



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 government's use of force against civilians and opposition forces seeking Qadhafi's overthrow sparked an international outcry in February and early March 2011, and a stalemate began to break in favor of the Qadhafi government, threatening civilians in opposition-held areas. The United States and other European and Arab states are now carrying out military operations in Libya to enforce United Nations Security Council Resolution 1973, which was adopted on March 17 and authorizes "all necessary measures" to protect Libyan civilians. Qadhafi and his supporters have described the uprising as a foreign and Islamist conspiracy and are attempting to outlast their opponents. Qadhafi remains defiant amid the dismantling of his military by coalition air strikes. His supporters threatened to respond to attacks by striking civilian and military targets in the Mediterranean region.

Resolution 1973 calls for an immediate cease-fire and dialogue, declares a no-fly zone in Libyan airspace, and authorizes robust enforcement measures for the arms embargo on Libya established by Resolution 1970 of February 26, "while excluding a foreign occupation force of any form on any part of Libyan territory." As of March 28, U.S. military officials reported that U.S. and coalition strikes on Libyan air defenses, air forces, and ground forces had neutralized the ability of Muammar al Qadhafi's military to control the country's airspace and were increasingly focused on targeting pro-Qadhafi ground forces found to be continuing to violate Resolution 1973 through attacks on Libyan civilians. President Obama has said the United States will not introduce ground forces and has called for Qadhafi to step down. The no-fly zone called for in Resolution 1973 is in place and the North Atlantic Treaty Organization is assuming command of coalition operations. The United States and international partners are providing humanitarian assistance to displaced persons in temporary camps in Tunisia and Egypt.

Until recently, the United States government was pursuing a policy of reengagement toward Qadhafi after decades of confrontation, sanctions, and Libyan isolation. President Obama now has joined some leaders in asserting that Muammar al Qadhafi must ultimately give up power, although that outcome is not called for explicitly in Resolution 1973. Obama Administration officials highlight a number of non-military steps the U.S. government has taken to achieve that objective, while military operations to protect Libyan civilians continue. U.S. steps include new targeted sanctions established in Executive Order 13566. Some Members of Congress expressed support for U.S. military intervention prior to the adoption of Resolution 1973, while others disagreed or called for the President to seek explicit congressional authorization prior to any use of force. Some executive-legislative consultation occurred prior to the start of U.S. military operations, and, on March 21, President Obama sent a letter to Congress outlining U.S. military objectives and operations, but not explicitly seeking congressional authorization.

Many observers believe that Libya's weak government institutions, potentially divisive political dynamics, and current conflict suggest that security challenges could follow the current uprising, regardless of its outcome. Some opposition figures have formed an Interim Transitional National Council which claims to represent all areas of the country and is seeking recognition and material support. In evaluating U.S. policy options, Congress may seek to better understand the roots and nature of the conflict in Libya, the views and interests of key players, and the potential consequences of the military action under way and other policy proposals under consideration.

Contents

Popular Revolution and Current Conflict.....	1
Background	1
Status as of March 29, 2011	3
Assessment	4
U.S. and International Responses	5
Current U.S. Policy	6
Administration Views and Action	6
President Obama’s Remarks on U.S. Military Operations and U.S. Policy	8
No-Fly Zone, Arms Embargo, and Civilian Protection Operations	9
U.S. Humanitarian Operations.....	10
Congressional Action and Select Views	10
U.N. Security Council Resolutions 1970 and 1973	12
The Arab League and the African Union.....	14
The European Union and EU Member States.....	16
The North Atlantic Treaty Organization (NATO)	17
Russia and China	18
Prospects and Challenges for U.S. Policy	19
Possible Scenarios.....	20
Possible Questions	21
Libyan Political Dynamics and Profiles.....	22
Political Dynamics	22
Qadhafi and the Libyan Government	23
Muammar al Qadhafi	23
The Qadhafi Family and Prominent Officials: Selected Profiles.....	24
Opposition Groups.....	25
Interim Transitional National Council (ITNC)	25
Prominent ITNC and Opposition Figures.....	26
Opposition Military Forces.....	28
Exiles and Al Sanusi Monarchy Figures	29
The Muslim Brotherhood	30
Libyan Islamic Fighting Group (LIFG)/Libyan Islamic Movement for Change (LIMC)	31

Figures

Figure 1. Map of Libyan Military Facilities, Energy Infrastructure, and Conflict.....	2
Figure 2. Political Map of Libya.....	34

Contacts

Author Contact Information	34
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Popular Revolution and Current Conflict

For a summary of recent events and conflict assessment, see “Status as of March 29, 2011”.

