



Royal African Society and Libya-Analysis.com

Submission to Foreign Affairs Select Committee inquiry: *British foreign policy and the 'Arab Spring': the transition to democracy*

Submission 1: The State of the Transition and Britain's Role

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1. Executive Summary

This submission presents the issues discussed at a Royal African Society / Africa APPG and Libya-Analysis.com closed briefing held in the House of Commons on November 29th entitled: 'The State of the "Transition" and Britain's role'. The audience consisted of members of the UK Parliament and the speakers included: an authority on British businesses involvement in Libya, a preeminent analyst of Islamist movements in North Africa, and a leading academic of Libyan politics. While it does not conclude with specific recommendations, **we believe the meeting raised a number of key questions of relevance** to the Foreign Affairs Select Committee's inquiry on *British foreign policy and the 'Arab Spring': the transition to democracy*, and we therefore urge the Committee to take these issues into account.

It was agreed that **the central struggle facing the Libyan interim authorities is the creation of a functioning government mechanism that can steward Libya through the 'Transition' process.** Appointment of the cabinet on November 22nd was certainly an inflection point, and indications are good that many potentially divisive regional interests have been appeased. **The UK can help in these processes through reconstruction and job creation efforts.** Opinions vary as to whether the private or the public sector should lead the way.

The primary threat to establishing a functioning government is the local militias. Just as there is a struggle for dominance between the militias and the government, there are also indications of a struggle for dominance between President Mustafa Abdul-Jalil and PM Aburrahim al-Keib. Abdul-Jalil appears more lenient towards the Islamists and militias while Al-Keib is seen as less influenced by them and more technocratic and Western-leaning. **Strengthening the central authority is key to laying the foundations for change, but it is unclear via what levers this strengthening can take place.**



2. Introduction

The Royal African Society is Britain's prime Africa organisation. Now more than 100 years old, its in-depth, long-term knowledge of the continent and its peoples makes the Society the first stop for anyone wishing to know more.

- We foster a better understanding of Africa in the UK and throughout the world - its history, politics, culture, problems and potential.
- We disseminate knowledge and insight to make a positive difference to Africa's development.
- We celebrate the diversity and depth of African culture.

In Parliament, the Royal African Society provides the administration for the Africa All Party Parliamentary Group (APPG), which was established in January 2003 by Hugh Bayley MP and Lord Lea of Crondall. With a membership of over 80 MPs and Peers, the group is one of the largest APPGs.

In addition to holding regular meetings, the Africa APPG has published a number of reports, most recently a submission to the Strategic Defence Review entitled *Security and Africa* and an inquiry into the impact of the Bilateral Aid Review on Africa due to be published during December 2011. The Government has responded to each of the Group's reports in broadly the same way that Ministers respond to Select Committee reports, and important changes in UK Government policy have resulted from this – for instance a quadrupling of our aid for people with HIV/Aids in Africa, a new Bribery Act and funding for Parliamentary capacity building in Africa.

Libya-Analysis.com specialises in helping British and American companies, politicians, and policy makers navigate the history, politics, and business climate of the new Libya. Its President, Jason Pack, is a researcher of Libyan History at Cambridge University. He writes about Libya domestic and international politics for the Wall St. Journal, the Guardian, and Foreign Policy. In September, he led a fact-finding mission to Libya to investigate the relationship between the militias and the central government.

The Africa APPG and Libya-Analysis.com co-hosted a series of parliamentary events entitled ***Libya in Transition: Implications and Opportunities for Britain*** during November and December 2011. This collaboration has benefitted from the Africa APPG's experience of Parliament and Libya-Analysis.com's expertise on Libya.

This submission discusses the issues addressed in the first roundtable briefing of the series, entitled ***The State of the "Transition" and Britain's Role***, which took place on the 29th November 2011. While it does not conclude with specific recommendations, we believe the meeting raised a number of key questions of relevance to the Foreign Affairs Select Committee's inquiry on *British foreign policy and the 'Arab Spring': the transition to democracy*, and we therefore urge the Committee to take these issues into account. In particular, the discussions are relevant to the following specific questions which are part of the Select Committee's inquiry:

- What forces are driving the movement for reform and reconstruction in Libya?



- What specific assistance can the British Government give to help Libya build the institutions of democracy and civil society, and revive its economy? How can the British Government best work with its allies and through international institutions to support reform in Libya?
- What will be the future role of Islamist movements in the region and what should be the British Government's stance towards them?

The opinions expressed in this submission do not reflect an official policy position of either the Royal African Society or Libya-Analysis.com, but rather the submission should be considered a discussion of relevant issues.

3. Key Issues

The following issues were raised by participants at the briefing.

