



Libya: Unrest and U.S. Policy

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Summary

Over forty years ago, Muammar al Qadhafi led a revolt against the Libyan monarchy in the name of nationalism, self-determination, and popular sovereignty. Opposition groups citing the same principles are now revolting against Qadhafi to bring an end to the authoritarian political system he has controlled in Libya for the last four decades. The Libyan uprising is occurring in the context of popular protest movements and political change in other countries in North Africa and the Middle East, and the situation in Libya is demanding extraordinary responses from regional and international decision makers. In mid-February 2011, confrontations between opposition activists and government security forces in the eastern cities of Benghazi and Bayda resulted in the death of some unarmed protestors. Security forces used military force to subdue subsequent funeral gatherings and protests in incidents that reportedly killed or wounded dozens, if not hundreds, of civilians. Opposition groups seized several police and military facilities and took control of some eastern cities. In the weeks that have followed, Qadhafi-supporters' counterattacks on opposition-controlled areas and opposition advances toward Qadhafi strongholds have pushed Libya to the brink of civil war.

The opposition has been bolstered by defections of some military units, senior officers, and civilian officials to their cause. The opposition has formed an Interim Transitional National Council that seeks international recognition as the coordinating body of the Libyan opposition. Qadhafi may retain limited popular and family support and is relying on the backing of hard-line security elements prepared to use military force against opponents. Qadhafi and his supporters describe the uprising as a foreign and Islamist conspiracy and are attempting to outlast their opponents. Both sides continue to express wariness of direct foreign military intervention, although opposition forces reportedly have discussed seeking foreign air support. A stalemate has emerged, with inconclusive fighting in some western cities and in eastern coastal areas.

Until recently, the United States government was pursuing a policy of rapprochement and engagement toward Qadhafi and Libya after decades of confrontation, sanctions, and Libyan isolation. The United Nations Security Council, the United States, the European Union and other parties have imposed an arms embargo on Libya and targeted sanctions on Qadhafi, his family, and his supporters in an attempt to limit further violence against Libyan citizens. Multilateral efforts to evacuate third-country nationals continue, and the United States and several international partners are mobilizing to provide assistance to tens of thousands now facing difficult conditions in temporary camps in Tunisia and Egypt.

Options for asserting further U.S. and international influence on developments in Libya are complicated by the prevailing political uncertainty and the considerable tradeoffs associated with direct military intervention. Many observers have warned that Libya's weak government institutions, potentially divisive political dynamics, and current conflict increase the possibility that sustained unrest could follow any fundamental change in government. President Obama has ordered U.S. military and civilian officials to prepare for various contingencies, and some in Congress have urged the Administration to take direct action to protect the opposition and help Libyans unseat Qadhafi. In evaluating U.S. policy options, Congress may seek to better understand the roots and nature of the unfolding conflict in Libya, the views of key players, and the potential consequences of various policy options now under consideration.

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Popular Revolution and Current Conflict

For a summary of recent events and conflict assessment, see: “Status as of March 8, 2011.”

