interests in the region.

Question. Given an increase in fighting between Turkish forces and Russian-backed Syrian forces in Idlib, can you please describe the dynamics you see driving Russian-Turkish cooperation elsewhere in the world; and specifically in Libya?

Answer. The United States wishes to see the strongest possible relations with Turkey, our strategic partner and NATO Ally. Recent events in Idlib have made abundantly clear that Russia has no intention of honoring its deconfliction agreement with Turkey and will back at all costs the Assad regime's brutal campaign to achieve militarily victory, as evidenced by the despicable February 27 attack on Turkish forces in Idlib, which resulted in the death of multiple Turkish soldiers. Russia and Turkey back opposing sides in Libya, and their efforts to secure agreement between the warring sides have failed repeatedly. We are aware that Russia seeks to drive a wedge between NATO Allies. Our message to Turkey remains that Russia is an unreliable partner and is not looking out for Turkey's interests and that those interests are best secured through Turkey strengthening its traditional Western alliances.

Question. What do you believe Russia's longer-term objectives are in Libya?

Answer. The Kremlin seeks to use military power and the use of Russian-linked actors to impose its will on nations seeking to assert their independence and sovereignty. In Libya, Moscow is using Russian-linked forces, such as Wagner, to exploit the conflict for its own narrow political and economic gain. Russia's longer-term aims include gaining access to military facilities in Libya; establishing a platform for malign influence operations in the Mediterranean and Africa; and obtaining natural resources deals granting Russian majority state-owned firms, such as Rosneft, greater control over Libya's energy resources.

Question. Do you believe Russia will seek to weaponize migration flows as it has done in Syria?

Answer. Although we have seen no indication of this to date in Libya, it is possible that Russia could seek to replicate its strategy from the conflict in Syria: exploiting refugee and migrant needs and compelling their movement toward Europe. An effort to exacerbate existing fractures in EU asylum and migration policies and to further polarize and destabilize Europe would be consistent with Russia's other malign activities.

RESPONSES OF CHRISTOPHER ROBINSON TO QUESTIONS
SUBMITTED BY SENATOR TED CRUZ

Question. On December 20, 2019, the President signed into law the National Defense Authorization Act (NDAA) for Fiscal Year 2020. Section 7503 of the NDAA was a version of the bipartisan legislation authored by me and Sen. Shaheen imposing sanctions on vessels that engage in deep-sea pipe-laying for the Nord Stream 2 project. My bill, and the NDAA amendment based on it, was a scalpel designed to be narrow in the sense that it would target only vessels engaged in deep-sea pipe-laying, but broad in the sense that it would target all such vessels, including vessels being used for the surveying, trench digging, and rock placement phases of pipe-laying:

Can you assure me the State Department will robustly enforce Section 7503 against all such vessels?

Answer. Section 7503 of the Protecting Europe's Energy Security Act of 2019 (PEESA) requires sanctions on foreign persons the Secretary of State, in consultation with the Secretary of the Treasury, determines have knowingly sold, leased, or provided vessels engaged in pipe-laying at a depth of 100 feet or more below sea level for the construction of the Nord Stream 2 pipeline project or the TurkStream pipeline project, unless subject to an applicable exception or the good-faith wind-down provision. The Department of State is faithfully implementing section 7503.

Question. On December 20, 2019, the President signed into law the National Defense Authorization Act (NDAA) for Fiscal Year 2020. Section 7503 of the NDAA was a version of the bipartisan legislation authored by me and Sen. Shaheen imposing sanctions on vessels that engage in deep-sea pipe-laying for the Nord Stream 2 project. My bill, and the NDAA amendment based on it, requires the Secretary of State, in consultation with the Secretary of the Treasury, to submit a report not later than 60 days after the NDAA's date of enactment and every 90 days thereafter identifying all such vessels:

Please detail the progress that has been made in composing that report, including specifically the progress the President has made in delegating relevant authorities and responsibilities to the Secretary of State.

Answer. The White House delegated relevant authorities to the Secretary of State on February 21, 2020. The first report required under section 7503 has been delivered to Congress.

RESPONSES OF CHRISTOPHER ROBINSON TO QUESTIONS
SUBMITTED BY SENATOR CORY A. BOOKER

RUSSIA IN AFRICA

Russia has been steadily growing its influence in Africa by expanding its military and disinformation footprint.

Question. What threat to U.S. security interests does the Russian presence in Libya pose?

Answer. The Russian presence in Libya poses several threats to U.S. security interests. In Libya, Moscow is using Russian-linked forces, such as Wagner, to exploit the conflict and shape any eventual political settlement to advance the Kremlin's own narrow political and economic objectives. Russia's longer-term aims include gaining access to military facilities in Libya; establishing a platform for malign influence operations in the Mediterranean and Africa; and obtaining natural resources deals granting Russian majority state-owned firms, such as Rosneft, greater control over Libya's energy resources. Russia's destabilizing actions have intensified the conflict, increasing the likelihood of greater instability that could negatively impact U.S. interests in the region, including on NATO's southern flank.

Question. How do you see the great power competition playing out in Africa?

Answer. Countries around the globe can play a role as a source of capital and knowledge for African development, but they must apply the highest international standards of openness, inclusivity, transparency, and governance. Transparent, high standard, and secure activities, which respect national sovereignty, can contribute to regional prosperity. However, we will push back—with our regional partners—when Russia, China, or anyone else undermines global norms and standards, national sovereignty, or shared interests and values. Our message to our African partners, as Secretary Pompeo has stated, is that the United States private sector stands for local jobs, environmental responsibility, honest business practices, high-quality work, and mutual prosperity.

