Research Report

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Position: *President*

Disclaimer: this research report has not been checked by the LEMUN staff

Introduction

During the Arab Spring of 2011 demonstrations were held in many Middle-Eastern and North African countries, including Libya. These demonstrations resulted in a full scale revolution against the dictator Colonel Muammar Gadhafi. The country has been in political turmoil ever since. The country has switched governments several times since then. At the moment there are even rival governments fighting over control in yet another civil war. The once wealthy country has been torn apart in a long and violent conflict. The people of Libya have become victims of a struggle for control caused by a power vacuum left by Colonel Gadhafi. Nearly one third of the country has been displaced, both internally as externally. Human traffickers are using the situation to smuggle asylum seekers and migrants from Africa and into the European Union. Moreover, human rights violations, from the surpression of freedom of speech, to torture and executions, have been committed by the many different factions fighting for control.

Definition of Key Terms

National Transitional Council (NTC):
The interim government formed after the defeat of Colonel Gadhafi. It ruled over Libya for a period of ten months after which, were held on the 7th of June 2012. This government handed over power to the GNC on the 4th of August 2012.

General National Congress (GNC):
The government formed after the elections of June 2012. During this election Islamist parties held the most of the seats. After the election of 2014 many Islamist militias rounded up political enemies and the GNC was formally disbanded. However, the self proclaimed “president” of the GNC Nouri Abusahmain took over control and claims that the GNC is the legitimate Libyan government. The GNC is based in Tripoli

The House of Representatives (HoR):
After the GNC formally disbanded new elections were held and this formed the HoR. As Tripoli was too dangerous this government relocated to Tobruk, therefore the HoR is also known as the “Tobruk government”. The GNC criticised the HoR for the low voter turnout of only 18% and the fact that at some locations no voting took place due to security concerns. As of the 6th of October 2015 the HoR voted "to extend its term beyond 20 October", given the inability to hold elections. As of now no new elections were held.

Government of National Accord (GNA):
The new interim government set up by the United Nations Security Council, also known as the “unity” government. The government was meant to be a compromise between the GNC

and the HoR, however now neither government recognises the GNA as the legitimate Libyan government. The GNA is based in Tripoli.

No fly zone:
A no-fly zone (NFZ) is a territory or an area over which aircraft are not permitted to fly. Such zones are usually set up in a military context, somewhat like a demilitarized zone in the sky, and usually prohibit military aircraft of a belligerent power from operating in the region. Aircraft that break the no-fly zone may be shot down, depending on the terms of the NFZ.

Embargo:
An official ban on trade or other commercial activity with a particular country.

POW:
Prisoner of war.

Internally displaced person:
An internally displaced person (IDP) is someone who is forced to flee his or her home but who remains within his or her country's borders. They are often referred to as refugees, although they do not fall within the current legal definition of a refugee.

Externally displaced person:
An externally displaced person is one who has left his/her home temporarily, crossed an international border, and who expects to return eventually. Depending upon their ability to return, and whether they are subject to persecution in their home country, externally displaced persons may be entitled to recognition as refugees under the United Nations High Commissioner for Refugees' (UNHCR) mandate

Refugee:
Someone owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.

Asylum seeker: an asylum-seeker is someone who says he or she is a refugee, but whose claim has not yet been definitively evaluated

General Overview

The political turmoil in Libya started during the Arab Spring of 2011. Inspired by protests in neighbouring countries, most importantly Egypt, people started to demonstrate against Colonel Gadhafi, the dictator of Libya since 1969. Eventually these demonstrations lead to an uprising against the dictator. The uprising would be later known as the First Libyan Civil War. NATO supported the rebels by launching Operation Unified Protector, this operation was mainly led by the United Kingdom and France. The objectives included the establishment of a no-fly zone, Allies performing air strikes on military targets, and further humanitarian help for the Libyan population.

The operation was successful in defeating Colonel Gadhafi. However, the country was still not at peace.

After Colonel Gadhafi's defeat the interim government called the National Transitional Council (NTC) was set up. The goal of this interim government was to provide central government in preparation of democratic elections. These democratic elections were held on the 7th of June 2012. This government handed over power to the General National Congress (GNC) on the 4th of August 2012.