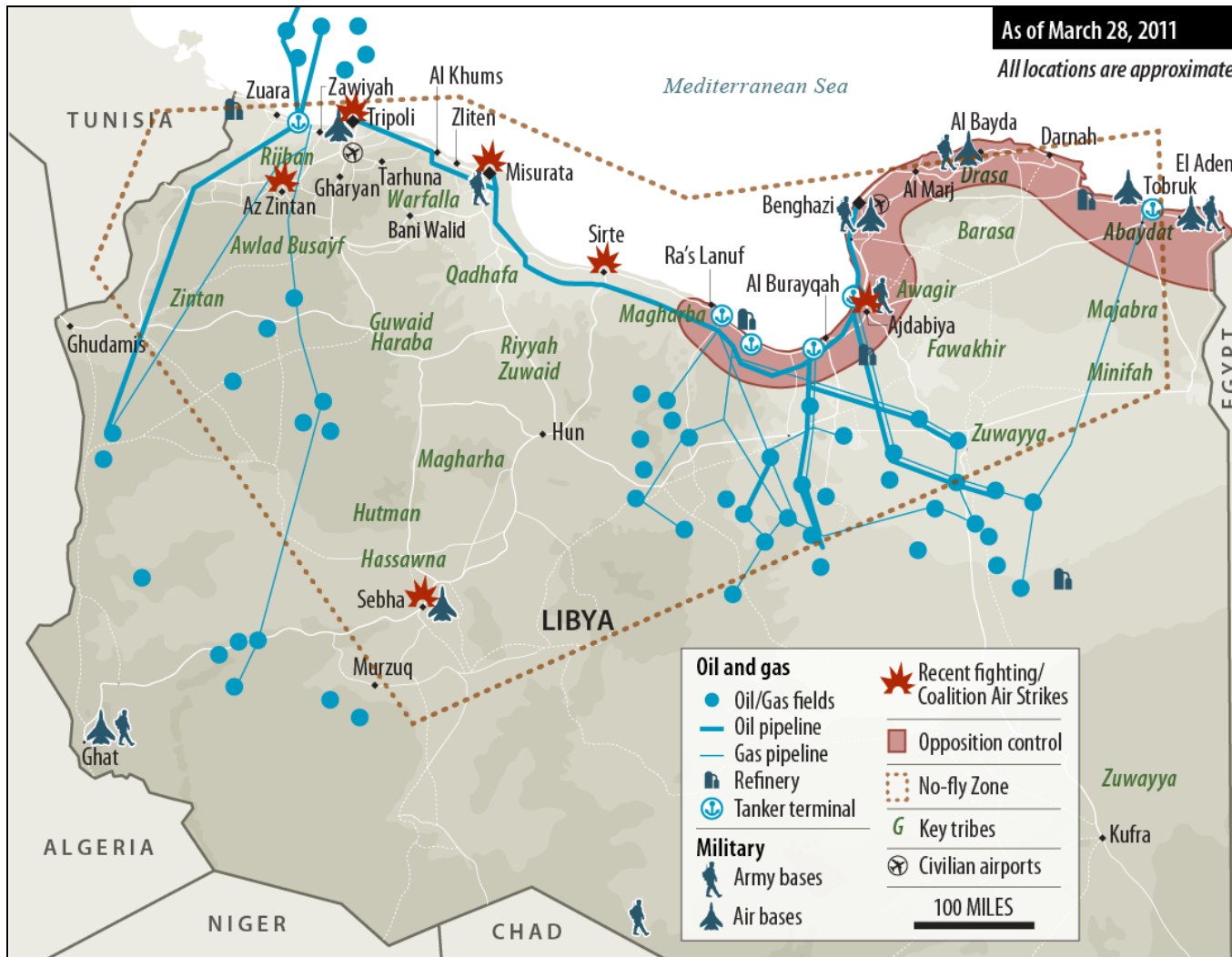
Background

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 influence Libyan politics (see “Political Dynamics” below).

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, as Libya’s international rehabilitation coincided with steps by some pragmatists to maneuver within so-called “red lines.” The shifting course of those red lines had been increasingly entangling 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 were welcomed 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 15 and 16, Libyan authorities used force to contain small protests demanding that police release a legal advocate for victims of a previous crackdown who had been arrested. Several protestors were killed. Confrontations surrounding their funerals and other protest gatherings escalated severely when government officers reportedly fired live ammunition. In the resulting chaos, Libyan security forces are alleged to have opened fire with heavy weaponry on protestors, as opposition groups directly confronted armed personnel while reportedly overrunning a number of security facilities. Popular control over key eastern cities became apparent, and broader unrest emerged in other regions. A number of military officers, their units, and civilian officials abandoned Qadhafi for the cause of the then-disorganized and amorphous opposition. Qadhafi and his supporters denounced their opponents as drug-fueled traitors, foreign agents, and Al Qaeda supporters. Amid an international outcry, Qadhafi has maintained control over the capital, Tripoli, and other cities with the help of family-led security forces and regime supporters.

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



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

Status as of March 29, 2011

The adoption of Security Council Resolution 1973 on the evening of March 17 was greeted with euphoria by the encircled opposition movement in Libya, in spite of their dire security situation and apparent inability to independently fend off better armed and better organized ground forces loyal to Muammar al Qadhafi (see “U.N. Security Council Resolutions 1970 and 1973” below). From March 10 through March 17, a reversal in the opposition’s fortunes and a dramatic shift in momentum in favor of Qadhafi hastened regional and international deliberations about potential intervention. Limited air operations by pro-Qadhafi forces continued, and pro-Qadhafi forces began an assault on the main opposition base in Benghazi.

The no-fly zone and civilian protection provisions of Resolution 1973 authorize foreign military intervention, which some in the beleaguered opposition had been calling for to ease the pressure on their ranks (see “No-Fly Zone, Arms Embargo, and Civilian Protection Operations” below). On March 18, President Obama outlined nonnegotiable demands to Qadhafi and his government for an end to violence and indicated the United States was prepared to act militarily as part of a coalition to enforce Resolution 1973 and protect Libyan civilians (see “President Obama’s Remarks on U.S. Military Operations”). In response, Libyan Foreign Minister Musa Kusa stated that Qadhafi’s government had been “obliged to accept the Security Council resolution that permits the use of force to protect the civilian population” and announced that Libya’s government had “decided an immediate cease-fire and the stoppage of all military operations.” In spite of Kusa’s claim, Libyan military ground force operations against opposition held areas continued in violation of cease-fire pledges, and U.S. and coalition military operations began on March 19.