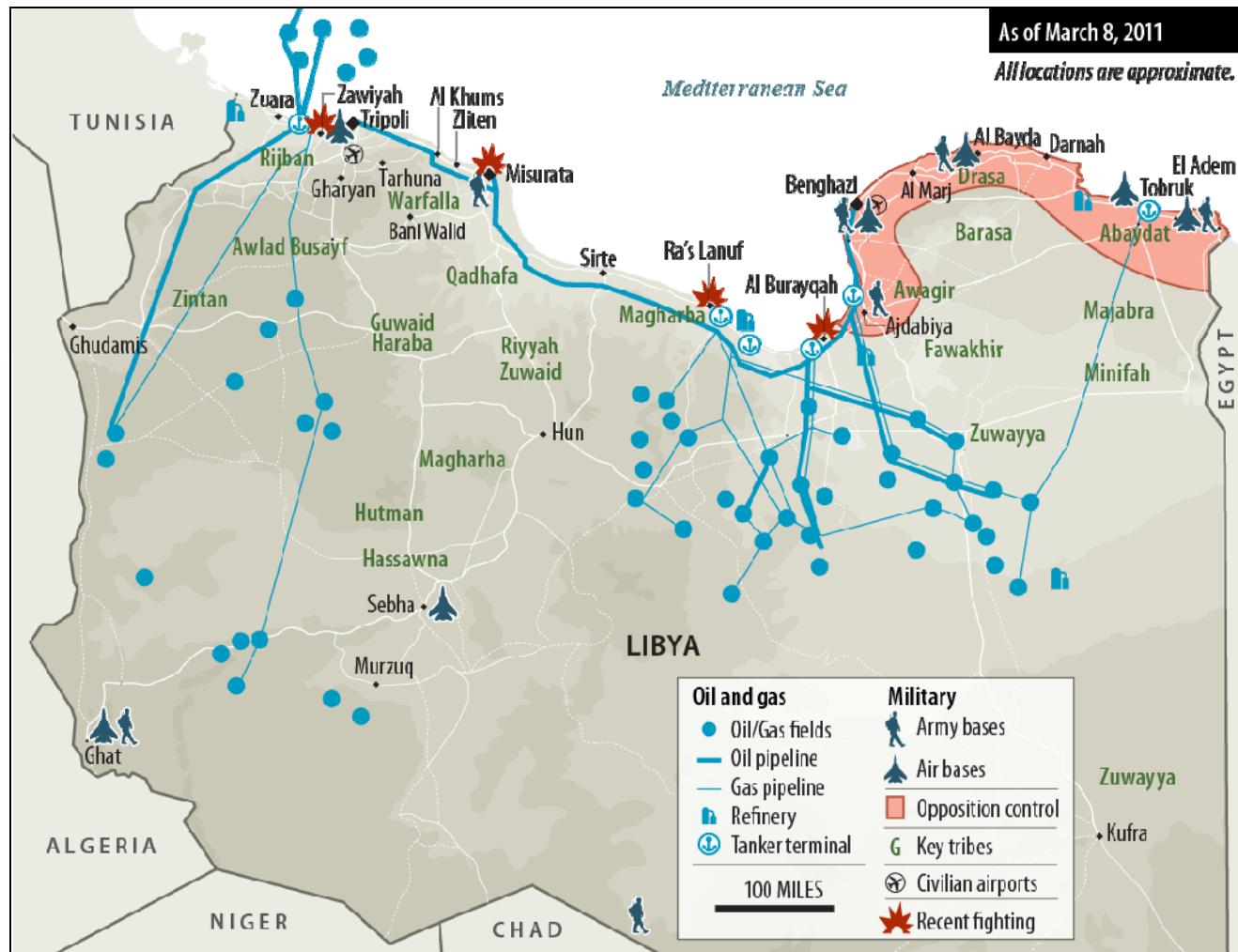
Background

Political change in neighboring Tunisia and Egypt helped bring long-simmering Libyan reform debates to the boiling point in January and early February 2011. In recent years, leading Libyans had staked out a broad range of positions about the necessary scope and pace of reform, while competing for influence and opportunity under the watchful eye of hard-liners aligned with the enigmatic leader of Libya’s 1969 revolution, Muammar al Qadhafi. Qadhafi has long insisted that he holds no formal government position, but by all accounts he maintained his forty-plus year hold on ultimate authority until recently as the “reference point” for Libya’s byzantine political system. Ironically, that system cited “popular authority” as its foundational principle and organizing concept, but it denied Libyans the most basic political rights. Tribal relations and regional dynamics, particularly eastern regional resentments, also influenced Libyan politics.