When the GNC took over there was a brief period of relative stability in the country. The GNC consisted out of mostly Islamist parties as opposed to the socialist regime of Colonel Gadhafi. In 2014 new elections were to be held to choose the members of the new parliament, the House of Representatives (HoR). Due to security concerns there were a number of places where there was no voting and the overall voter turnout was a mere 18%, as opposed to 60% in 2012. As a consequence of this many Islamist parties lost a lot of seats. After their landslide defeat in the 2014 elections, Islamist parties acting under the leadership of Nouri Abusahmain used two armed groups, the LROR and Central Shield, to take control of the capital Tripoli. In late August, Islamist militias abducted rivals (whose whereabouts is unknown) and attacked 280 homes. Having suppressed dissent, the Islamist groups declared that they were the General National Congress and that it was once again the national parliament. The self-proclaimed GNC is led by its "president", Nouri Abusahmain and its proclaimed "prime minister", Omar al-Hasi. This sparked the beginning of what we now call the Second Libyan Civil War.

The HoR fled to the city Tobruk to resume parliament in a safer environment. The Tripoli-based Libyan Supreme Constitutional Court ruled on the 6th of November 2014 that the June elections were unconstitutional and that the House of Representatives should be dissolved while it was surrounded by armed militias. The House of Representatives rejected the ruling, saying it was made "at gunpoint". On the 8th the HoR voted to "to extend its term beyond 20 October", given the inability to hold elections.

The UN was displeased with the way the situation had unfolded in Libya. On the 17th of December 2015 the United Nations Security Council unanimously passed the Libyan Political Agreement, which aimed to solve the problems in the country. This included setting up a new government called the Government of National Accord (GNA), this "unity" government was made up out of both the GNC and the HoR. It was to replace these government so that Libya would once again have a centralised government. Unfortunately both the GNC as the HoR refused to recognize the GNA as the legitimate government of Libya. What eventually happened was that yet another faction was added to the conflict. The GNA mainly targeted GNC territory in the west of the country, due to this thee power of the GNC has largely faded as most of its territory has been taken over by the GNA. There is still a small GNC presence in Tripoli, but the GNC has been reduced to one of the smaller factions in the conflict.

As of now there are there are two main factions fighting for control over Libya, these are the HoR and the GNA. However those are not the only factions involved in this conflict. As of now there are nearly 2000 different armed groups fighting over control in Libya. These armed groups range from Islamist militias, some of which have pledged allegiance to the Islamic State, Tuareg forces, to anti-Jihadist groups. The fact that there are so many different factions makes it extremely difficult to point to one legitimate ruler of Libya and as long as there is no consensus on who the legitimate ruler is, there is no peace.

In accordance with Libya's political crisis, a humanitarian crisis has ensued. Martin Kobler, the Special Representative of the Secretary-General and Head of the UN Support Mission in Libya (UNSMIL), has reported that 435,000 people have been displaced both internally and externally as a result of terrorism and political instability. Many have drowned in the Mediterranean Sea in an attempt to reach safety in Europe.

Libya continues to serve as a launchpad for large numbers of migrants and asylum-seekers who attempt to cross the Mediterranean. Many human traffickers take advantage of the situation by transporting the migrants and asylum-seekers through the largely lawless country. While in Libya, the migrants and asylums-seekers are subject to abuse by smugglers and while in detention facilities including torture, extortions, sexual violence and forced labour

According to organisations such as Human Rights Watch and Amnesty international human rights violations are rampant in the country. Many of the POW-camps from either side use torture to extract information of POWs. Several courts have been closed and as a consequence numerous detainees are held without charge or trial. Armed groups and unknown perpetrators targeted NGO workers and human rights defenders with assassinations, abductions and threats. This makes it extremely difficult and dangerous for NGOs to aid the people of Libya. Armed groups have also launched attacks at journalists to intimidate them.

Libya's economy was largely powered by its enormous oil export. The oil reserves were nationalised by Colonel Gadhafi and this allowed him to fund his regime. Since the beginning of the Second Libyan civil war the oil exports dropped immensely. According to the International Energy Agency the monthly average oil production dropped from 1.42 million barrels a day in August 2012 to 0.28 million barrels in august 2016. Currently, most of the oil fields are held by the HoR, however they do not have the capacity to produce and export the oil. It must be noted that the Libyan economy is dependent on the oil exports, and the Libyan government was and is not able to finance itself without the income of oil exports.

Major NATO Member States Involved

France:

France, in cooperation with the United Kingdom led the coalition against Colonel Gadhafi in 2011.

UK
The United Kingdom, in cooperation with France led the coalition against Colonel Gadhafi in 2011.