3.1 The Appointment of the Cabinet / Interim Government

November saw the **rise of tensions between the various militias** that helped oust Gaddafi. One month after the declaration of Liberation on 23 October, Prime Minister Al-Keib announced **the formation of a government of twenty-four members considered largely secular, technocratic, and Tripolitanian in outlook**. Cabinet appointments were used to appease local interests, and potentially divisive personalities were avoided. The head of the Zintani militia, Col. Osama Juwail, was awarded the Ministry of Defence and a high-level Misratan, Fawzi Abdul Aa'aL, was granted the Ministry of the Interior. These appointments can be understood as rewards/patronage for the capturing of Saif al-Islam and Mu'ammara Gaddafi respectively. Despite the exclusion of Islamists from high position in the cabinet, Libya's most prominent Islamist militia leader, Abdel-Hakim Bilhadj has publically pledged his loyalty to the cabinet. These developments signal that **key militia and Islamist figures may have been successfully integrated/co-opted to work with the central authorities**.

3.2 British involvement thus far

All participants cited the **good relations** maintained between the NTC and the international community throughout the fighting and in its aftermath. Britain, Qatar, the USA, and France have led international assistance for the new government, with each focused on different sectors. **The British role has been largely organized around 'stabilisation.'** Britain is not currently focused on preparing the ground for elections. Rather, UK technical experts including a police advisor, public finance management team, civil society experts and a military advisory team are in place. There is **important advisory work to be done relating to de-mobilising militias and helping to generate the financial and administrative structure for a new national army**. The US appears to be taking a lead role in both issues.

At the moment, the Libyan economy is facing a steep month-to-month deficit, as it has \$1 billion of revenue and \$3 billion of expenditure. The International Monetary Fund (IMF) sent a team in September to assess the readiness of the interim government to have access to the frozen funds, which reportedly total over 10 Billion in Britain and 150 Billion worldwide. The British treasury are **waiting for UN, IMF, and Libyan advice as to when to release the frozen funds** to the temporary financing mechanism. The frozen funds are **needed for three**



main things: **Reconstruction** of the country from war damage, **development** which was neglected under Gaddafi, and **employment to disband militias** and create an army.

Participants urged that **UK policy makers should use their influence very cautiously, as all processes must be genuinely Libyan-led** to be successful. On the private sector side, it is important that British business not make the same mistake as other European countries which tried to get involved before it was appropriate, aggravating the Libyans who had other priorities such as concluding the fighting and building a government. There is the possibility of a UK business mission in January. Clearly, the wisdom of such a mission depends on future developments, and has already been postponed twice.

The **British private sector** can help the UK government in **creating jobs in Libya**. Currently, the only sector with jobs is security; it is certainly the only sector able to pay salaries on time. **Under Gaddafi, about 80% of Libyans were employed by the state**, and the question arose whether it would be appropriate to continue paying these citizens -- even for doing no work -- to prevent a larger crisis of unemployment and anti-government grievances.

3.3 Benefits of public vs. private sector involvement

One speaker asserted that it is desirable for British reconstruction efforts to be government-led, as there is no **coordination** amongst the many actors in the private sector. **Only the FCO has the capacity to devise a master plan** for matchmaking between relevant British businesses, NGOs and IGOs, and the appropriate Libyan governmental officials who could benefit from their expertise. Furthermore, only the FCO **has the political contacts to coordinate such multi-pronged engagement**.

Another speaker expressed doubt regarding the desirability of a grand UK government-led scheme, preferring a privatised approach. He asserted that only **the business community with historical experience of working in Libya has a clear idea of what Libya needs in terms of education, infrastructure, etc.** UK Trade and Investment (UKTI), a government organization focused on promoting international and national trade opportunities overseas and in the UK, is looking into taking several missions to Libya. The most immediate needs are in healthcare and in repairing oil infrastructure. Large-scale HMG support of British businesses to incentivize their participation is not politically feasible at this time. Conversely, **the private sector has more time, resources, and on the ground know-how** so they appear more prepared to lead the relationship. In summation, **coordination between the activities of the government and those of the private sector is a critical issue relative to British involvement** in Libya.

3.4 Elections

The UN, USAid and the EU have provided voluntary electoral advice. Lacking an electoral law and electoral districts, the **best case scenario is that the upcoming elections** would not only be overseen but actually **run by the United Nations**. The NTC stated in its road map in April 2011 that the elections would be run by the UN. Whether promises made back then will now be honoured is impossible to tell. If all goes as promised, UN experts should be able to set up a reasonable system in Libya as the country is a **clean slate electorally**. This is an



advantage as the necessary infrastructure, jurisdictions, and structures can be invented, unlike in Egypt where old systems and structures are impeding the creation of new ones.