Qadhafi government policy reversals on WMD and terrorism led to the lifting of most international sanctions in 2003 and 2004, followed by economic liberalization, oil sales, and international investment that brought new wealth to some in Libya. U.S. business gradually reengaged amid continuing U.S.-Libyan tension over terrorism concerns that were finally resolved in 2008. During this period of international reengagement, political change in Libya remained elusive and illusory. Some observers argued that Qadhafi supporters’ suppression of opposition had softened somewhat in recent years, as Libya’s rehabilitation on the international stage coincided with the creation of some space for pragmatists to maneuver within so-called “red lines.” The shifting course of those red lines had been increasingly entangling Libyan reformers in the run-up to the outbreak of recent unrest. Government reconciliation with imprisoned Islamist militants and the return of some exiled opposition figures nevertheless had been cited as positive signals by some observers. Ultimately, inaction on the part of the government to calls for guarantees of basic political rights and for the drafting of a constitution suggested a lack of consensus, if not outright opposition to meaningful reform among leading officials.

The current crisis was triggered in mid-February 2011 by a chain of events in Benghazi and other eastern cities that quickly spiraled out of Qadhafi’s control. Although Libyan opposition groups had called for a so-called “day of rage” on February 17 to commemorate protests that had occurred five years earlier, localized violence erupted prior to the planned national protests. On February 16, Libyan authorities used force to contain a small protest demanding that police release a legal advocate for victims of a previous crackdown who had been arrested. Several protestors were killed. Confrontations surrounding their subsequent funerals escalated severely when government officers reportedly fired live ammunition on unarmed civilians. In the resulting chaos, Libyan security forces are alleged to have opened fire with heavy weaponry on protestors, while opposition groups directly confronted armed personnel while reportedly overrunning a number of security facilities. As popular control over key eastern cities became apparent, broader unrest emerged in other regions, and a number of military officers, their units, and civilian officials abandoned Qadhafi for the cause of a still-disorganized opposition. Qadhafi and his supporters denounced the opposition as drug-fueled traitors, foreign agents, and Al Qaeda supporters. Amid an international outcry, he has maintained control over the capital, Tripoli, and other cities with the help of family-controlled security forces, irregular militia, and some regime supporters in and around the capital.

Figure 1. Map of Libyan Military Facilities, Energy Infrastructure, and Conflict



Source: *The Guardian* (UK), Graphic News, U.S. Energy Information Administration, Global Security, *The Making of Modern Libya* (Ali Abdullatif Ahmida, State University of New York Press, 1994). Adapted by CRS.

Status as of March 8, 2011

As of March 8, security forces and militia groups loyal to Qadhafi and based in Tripoli remain engaged in armed conflict with military units and irregular forces aligned with the opposition. Some observers have described the conflict as an emerging civil war. Media reports on the current balance of forces and the outcome of recent armed engagements in a number of smaller cities (see **Figure 1** above) suggest that neither side has been able to seize the initiative since fighting first erupted. Fighting appears confined to specific cities along the western and central coastlines, with opposition forces in control of most of eastern Libya and Qadhafi forces in control of Tripoli, its environs, and the city of Sirte. On the evening of March 7, the so-called “front line” reportedly remained west of the central coastal town of Ras Lanuf, and pro-Qadhafi raids continued on opposition-held cities further west, including Zawiyah and Misurata. International media reports suggest that some Libyans have maintained or resumed a degree of everyday activity amid the violence, even though in many cases fighting may be occurring nearby. Opposition sources continue to report direct government attacks and display gruesome footage and images of casualties. Interviews suggest that the uncertainty of the conflict weighs heavily on civilians in many areas.

Precise, verifiable information about the current strength, leadership, equipment, training, and readiness of pro- and anti-Qadhafi forces is not publicly available. Most comprehensive open source assessments of the Libyan military and security services predate the current fighting and now may be of limited use given the apparent fracturing of Libyan forces during the crisis. Reports that sizeable mercenary forces are aiding Qadhafi’s cause have drawn increasing scrutiny in recent days, and press accounts of current fighting continue to indicate that Libyan military equipment, including tanks, artillery, fighter aircraft, anti-aircraft weapons, mortars, and helicopters, is being deployed in attacks on opposition forces.