Since March 19, coalition sea-launched cruise missile attacks and air strikes have targeted Libyan air defenses, air forces, command and control infrastructure, and ground forces involved in attacks on civilians, including south of the opposition stronghold of Benghazi. As of March 28, U.S. and coalition officials stated that coalition military operations had destroyed the ability of the Libyan military to control Libyan airspace. The no-fly zone called for in Resolution 1973 is in place and is being enforced (see **Figure 1** above). Coalition attacks are ongoing against those Libyan ground force units that continue to besiege opposition-held towns and against targets supporting operations by those Libyan military units. Coalition officials continue to reiterate their calls for Libyan government forces to stand down amid missile and air strikes of persistent frequency and intensity.

Over the weekend of March 26, opposition forces renewed their advances westward in parallel with coalition airstrikes against Libyan government forces in Ajdabiyah, retaking the coastal towns of Burayqah and Ra’s Lanuf. Press reports and U.S. military briefings describe operations by relatively lightly armed and disorganized volunteer opposition forces who have advanced westward from their formerly-threatened bases in eastern Libya, through areas they formerly held, to within 80 miles of the city of Sirte, the birthplace of Muammar al Qadhafi. Government forces reportedly have prepared an organized defense of Sirte, and reports suggest that pro-Qadhafi forces continued to target civilians and opposition volunteers in some urban areas, including the western cities of Misurata and Az Zintan.

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

are now of limited use given the apparent fracturing of Libyan forces during the crisis and the lack of full detail regarding the specific targets and outcomes of coalition military operations. Reports that sizeable mercenary forces are aiding Qadhafi's cause have drawn some scrutiny, and Resolution 1973 has authorized new measures to combat the introduction of new mercenary forces to the conflict. Qadhafi has issued calls for local civilian volunteers and has announced efforts to arm civilian supporters across the country.

Press accounts of recent fighting indicate that the Libyan military has deployed its equipment, including tanks, artillery, fighter aircraft, anti-aircraft weapons, mortars, snipers, and helicopters, in attacks on opposition forces and opposition-held cities. Opposition forces continue to deploy military equipment seized during the initial uprising and as a result of subsequent fighting, including small arms, rocket propelled grenades, multiple rocket launchers, and anti-aircraft weaponry, in support of their advances westward.

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 amid ongoing coalition operations (see "Opposition Groups" below). The call for a cease-fire in U.N. Security Council Resolution 1973 has yet to be heeded by either side, and likely paths toward a nonviolent political resolution of the conflict are not immediately apparent. Observers who initially expressed doubt about the ability of Qadhafi and his supporters to outlast popular opposition forces enjoying international moral support saw the opposition pushed back on its heels as it waited for consensus to coalesce about the need for and necessary scope of international military intervention.

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. Multinational military operations to enforce Resolution 1973 and protect civilians are now destroying pro-Qadhafi military forces that threaten civilians across Libya, but official U.S. statements underscore that these operations are not directly coordinated with or designed to directly support opposition military plans or operations. Many outside observers presume the air strikes are creating powerful disincentives to continued loyalty to Qadhafi. However, outside military intervention may motivate Qadhafi loyalists and some nationalist supporters. Qadhafi's committed base of supporters may be relatively small, but if faced with limited options and determined enemies, they may prove dangerous, both to their opponents within Libya and possibly to coalition partners abroad. From the perspective of opposition leaders, the potential benefits of foreign military intervention may be considered alongside an appreciation for the strong nationalist, anti-imperialist sentiments held by many Libyans.

How effective have U.S. and coalition military operations been?

U.S. civilian and military leaders, including President Barack Obama, have characterized U.S. and coalition military operations to date as having successfully achieved limited military objectives in support of Resolution 1973. President Obama insists that he does not plan to order the use of military force to achieve the political objective of removing Qadhafi from power. On March 25, U.S. Joint Staff Director Vice Admiral Bill Gortney stated that, as a result of coalition military strikes, Qadhafi had "no air defense left to him and a diminishing ability to command and sustain his forces on the ground. His air force cannot fly, his warships are staying in port, his

ammunition stores are being destroyed, communication towers are being toppled, and his command bunkers are being rendered useless.”¹ On March 28, Vice Adm. Gortney updated his assessment by adding that coalition forces had struck the headquarters of the 32nd Brigade regime security unit, which has been commanded by Qadhafi’s son Khamis, because the unit remained at the forefront operations against civilians.² He also indicated that the coalition had struck command and control targets around the Qadhafi stronghold of Sirte on Libya’s central coast. On March 29, coalition strikes reportedly targeted Libyan navy vessels off the coast of Misurata

Are opposition military advances since March 19 sustainable?

Serious questions remain about the potential success of the opposition counteroffensive now unfolding, given that previous opposition volunteer-led advances westward along the Libyan coastal road toward the town of Sirte in early March were easily disrupted and reversed by the Libyan military.³ On March 28, U.S. Africa Command (AFRICOM) Commander General Carter Ham warned that, “The regime still vastly overmatches opposition forces militarily. The regime possesses the capability to roll them back very quickly. Coalition air power is the major reason that has not happened.”⁴ In a separate interview, he added, “Among my concerns right now is that the opposition will over-reach in their haste to move west. They are not a match for the regime forces. If they move hastily and get destroyed, then there’s nothing to stop the regime from moving right back down the coast road.”⁵ For more information on opposition forces, see “Opposition Military Forces” below.