What structures are appropriate for Libya remains unclear. The population distribution in Libya presents a problem for future elections, as 95% of the Libyan population live on 5% of the land. For this reason, people from desert areas want federalism so that their regions would be better represented than they would be on a purely proportional system. This is reminiscent of debates about the structure of the new Libyan state between 1949 and 1951. If any complex electoral system or federal system comes into being, **gerrymandering could be an issue** and inhabitants from Cyrenaica and from the desert will have an incentive to collude to deprive Tripolitania --with 70% of the nation's population-- their fair (i.e. demographic) share of representation. **Most Libyans wish for a united Libya and do not seek to introduce the destabilizing and centrifugal forces of federalism.**

3.5 Impact of militias

Militias remain one of the most prominent issues regarding stability in Libya, as local military councils have over taken many public sector services including hospitals and media networks. Militias are successfully controlling travel in and out of the country. For example, militiamen in Suq Juma blocked the departure of an Air Tunisia flight from Tripoli, while the Zawaran militias control the Ras Djeir border crossing with Tunisia. Fostering jobs in Libya is a crucial UK interest but the international community is working against the clock, as the **militias are increasingly shutting down economic activity and public services** in their neighbourhoods **to make political demands.**

It was suggested by one participant that the **traditional paradigm of incorporating militias into the army** was flawed. He suggested launching a propaganda campaign against the most potentially destabilizing militias rather than co-opting them. This argumentation suggests that the only way to rein in the militias is to divide and conquer. This was a **contentious** point as opponents of this view thought that at worst it could lead to immediate civil war or at best it would create an oppositional climate between the militias and the central government.

The analyst who favoured a **propaganda campaign** against the militias asserted that it is vital **to prevent the militias from becoming deeply rooted in society.** This means that the interim government could act with outside support while the militias are still vulnerable, before they have taken over the various local political scenes.

A novel approach could be to highlight the human rights abuses of the militias -- a form of a PR campaign against them. The analyst suggested that this approach could be remarkably effective in the Libyan context -- consider the reaction of the Libyan people and the international community to the human rights abuses carried out by Gaddafi. He pointed out that the recent UN report on the militias highlights their shameful behaviour, including the 7,000 detainees unlawfully arrested by militias with no official accusations against them. **Opponents to this approach countered that PR campaigns against the militias would likely make them more secretive and less likely to work with international actors or the central Libyan authorities. Additionally, dealing with the militias is an internal Libyan matter. Outside actors wishing to throw their hats in the ring must act with extreme caution.**



According to the proponent of the interventionist approach, the interim government, the ICC and the international community could work together in discrediting the worst of the militias, combined with direct western diplomacy to reach out to the liberal Libyans and make clear to them the ways in which the West may support them in their contest for power against the militias. This could be part of a British policy of aiding aspiring democrats throughout the Arab Spring countries. **Strangely, President Abdul-Jalil has appeared to be 'soft' on the militias and is known to have placed Islamists in key positions within the emerging defence hierarchies. It is speculated that he does so at the bidding of Qatar.**

3.6 Implications of Islamist participation

The struggle for power is one of the main issues facing Libya today, and the involvement of Islamist groups in politics is simultaneously unavoidable, but also fraught with peril. **The primary lesson for Western policy makers that emerged from the session is that the Islamists are here to stay in Libya and that the West and the UK must engage with them.** Libyan Islamists come in all shapes and sizes. It is critical to understand the vast differences between the more moderate political Islamists and the more hard line anti-political Salafists.

3.7 Qatari connections

The **Islamic fighting groups are heavily funded by Qatar.** It was agreed that the Qataris are active in Libya and other Arab spring countries to project power back into the Gulf, especially in Qatar's competition with Saudi Arabia. They have exhibited a broad policy of building close relationships with Islamist groups in Tunisia, Egypt, and elsewhere, and by making these groups and thus these governments unwilling to engage diplomatically with infidels, forcing them to take the expertise and diplomatic support of Qatar.

3.8 Managing central and local government structures

The Libyan uprising was dominated by the 'periphery' -- initially Benghazi and now Jabal Nafusa and Misrata, etc., rather than a Tripoli-based revolt). It was comprised of **a series of local uprisings as opposed to one singular anti-Gaddafi revolution.** In order for strong institutions to be laid in Libya, the centre (the **authorities in Benghazi and Tripoli**) must be **stronger** than the periphery (the militias), which is not currently the case. The interim authorities can work to extend their authority by instigating massive patronage programs, providing Gaddafi-style subsidies and opportunities for employment. Even if these measures are taken it is unclear if the 'victorious' peripheral elements will wish for centralisation of authority or will continue to push for devolution of power to the local level.

The losers of the revolution -- the Warfalla of Beni Walid, and the Gadadfa and Megarha of Sirte and Sebha -- have with a poor relationship with the new government and they are in their own ways **on the verge of pushing for federalism or more devolution** of power to the local level. It was suggested that the government should incorporate them with extensive patronage networks of money and jobs, and let them run local government themselves.

Until now, no international NGOs have gone to the most benighted parts of **the Libyan periphery**, such as Sabha or Kufra. It is in these places **where it is most urgent to create the same dense international linkages and capacity-building programs** as are underway



in Tripoli. Tensions in these regions must be assuaged now before political pressure points will grow to create unfixable problems later. To fill the vacuum in the periphery international actors should focus on state-building and stabilisation in Libya.

Furthermore if the West, especially the US and UK, can reach out to the Libyan periphery, that could simultaneously assuage local tensions and be good PR for the West's role in the new Libya.

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