Timeline of Events

1969	King Idris deposed in military coup led by Collonel Muammar Gaddafi, who takes over control over Libya.
2011 February	Violent protests break out in Benghazi, spread to other cities, leading to escalating clashes between security forces and anti-Gaddafi rebels.
2011 February	UN Security Council authorises a no-fly zone over Libya and air strikes to protect civilians, over which NATO assumes command.
2011 August-September	African Union joins 60 countries which have recognised the NTC as the new Libyan authority.
2011 October	Gaddafi is captured and killed as rebel fighters take his hometown Sirte. Three days later, the NTC declares Libya to be officially "liberated" and announces plans to hold elections within eight months.
2012 August	Transitional government hands power to the General National Congress, which was elected in July. The Congress elects Mohammed Magarief of the liberal National Front Party as its chairman, thereby making him interim head of state.
2014 February	Protests erupt in response to the General National Congress refusal to disband after mandate expires

2014 June	New parliament chosen in elections marred by a low turn-out attributed to security fears and boycotts; Islamists suffer heavy defeat. Fighting breaks out between forces loyal to outgoing GNC and forces loyal to the HoR.
2014 October	Islamic State extremist militia seizes control of port of Derna in eastern Libya.
2015 January	Libyan army and Tripoli-based militia alliance declare partial ceasefire after UN-sponsored talks in Geneva
2016 March	The newly formed and UN-backed GNA arrives in tripoly by boat after opposing forces block airspace.
2016 May	The GNA leads a military campaign to retake town of Sirte, which was seized by militants of the Islamic State group a year previously.

Previous Attempts to solve the issue

During the First Libyan Civil War NATO launched Operation Unified Protector. This operation included amongst others: enforcing a no-fly zone, enforcing an arms embargo, and performing air strikes on military targets. Although, Operation Unified Protector was successful in ensuring the defeat of Colonel Gadhafi, it was not able to restore peace in the country.

On the 14th of March 2014 the United Nations Security Council established the United Nations Support Mission in Libya (UNSMIL). The goals of the mission are to secure the transition to democracy, to promote the rule of law, to monitor and protect human rights, to control unsecured arms and related materiel and counter their proliferation, and to build governance capacity in Libya.

During the first half of 2015, the United Nations facilitated a series of different negotiating tracks seeking to bring together the rival governments of Libya and warring militias tearing Libya apart. The U.N. representative to Libya reconvened delegations from Libya's rival governments on 8 June 2015 to present the latest draft proposal for a unity government for the war-torn country. These talks formed the base of the Libyan Political Agreement.

On the 17th of December 2015 the United Nations Security Council unanimously passed the Libyan Political Agreement. In this agreement it was decided that the GNC and the HoR would share power and would form another interim government called the Government National Accord (GNC). Unfortunately neither the GNC nor the HoR recognises the GNA as the legitimate government of Libya. This has led to yet another faction in the conflict trying to take control of the country.

The European Union has set up Operation Sophia to tackle the issue of migrants crossing the Mediterranean Sea. The main objective of Operation Sophia is to stop human traffickers from smuggling more people, by targeting the vessels used by them. Although the rescue of migrants is not the first priority actions to prevent further loss of life at sea are a visible part of the mandate.

On the 14th of June the United Nations Security Council passed resolution 2292, effectively passing an arms embargo on Libya. This resolution has given the GNA the possibility to submit appropriate arms embargo exemption requests. The resolution has also given all member states the authority to seize and dispose any arms that are discovered.

Possible Solutions

There are possibilities for NATO to continue using indirect attacks, such as air strikes on military targets in Libya. The biggest challenge to this particular tactic is to decide which factions to attack and which factions to support. Seeing that there is such a large number of different armed groups it is difficult to establish the goals of every individual armed group and the alliances between them.

NATO could also choose to decide to become more active in enforcing the arms embargo placed upon Libya by the United Nations Security Council in 2922. For instance the navy of Allies could be used to actively search and intercept any arms transported into Libya, by using the area of operation of Operation Unified Protector.

Useful documents

https://en.wikipedia.org/wiki/Template:Libyan_Civil_War_detailed_map
http://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2011_11/20111108_111107-factsheet_up_factsfigures_en.pdf
http://www.iss.europa.eu/uploads/media/Brief_30_Operation_Sophia.pdf
http://www.nato.int/nato_static/assets/pdf/pdf_2011_03/110330-unified-protector-area-of-operation.pdf

Appendix/Appendices

http://www.bbc.com/news/world-africa-13755445
http://www.iss.europa.eu/uploads/media/Brief_30_Operation_Sophia.pdf
http://www.nato.int/cps/en/natolive/news_71959.htm
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