U.S. and International Responses

The United States, the European Union, Russia, the Arab League, and the African Union have joined other international actors in condemning Qadhafi supporters’ violent attacks on civilians. Some parties, including the United States and the European Union have called for Qadhafi to step down. The United States, the European Union, Russia, Japan, South Korea, and other countries 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. The Resolution did not authorize the use of force by third-parties.

¹ DOD News Briefing with Vice Adm. Gortney from the Pentagon on Libya Operation Odyssey Dawn, March 25, 2011.

² DOD News Briefing with Vice Adm. Gortney from the Pentagon on Libya Operation Odyssey Dawn, March 28, 2011.

³ In early March, opposition military leaders reportedly asked popular volunteer forces to reconsider an immediate campaign against pro-Qadhafi strongholds until new supplies could be obtained and training and organization completed. Their advice appears not to have been heeded, and basic counterattacks by government forces stifled opposition advances. It is unclear whether the current opposition advance is being directed more efficiently or cautiously by experienced military officers. See U.S. Open Source Center (OSC) Report GMP20110308825013, “Libya: National Council Asks Revolutionaries To Wait Before Moving Toward Sirte,” March 8, 2011.

⁴ Kareem Fahim and David D. Kirkpatrick, “Rebel Advance Halted Outside Qaddafi’s Hometown,” *New York Times*, March 28, 2011.

⁵ ABC News Online, Excerpt of Martha Raddatz Interview with Gen. Carter F. Ham, March 28, 2011.

Debate over further action culminated in the adoption of Resolution 1973 on March 17, which calls for an immediate cease-fire and dialogue, declares a no-fly zone in Libyan airspace, authorizes robust enforcement measures for the arms embargo established by Resolution 1970, and authorizes member states “to take all necessary measures ... to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya, including Benghazi, while excluding a foreign occupation force of any form on any part of Libyan territory.” The passage of the resolution reflected sufficient, if not universal international recognition of a need for intervention. Nevertheless, differences of opinion persist among key outside parties over the legitimacy and utility of specific policy options, including military operations to protect Libyan civilians (see “No-Fly Zone, Arms Embargo, and Civilian Protection Operation” below).

The United States began military operations against Libyan military targets on March 19. As of March 28, a coalition consisting of the United States, France, the United Kingdom, Italy, Spain, Greece, Denmark, Norway, the United Arab Emirates, Turkey, Qatar, Kuwait, Jordan, and Canada were supporting military operations to protect civilians, enforce the arms embargo, and/or enforce the no-fly zone in support of Resolution 1973. The North Atlantic Treaty Organization (NATO) has announced that it will assume command for all three components of the coalition operations under the guise of Operation Unified Protector (see “The North Atlantic Treaty Organization (NATO)” below).

The U.S. government and its allies are working to respond to the difficult humanitarian conditions facing thousands who have fled Libya and remain in temporary Tunisian and Egyptian border transit camps. Over 200,000 people have fled the country since the fighting began, and as of March 28, approximately 10,000 people remained in transit camps. Humanitarian needs inside Libya are not fully known, and may change as the conflict continues.

Current U.S. Policy

Administration Views and Action

President Obama ordered U.S. military forces to begin strikes against Libyan military targets on March 19 in support of Resolution 1973. Since March 19, U.S. forces and their coalition partners have succeeded in dismantling Libya’s air defenses and striking pro-Qadhafi units that continue to target opposition held areas and threaten Libyan civilians. The immediate U.S. response to the outbreak of unrest in Libya in February 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.⁶ 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. A series of strong statements, diplomatic consultations, and targeted actions followed in the wake of the initial response.

⁶ Libyan demonstrators attacked and burned the former U.S. Embassy in December 1979, without apparent Libyan government intervention.

- 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.”⁷
- 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.⁸ The Administration expanded the list of designated entities and individuals on March 15.⁹
- 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.¹⁰

- 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.”¹¹ 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.
- On March 14, Secretary of State Hillary Rodham Clinton met privately with opposition Interim Transitional National Council (ITNC) foreign affairs representative Mahmoud Jibril in Paris. The United States has not formally recognized the ITNC or publicly signaled its intent to provide material support to the group, although the Administration will allow the Council to establish a representative office in Washington, DC. (see “Interim Transitional National Council (ITNC),” below) The infusion of popular support and regime defectors to the general opposition cause inside Libya was welcomed by many established opposition groups, even if the specific political demands of newly active opposition supporters and their compatibility with the agendas of the established

⁷ Full text of President Obama’s remarks at <http://www.whitehouse.gov/blog/2011/02/23/president-obama-speaks-turmoil-libya-violence-must-stop>.

⁸ 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>.

⁹ U.S. Department of the Treasury, “Press Release: Moving to Further Isolate Qadhafi Regime, Treasury Designates Libyan Foreign Minister and Identifies 16 State-Owned Companies,” March 15, 2011.

¹⁰ Video available at <http://www.whitehouse.gov/photos-and-video/video/2011/03/03/president-obama-s-press-availability-president-calder-n-statement->

¹¹ Steve Hendrix, Leila Fadel and Debbi Wilgoren, “Gaddafi forces attack rebels anew, even as regime appears to seek talks,” Washington Post, March 7, 2011.

groups were not clear. Key current questions for U.S. policymakers include determining the identities and backgrounds of various opposition leaders and groups, assessing the capabilities of armed opposition supporters, and determining the intentions, goals, and legitimacy of opposition elements.