The opposition has been bolstered by their seizure of some military stockpiles and the defection of some key military units and officers. However, to date, they appear to have been forced to concentrate on fighting-off air and ground attacks by Qadhafi loyalists, even as they have organized themselves and their materiel for an initial advance westward along the Libyan coastal road toward the town of Sirte. Opposition military figures reportedly are asking popular forces to reconsider an immediate campaign against pro-Qadhafi strongholds until new supplies can be obtained and training and organization completed, since basic counterattacks by government forces have stifled opposition advances during the last week.¹ The apparent proliferation of small arms, man-portable air defense missile systems (MANPADS), and some heavy weaponry among fighters on both sides also is leading some outside counterterrorism and arms trafficking experts to express concern about the conflict’s longer term implications for regional security.

Assessment

The fast-moving developments and the relatively limited presence of international media in Libya have combined to impose a degree of uncertain drama on the unfolding conflict. Important questions about the identities, capabilities, and goals of key actors and forces are largely unanswered. Likely paths toward a resolution of the conflict are not immediately apparent,

¹ U.S. Open Source Center (OSC) Report GMP20110308825013, “Libya: National Council Asks Revolutionaries To Wait Before Moving Toward Sirte,” March 8, 2011.

although some outside observers have expressed doubt about the ability of Qadhafi and his supporters to outlast popular opposition forces enjoying international moral—and potentially material—support. Skeptics highlight Qadhafi’s decades of cunning and survival in the face of armed domestic opponents and determined international adversaries. Reports on March 8 of assaults on the opposition-controlled western cities of Zawiyah and Misurata renewed concern that Qadhafi may initiate general attacks on civilian opposition supporters in an effort to dislodge armed opposition forces.

Third parties, including the United States government, have staked out firm positions demanding Qadhafi’s departure, but opposition forces have yet to demonstrate that they have the capacity to dislodge Qadhafi on their own. Some observers have warned that the use of force to affect regime change in Libya may have unpredictable consequences for the long term stability of the country and North Africa. Although some observers are now warning of the potential for a protracted civil war, spokesmen on both sides in Libya continue to express confidence in their ability to prevail. Opposition groups have formed an “Interim Transitional National Council” that is seeking international recognition as the representative of the Libyan people from its base in Benghazi. Former-Justice Minister Mustafa Abdeljalil is leading the Council and has indicated that the Council does not claim authority to offer any legal protection to Qadhafi in order to secure his departure.

The question of potential international military intervention is at the center of global debate, and Libyan combatants are seeking to influence unfolding policy debates in world capitals, including Washington, DC. To date, Libyans on both sides have warned against direct foreign military intervention, although some opposition figures have discussed—in conditional terms—the value of some limited forms of outside intervention, including seeking military supplies or endorsing foreign military operations that limit the effectiveness of pro-Qadhafi aircraft.

U.S. and International Responses

The United States, the European Union, Russia, the Arab League,² and the African Union³ have joined other international actors in condemning Qadhafi supporters’ violent attacks on civilians. The United States, the European Union, Japan, and South Korea have enacted their own targeted sanctions on Qadhafi and have limited financial transactions with Libya and arms shipments to the country. On February 26, 2011, the United Nations Security Council unanimously adopted Resolution 1970, placing targeted financial and travel sanctions on Qadhafi and certain individuals and imposing an arms embargo on Libya. Debate over other measures continues, and differences of opinion have emerged among key outside parties over the legitimacy and utility of specific policy options. The U.S. government and its allies are working to respond to the difficult humanitarian conditions facing thousands from among the over 200,000 people who have fled the country and now remain in temporary Tunisian and Egyptian border camps. Humanitarian needs inside Libya are not fully known, and may change as the conflict continues.