- On March 14, President Obama reiterated his call for Qadhafi to step down, but did not elaborate on the specific steps his Administration was prepared to take beyond those already announced to support that outcome.
- On March 28, U.S. Vice Adm. Bill Gortney stated his view that “the opposition is not well organized, and it is not a very robust organization.” He further indicated that the United States “would like a much better understanding of the opposition,” and that U.S. officials are “trying to fill in” what he characterized as “knowledge gaps.”

President Obama’s Remarks on U.S. Military Operations and U.S. Policy

As indicated above, the advance of Muammar al Qadhafi’s military forces toward the opposition-held cities of eastern Libya raised the prospect that Libyan civilians could be targeted and a humanitarian crisis could ensue. The Obama Administration engaged in an intense flurry of diplomatic consultation that contributed to the passage of U.N. Security Council Resolution 1973 on March 17. On March 18, President Obama made a statement on U.S. policy in light of the new resolution.¹² The President stated that “a cease-fire must be implemented immediately,” and “all attacks against civilians must stop.” He specified that “Qaddafi must stop his troops from advancing on Benghazi, pull them back from Ajdabiya, Misrata, and Zawiya, and establish water, electricity and gas supplies to all areas. Humanitarian assistance must be allowed to reach the people of Libya.” President Obama underscored that the terms were “not negotiable” and warned Qadhafi that if he did not “comply with the resolution, the international community will impose consequences, and the resolution will be enforced through military action.” He identified the “focus” of U.S. policy as “protecting innocent civilians within Libya, and holding the Qaddafi regime accountable.” Lastly, President Obama stated that “the United States is not going to deploy ground troops into Libya. And we are not going to use force to go beyond a well-defined goal—specifically, the protection of civilians in Libya.”

On March 21, in a letter to Congress, President Obama wrote to congressional leaders announcing that U.S. military forces had commenced operations in Libya on March 19 “to prevent a humanitarian catastrophe and address the threat posed to international peace and security by the crisis in Libya” and “for the purposes of preparing a no-fly zone.”¹³ The President stated that the “strikes will be limited in their nature, duration, and scope” and that “their purpose is to support an international coalition as it takes all necessary measures to enforce the terms of U.N. Security Council Resolution 1973.” He added that, “United States military efforts are discrete and focused on employing unique U.S. military capabilities to set the conditions for our European allies and Arab partners to carry out the measures authorized by the U.N. Security Council Resolution.” President Obama cited his “constitutional authority to conduct U.S. foreign relations and as

¹² President Barack Obama, Remarks by the President on the Situation in Libya, March 18, 2011. Available at <http://www.whitehouse.gov/the-press-office/2011/03/18/remarks-president-situation-libya>.

¹³ President Barack Obama, Letter from the President Regarding the Commencement of Operations in Libya, March 21, 2011. Available at <http://www.whitehouse.gov/the-press-office/2011/03/21/letter-president-regarding-commencement-operations-libya>.

Commander in Chief and Chief Executive,” and stated he was reporting to Congress “to keep the Congress fully informed, consistent with the War Powers Resolution.”¹⁴

In an address to the nation on March 28, President Obama identified important strategic interests in “preventing Qadhafi from overrunning those who oppose him,” including preventing a massacre that would have created refugee flows that would destabilize Tunisia or Egypt.¹⁵ He also cited the possibility that regional leaders would assume violent repression was acceptable and that the U.N Security Council would not uphold peace and security. President Obama emphasized his view that “broadening our military mission to include regime change would be a mistake.”

No-Fly Zone, Arms Embargo, and Civilian Protection Operations

For detailed information about U.S. and coalition military operations, including congressional authorization debates and potential costs, see CRS Report R41725, *Operation Odyssey Dawn (Libya): Background and Issues for Congress*, coordinated by Jeremiah Gertler, and CRS Report R41701, *No-Fly Zones: Strategic, Operational, and Legal Considerations for Congress*, coordinated by Jeremiah Gertler.

Since early March, U.S. military forces have been deployed in the Mediterranean region to participate in humanitarian relief operations and served in a reserve capacity pending decisions about military intervention. U.S. and coalition military operations to enforce U.N. Security Council Resolution 1973 began on March 19 and continued through March 29. The civilian protection provisions of Resolution 1973 authorize “all means necessary” short of foreign military occupation, which, given the security situation described above, has to date included a wide range of military action, including air strikes on pro-Qadhafi ground forces. The no-fly zone provisions of Resolution 1973 ban “all flights in the airspace of the Libyan Arab Jamahiriya in order to help protect civilians” with the exception of humanitarian flights, evacuation flights, flights authorized for the protection of civilians, and “other flights which are deemed necessary by States acting under the authorization... to be for the benefit of the Libyan people.” Member states are authorized to act nationally or “through regional organizations” to enforce the ban and are now doing so. All authorized flights are to be coordinated with the U.N. Secretary General and the Arab League Secretary General. The resolution calls on U.N. member states to “to provide assistance, including any necessary over-flight approvals, for the purposes of implementing” the no-fly zone and civilian protection operations.

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. The U.S. military’s newest combatant command, U.S. Africa Command (AFRICOM) took the lead on Operation Odyssey Dawn, the initial U.S. contribution to a multilateral military effort to provide humanitarian relief, enforce a no-fly zone and arms embargo, and protect civilians in Libya in line with Resolution 1973. General Carter F. Ham, who assumed command of AFRICOM on March 9, serves as theater commander for U.S. Libya operations and forces contributing to the NATO-led Operation Unified Protector (see “The North Atlantic Treaty Organization (NATO)” below).

¹⁴ For information about the War Powers Resolution, see CRS Report R41199, *The War Powers Resolution: After Thirty-Six Years*, by Richard F. Grimmett.

¹⁵ President Barack Obama, Remarks by the President in Address to the Nation on Libya, March 28, 2011. Available at <http://www.whitehouse.gov/the-press-office/2011/03/28/remarks-president-address-nation-libya>.

Tactical U.S. operations for Odyssey Dawn have been coordinated by a Joint Task Force under Admiral Sam Locklear onboard the command-and-control ship U.S.S. Mount Whitney. Admiral Locklear serves jointly as Commander of U.S. Naval Forces Europe and Africa, and as Commander of Allied Joint Force Command, Naples, which now has operational responsibility for the broader NATO mission in Libya and other NATO missions in the Mediterranean. The Commander of U.S. Air Forces Africa, based in Ramstein, Germany, serves as Joint Force Air Component Commander for U.S. operations in Libya. Under the auspices of Operation Odyssey Dawn, U.S. Africa Command, with support from Air Mobility Command and Naval Forces Europe-Africa assets, has overseen airlift operations via military facilities in Greece, Italy, and Germany to deliver U.S.-donated humanitarian relief supplies to the Libyan-Tunisian border and repatriate Egyptian nationals from Tunisia.

U.S. Humanitarian Operations

The Administration also has deployed joint State Department/USAID humanitarian assessment teams (HATs) to the Tunisia-Libya and Libya-Egypt borders.¹⁶ As of March 28, USAID had provided \$20 million to implementing partners for humanitarian relief purposes, while the State Department had provided \$27 million to the International Organization for Migration (IOM), the United Nations High Commissioner for Refugees, and the International Committee of the Red Cross to support the repatriation of third-country nationals, the establishment of transit camps, and medical relief and other programs for those fleeing the conflict.¹⁷ 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.”¹⁸

Congressional Action and Select Views

Since the uprising began in mid-February, many Members of Congress and Senators have spoken out in condemnation of Qadhafi forces’ violence against civilians in Libya, and the Senate adopted a resolution to that effect (S.Res. 85, see below). Some Members of Congress made statements urging the imposition of a no-fly zone in support of the Libyan opposition, while others have expressed doubt about the utility of such an operation or other military intervention. Other Members have suggested that the Administration should seek explicit congressional authorization for any use of U.S. armed forces with regard to the Libyan conflict. The views described below reflect a selection of congressional statements for illustrative purposes and are not exhaustive.

¹⁶ Updates on the humanitarian situation and U.S. civilian agencies activities are available from the U.S. Agency for International Development, http://www.usaid.gov/our_work/humanitarian_assistance/disaster_assistance/countries/libya/template/index.html.

¹⁷ USG Humanitarian Fact Sheet #14, Fiscal Year (FY) 2011, March 28, 2011.

¹⁸ Presidential Determination No. 2011-8, Unexpected Urgent Refugee and Migration Needs Related to Libya, March 7, 2011.

- 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.”
- On March 15, 2011, Representative Ron Paul introduced H.Con.Res. 31, which cites the war powers enumerated in Article One of the U.S. Constitution and cites the War Powers Resolution (P.L. 93-148)¹⁹ in stating “the sense of Congress that the President is required to obtain in advance specific statutory authorization for the use of United States Armed Forces in response to civil unrest in Libya.” The resolution specifically notes the possible imposition of a no-fly zone as one of the possible actions that inspired the legislation.
- On March 15, 2011, Senator John McCain introduced S.Res. 102, which

calls on the President ... to recognize the Libyan Transitional National Council, based in Benghazi but representative of Libyan communities across the country, as the sole legitimate governing authority in Libya; ... to take immediate steps to implement a ‘no-fly zone’ in Libya with international support; and ... to develop and implement a comprehensive strategy to achieve the stated United States policy objective of Qaddafi leaving power.
- Senator Richard Lugar released a statement on March 15 that read, “It is doubtful that U.S. interests would be served by imposing a no-fly zone over Libya. If the Obama Administration is contemplating this step, however, it should begin by seeking a declaration of war against Libya that would allow for a full Congressional debate on the issue.” Senator Lugar raised these concerns directly with Undersecretary of State for Political Affairs William Burns in a Senate Foreign Relations Committee meeting on March 17.
- On March 16, Senate Foreign Relations Committee (SFRC) Chairman Senator John Kerry said,

The international community cannot simply watch from the sidelines as this quest for democracy is met with violence. The Arab League’s call for a U.N. no-fly zone over Libya is an unprecedented signal that the old rules of impunity for autocratic leaders no longer stand. Time is running out for the Libyan people. The world needs to respond immediately to avert a humanitarian disaster. The Security Council should act now to heed the Arab League’s call [for the imposition of a no-fly zone]. (See “The Arab League and the African Union” below.)

Debate within the SFRC at a March 17 hearing on the Middle East revealed differences of opinion among committee members and between some Senators and the Administration with regard to the imperative to intervene, the likely benefits and drawbacks, the need for congressional authorization for the use of U.S. military forces, and the likelihood that Al Qaeda or other violent Islamists could take advantage of the current situation or future unrest to threaten Libyan and international security. The range of views discussed in that hearing largely reflect the range of views prevailing in the Congress as a whole, and the congressional response to the start

¹⁹ For more information about the War Powers Resolution and its relation to recent U.S. military operations involving no-fly zones, see CRS Report R41199, *The War Powers Resolution: After Thirty-Six Years*, by Richard F. Grummett.

of U.S. military operations has featured expressions of support, expressions of opposition, and calls for further consultation and clarity on the part of the President and his Administration.