² On February 22, the League of Arab States met in Cairo suspended Libya from League meetings. See Arabic original statement at: http://www.arableagueonline.org/lasimages/picture_gallery/bayan22-2-2011.doc

³ The African Union condemned the violence and dispatched a fact-finding mission. The move surprised some observers given that Qadhafi had provided significant funding to support the AU budget in recent years and Qadhafi had been elected to serve as AU President in 2009. African Union, Communiqué of the 261st Meeting of the Peace and Security Council, February 23, 2011.

Current U.S. Policy

The immediate U.S. response reflected standing U.S. calls for regional parties to avoid violent confrontation and prioritized efforts to evacuate U.S. citizens and ensure the security of U.S. diplomatic facilities and personnel in Libya.⁴ Air and sealift arrangements eventually secured the departure of hundreds of U.S. citizens, and the State Department withdrew all U.S. government personnel and suspended activity at its temporary embassy facilities for the duration of the crisis. On February 23, President Barack Obama called the bloodshed in Libya “outrageous” and “unacceptable” and said that his Administration was looking at the “full range of options we have to respond to this crisis.”⁵

On February 25, President Obama formally reversed the policy of rapprochement that he and President George W. Bush had pursued with Libya since late 2003. Executive Order 13566, released that day, declares a new national emergency stemming from the threat posed by the situation in Libya, imposes new targeted financial sanctions on Qadhafi and other Libyan officials, blocks certain Libyan funds under U.S. jurisdiction, and restricts U.S. persons’ financial transactions with certain Libyan individuals and entities.⁶ On March 1, the Senate adopted by unanimous consent S.Res. 85, “strongly condemning the gross and systematic violations of human rights in Libya, including violent attacks on protesters demanding democratic reforms.” In addition, U.S. officials, including the president, have called directly for Qadhafi to step-down and leave Libya to its citizens. On March 3, President Obama summarized his views at a joint press appearance with Mexican President Felipe Calderón, stating:

“The violence must stop. Muammar Gaddafi has lost the legitimacy to lead and he must leave. Those around him have to understand that violence that they perpetrate against innocent civilians will be monitored and they will be held accountable for it. ...And so to the extent that they are making calculations in their own minds about which way history is moving, they should know history is moving against Colonel Gaddafi.”⁷

On March 7, President Obama reiterated his “very clear message to those who are around Colonel Qaddafi. It is their choice as to how to operate moving forward. They will be held accountable for whatever violence will continue to take place there.”⁸ He added that the United States “will stand with [the Libyan people] in the face of unwarranted violence and the continued suppression of democratic ideals that we’ve seen there.” The president did not specifically describe what support the United States planned to provide inside Libya.

Some Members of Congress criticized the Administration’s initial response as politically timid, and others have called for U.S. military intervention in the conflict in the form of the

⁴ Libyan demonstrators attacked and burned the former U.S. Embassy in December 1979, without apparent Libyan government intervention.

⁵ Full text of President Obama’s remarks at <http://www.whitehouse.gov/blog/2011/02/23/president-obama-speaks-turmoil-libya-violence-must-stop>.

⁶ Executive Order 13566 of February 25, 2011, Blocking Property and Prohibiting Certain Transactions Related to Libya, Federal Register, Presidential Documents, March 2, 2011 (Volume 76, Number 41, pp. 11315-8. Full text available at: <http://www.whitehouse.gov/the-press-office/2011/02/25/executive-order-libya>.

⁷ Video available at: <http://www.whitehouse.gov/photos-and-video/video/2011/03/03/president-obama-s-press-availability-president-calder-n-statement->

⁸ Steve Hendrix, Leila Fadel and Debbi Wilgoren, “Gaddafi forces attack rebels anew, even as regime appears to seek talks,” Washington Post, March 7, 2011.

establishment and maintenance of a no-fly zone or through the provision of arms and support to opposition forces. President Obama reportedly has ordered military and civilian officials to prepare for a range of contingencies, even as figures such as Secretary of Defense Robert Gates have sought to publicly outline the possible implications of some proposed military options in what some observers view as an attempt by Administration officials to defuse calls for immediate military intervention.