On March 23, Speaker of the House John Boehner wrote a letter to President Obama, posing a number of specific questions about the goals, command, funding, and metrics for U.S. military operations in Libya and stating:²⁰

I and many other members of the House of Representatives are troubled that U.S. military resources were committed to war without clearly defining for the American people, the Congress, and our troops what the mission in Libya is and what America's role is in achieving that mission. In fact, the limited, sometimes contradictory, case made to the American people by members of your Administration has left some fundamental questions about our engagement unanswered. ...It is regrettable that no opportunity was afforded to consult with Congressional leaders, as was the custom of your predecessors, before your decision as Commander-in-Chief to deploy into combat the men and women of our Armed Forces.

The White House and executive branch agencies since have engaged in further consultations with Congress regarding U.S. policy and military operations in Libya. Some Members of Congress continue to debate the rationale, timing, authorization, goals, costs, and implications of ongoing U.S. military operations and U.S. policy toward Libya more broadly.

U.N. Security Council Resolutions 1970 and 1973

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.”²¹

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,

²⁰ Speaker Boehner Letter to President Obama on Military Action in Libya, March 23, 2011. Available at: http://www.speaker.gov/UploadedFiles/POTUSLetter_032311.pdf.

²¹ United Nations Security Council Department of Public Information, “SC/10180, AFR/2120: Security Council Press Statement on Libya,” February 22, 2011.

- 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 2006.²² The General Assembly will review Libya’s future role on the Council “as appropriate.” On March 11, the Human Rights Council established an independent three-member Commission of Inquiry “to investigate alleged violations of international human rights law in Libya.” The Commission is scheduled to report in June 2011.

United Nations Secretary-General Ban Ki-moon has named former Jordanian Foreign Minister Abdul Ilah Khatib as his Special Envoy for Libya. Khatib has completed a visit to Tripoli and opposition controlled eastern Libya to assess the situation and meet with senior Libyan officials. He reiterated calls for an end to violence. On March 24, the Secretary General reported on his Special Envoy’s preliminary findings and said, “We continue to have serious concerns... about the protection of civilians, abuses of human rights and violations of international humanitarian law, and the access of civilian populations to basic commodities and services in areas currently under siege.” He added that Khatib’s mission “was too brief to reach definitive conclusions about the human rights situation, but they found many worrying signs, including threats and incitement against the armed opposition.” U.N. Humanitarian Coordinator for Libya Rashid Khalikov also visited Libya over the weekend of March 11 to March 13.

Resolution 1970 did not authorize the use of force by member states with regard to the conflict in Libya or the enforcement of the arms embargo established by the resolution. As such, subsequent debate focused on the relative necessity and implications of military intervention and the potential for further authorization from the Security Council.

On March 17, the Security Council adopted Resolution 1973, which

- Demands the immediate establishment of a cease-fire and a complete end to violence and all attacks against, and abuses of, civilians;
- Authorizes Member States that have notified the Secretary-General, acting nationally or through regional organizations or arrangements, and acting in cooperation with the Secretary-General, to take all necessary measures, notwithstanding paragraph 9 of resolution 1970 (2011) [Note: paragraph 9 establishes an arms embargo on Libya], to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya, including Benghazi, while excluding a foreign occupation force of any form on any part of Libyan territory;
- Establishes a ban on all flights in the airspace of the Libyan Arab Jamahiriya in order to help protect civilians,

²² 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.

- Authorizes robust enforcement inspection measures for the arms embargo established by Resolution 1970, including measures to prevent the movement of mercenary forces to Libya; and,
- Directs the U.N. Secretary General to convene an eight-person Panel of Experts to monitor the situation in Libya and implementation of Resolutions 1970 and 1973;
- Signals the Security Council's determination to ensure that assets frozen pursuant to Resolution 1970 "shall, at a later stage, as soon as possible be made available to and for the benefit of the people of the Libyan Arab Jamahiriya;"
- Calls on member states to enforce a ban on flights by any aircraft registered in the Libyan Arab Jamahiriya or owned or operated by Libyan nationals or companies; and,
- Expands targeted financial and travel sanctions on Libyan individuals and entities and extends sanction provisions to persons found to be violating the arms embargo established by Resolution 1970.

The Arab League and the African Union

International concern about the conflict in Libya is shared and in many senses amplified within regional bodies such as the Arab League and the African Union, of which Libya and its neighbors are members. The United States, the European Union, and other parties have looked to regional actors as they seek to gauge the political ramifications of potential policy options, including proposed military interventions. Both the Arab League and the African Union have taken strong stands against Qadhafi supporters' use of violence against civilians and opposition groups.

On February 22, the League of Arab States met in Cairo and suspended Libya from League meetings.²³ On March 12, the Arab League Council met again to discuss the situation in Libya and endorsed on a consensus basis a request to the U.N. Security Council:

to take measures to impose a no-fly zone over the movement of Libyan military planes immediately, and to establish safe areas in the places exposed to shelling as preventive measures allowing to provide protection for the Libyan people and the residents in Libya from different nationalities, taking into account the regional sovereignty and integrity of neighboring countries.²⁴

The Arab League Council further signaled its intent to contact and cooperate with the Libyan opposition Interim Transitional National Council (ITNC). Pro-Qadhafi Libyan Foreign Ministry officials rejected the move and called it "an unacceptable deviance from the charter of the Arab League and its practices since its inception."