To date, some U.S. military forces have been deployed in the region to participate in humanitarian relief operations and to serve in a reserve capacity pending further decisions. The U.S.S. Kearsage, the U.S.S. Ponce and the 26th Marine Expeditionary Unit remain on call after the president ordered their transit into the Mediterranean Sea. The U.S. military forces now on station have a broad range of offensive and defensive assets at their disposal, in addition to the ability to assist in medical and relief operations. Under the auspices of Operation Odyssey Dawn, U.S. Africa Command, with support from Air Mobility Command and Naval Forces Europe-Africa assets, is overseeing airlift operations via military facilities in Greece, Italy, and Germany to deliver U.S.-donated humanitarian relief supplies to the Libyan-Tunisian border and to repatriate Egyptian nationals from Tunisia.

The Administration also has deployed joint State Department/USAID humanitarian assessment teams (HATs) to the Tunisia-Libya and Libya-Egypt borders.⁹ As of March 7, USAID had provided \$1,377,227 to implementing partners for humanitarian relief purposes, while the State Department had provided \$5 million to the International Organization for Migration (IOM) to support the repatriation of third-country nationals.¹⁰ On March 7, President Obama authorized the issuance of up to \$15 million from the U.S. Emergency Refugee and Migration Assistance (ERMA) fund to support “contributions to international, governmental, and nongovernmental organizations and payment of administrative expenses of the Bureau of Population, Refugees, and Migration of the Department of State, related to the humanitarian crisis resulting from the violence in Libya.”¹¹

U.N. Security Council Resolution 1970 and Select International Responses

On February 22, the U.N. Security Council (UNSC) met in private to discuss the situation in Libya, and released a press statement that “condemned the violence and use of force against civilians, deplored the repression against peaceful demonstrators, and expressed deep regret at the deaths of hundreds of civilians.” Members of the Council further “called for an immediate end to the violence and for steps to address the legitimate demands of the population, including through national dialogue.”¹²

⁹ Updates on the humanitarian situation and U.S. civilian agencies activities is available from the U.S. Agency for International Development online at:
http://www.usaid.gov/our_work/humanitarian_assistance/disaster_assistance/countries/libya/template/index.html.

¹⁰ USG Humanitarian Fact Sheet #8, Fiscal Year (FY) 2011, March 7, 2011.

¹¹ Presidential Determination No. 2011-8, Unexpected Urgent Refugee and Migration Needs Related to Libya, March 7, 2011.

¹² United Nations Security Council Department of Public Information, “SC/10180, AFR/2120: Security Council Press Statement on Libya,” February 22, 2011.

On February 26, the Security Council debated and unanimously adopted Resolution 1970, which:

- Establishes an arms embargo prohibiting weapons transfers to Libya, while providing for third party inspection of suspicious cargo and for consideration of possible exemptions by the Committee established by paragraph 24 of the resolution;
- Grants the International Criminal Court (ICC) jurisdiction over crimes committed in Libya on or after February 15, 2011;
- Imposes targeted financial and travel sanctions on Muammar al Qadhafi, certain family members, and some prominent supporters;
- Calls on member states to support humanitarian response efforts; and,
- Provides for further consideration of the situation in Libya, while not authorizing the use of military force by member states with regard to the situation in Libya.

On March 1, the U.N. General Assembly, acting on the recommendation of the Human Rights Council on February 25, considered the situation in Libya, and adopted, by consensus, a resolution suspending Libya from “the rights of the membership” on the Human Rights Council. This was the first time a member state has been removed from the Council since it replaced the Commission on Human Rights in 2006.¹³ The General Assembly will review Libya’s future role on the Council “as appropriate.”

The European Union and EU Member States

Like the United States, the European Union (EU) had pursued a policy of engagement with the Qadhafi government in recent years, and several EU member states reestablished deep economic ties with Libya. European states have long been important consumers of Libyan oil and natural gas, although officials have expressed confidence in recent weeks that disruptions of Libyan energy supplies to the European market will not have significant consequences. Until the outbreak of violence in mid-February 2011, engagement efforts at the EU level were marked by ongoing negotiations over the terms of an EU-Libya Framework Agreement and the conclusion of a technical and financial cooperation agreement with Libya in conjunction with the European Commission’s European Neighborhood Policy. These initiatives have been suspended in line with an EU decision on February 28 to impose an arms embargo and targeted sanctions on Muammar al Qadhafi, his family, and some of his prominent supporters.¹⁴

The EU sanctions now in place reflect the terms of the arms embargo and targeted sanctions mandated in UNSC Resolution 1970 and expand them to include a visa ban and asset freezes on additional individuals. Some European governments also appear to be taking action against individuals not identified on the original EU sanctions list, such as Mustafa Zarti, the director of the Libyan Investment Authority (the government’s sovereign wealth fund) and a close confidant of Sayf al Islam al Qadhafi. The European Council of Heads of State and Government plans to meet on March 11 along with High Representative for Foreign Affairs and Security Policy

¹³ United Nations General Assembly, A/RES/65/265, “Suspension of the rights of membership of the Libyan Arab Jamahiriya in the Human Rights Council,” March 3, 2011.

¹⁴ See European Council Decision 2011/137/CFSP, February 28, 2011; and, Council Regulation (EU) 204/2011, “Concerning restrictive measures in view of the situation in Libya,” March 2, 2011.

Catherine Ashton to discuss next steps. Press reports on March 7 suggested that the United Kingdom and France were working with other governments on a “contingency draft” resolution that would seek UNSC approval for the imposition of a no-fly zone over Libyan territory. The views of Russia, China, the United States, and other Security Council members on the matter have not been finally determined.

On the humanitarian front, as of March 4, the EU, acting through the European Commission, had provided €30 million (~\$42 million) to support the creation and maintenance of transit facilities and to repatriate EU and third-country nationals.¹⁵ An EU civil protection team is operating in Tunisia, and a team of humanitarian affairs experts has been deployed to Tunisia, Egypt, and Libya in support of UN and EU operations. An EU official dispatched to Libya to report on the humanitarian situation visited Tripoli on March 7 and described the capital city as being relatively calm. Several EU member states continue to carry out their own bilateral responses to the humanitarian emergency and are providing material and financial support to international organizations and regional entities in coordination with the United States and other donors. Member states such as Italy and Malta are particularly concerned that the situation could result in large numbers of refugees and asylum-seekers fleeing Libya for EU territory. Qadhafi has attempted to leverage these fears in public statements as a means of influence EU decisions.

The North Atlantic Treaty Organization (NATO)

The North Atlantic Treaty Organization (NATO) is monitoring Libyan air traffic using AWACS aircraft and assets deployed as part of NATO’s Operation Active Endeavor, NATO’s longstanding counterterrorism and maritime security operation in the Mediterranean Sea. According to U.S. Ambassador to NATO Ivo Daalder, NATO forces observed “a decrease in fighter and overall air activity [in Libya]” from March 5 through March 7, but NATO officials continue to discuss all potential options. On March 7, NATO representatives agreed to increase air surveillance of Libyan air traffic to 24-hours per day. NATO Secretary General Anders Fogh Rasmussen stated, “as a defense alliance and a security organization, it is our job to conduct prudent planning for any eventuality.”¹⁶ On February 28, Turkish Prime Minister Recep Tayyip Erdoğan stated “NATO’s intervention in Libya is out of the question.” Debate appears set to continue at a planned NATO Defense Ministers meeting on March 10.

¹⁵ NATO. “NATO Defence Ministers will discuss situation in Libya and longer term prospects in Middle East,” March 7, 2011.

¹⁶ European Commission, “The European Commission’s humanitarian response to the crisis in Libya,” Memo/11/143, March 4, 2011.

Figure 2. Political Map of Libya



Source: Map Resources. Adapted by CRS.

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