The Arab League statement was welcomed by international observers who view regional support as a prerequisite for any direct intervention, including any multilateral military operation to impose a no-fly zone. The U.S. government referred to the decision as "important." Other

²³ See Arabic original statement at: http://www.arableagueonline.org/lasimages/picture_gallery/bayan22-2-2011.doc.

²⁴ OSC Report GMP20110314950010, "Arab League Urges U.N. to Impose No-Fly Zone Over Libya," March 12, 2011.

observers cautioned that the apparent consensus at the Arab League meeting may mask underlying dissension among regional governments with regard to specific types of military intervention and strong opposition to any foreign military intervention among some regional citizens.²⁵

Those concerns appeared to be borne out when coalition military strikes against Libyan ground forces appeared to cause some dissension among some Arab governments and leaders after the start of operations on March 19. Some in the region strongly supported the Arab League statement and have expressed concern that third parties, including the United States, have not provided sufficient support to the Libyan opposition. On March 21, Arab League Secretary General Amr Moussa said that, from the Arab League's perspective, the purpose of military operations and Resolution 1973 is "not to give the rebels support. It is not a question of supporting a regime, a government or a council."²⁶ He predicted that if Muammar al Qadhafi remains in control of some or all of Libya then the result could be "a prolonged case of civil war and tension and destruction of Libya."

Popular reactions to the new Security Council action in different countries vary, and popular views and government positions could shift dramatically depending on the scope, course, and outcome of military intervention, including the imposition of a no-fly zone and strikes on Libyan ground forces. Resolution 1973 recognizes "the important role of the League of Arab States in matters relating to the maintenance of international peace and security in the region," and requests that the member states of the Arab League "cooperate with other Member States in the implementation of" measures taken pursuant to the resolution to protect Libyan civilians.

The Obama Administration is seeking "active Arab partnership, both in the measures that would be taken but also in the financial support for them."²⁷ Qatar has deployed six Mirage fighter aircraft and two C-17A aircraft for the no-fly zone and relief operations. Qatari fighter aircraft are now participating in no-fly zone patrols from Souda Bay, Crete. On March 28, Qatar announced that it recognizes the ITNC as the legitimate representative of the Libyan people. The United Arab Emirates has pledged six F-16 and six Mirage fighter aircraft for the no-fly zone operation. Jordan and Morocco reportedly plan to provide non-combat support to coalition operations.

The African Union (AU) has condemned the use of violence against civilians in Libya and has dispatched a fact-finding mission to investigate the crisis. The AU moves surprised some observers given that Qadhafi has provided significant funding to support the AU budget in recent years and Qadhafi had been elected to serve as AU President in 2009.²⁸ However, the AU has stopped short of taking collective punitive action against Libya or Qadhafi. The AU has named an ad hoc high level committee to engage directly with Libyan parties and African governments. The

²⁵ There are conflicting reports from unnamed Arab official sources that some governments opposed the decision. On March 17, Algerian diplomats informed CRS that their government did not oppose the Arab League Council decision, contrary to some press reports. Algeria has urged coordination with the African Union, stressed that any no-fly zone decision must be taken by the U.N. Security Council, and maintains its general "opposition to any foreign intervention in Libya," a position it maintained with regard to uprising in Tunisia and Egypt. Syria's representative also is rumored to have expressed reservations about the decision and has warned against foreign intervention in Libya.

²⁶ Raghida Dergham, "Interview with Amr Moussa: The Goal in Libya Is Not Regime Change," *International Herald Tribune*, March 23, 2011.

²⁷ Testimony of Undersecretary of State William Burns, before the Senate Foreign Relations Committee, March 17, 2011.

²⁸ African Union (AU), Communiqué of the 261st Meeting of the Peace and Security Council, February 23, 2011.

ad hoc committee is made up of the AU Commission president and the current presidents of Mali, Uganda, the Republic of Congo, Mauritania, and South Africa. Resolution 1973 takes note of the AU committee, and calls for intensified efforts “to find a solution to the crisis which responds to the legitimate demands of the Libyan people.” The AU continues to call for an “immediate cessation of all hostilities,” and participants at a high level consultative meeting on Libya in Addis Ababa, Ethiopia, on March 25 issued a roadmap calling for “the protection of civilians and the cessation of hostilities; humanitarian assistance to affected populations...; initiation of a political dialogue between the Libyan parties in order to arrive at an agreement on the modalities for ending the crisis; establishment and management of an inclusive transitional period; and adoption and implementation of political reforms necessary to meet the aspirations of the Libyan people.”²⁹

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.³⁰

The EU sanctions now in place reflect the terms of the arms embargo and targeted sanctions mandated in UNSC Resolutions 1970 and 1973 and expand them to include a visa ban and asset freezes on additional individuals. The EU expanded its targeted sanctions list on March 10 and on March 23 to include Libya’s National Oil Company and other oil institutions, Mustafa Zarti, the director of the Libyan Investment Authority (LIA, the government’s sovereign wealth fund), and five Libyan financial institutions, including the LIA and Libya’s Central Bank.³¹ The European Council of Heads of State and Government met on March 11 and issued a “Declaration on the EU’s Southern Neighborhood and Libya,” stating that “Colonel Qadhafi must relinquish power immediately,” but stopping short of endorsing military action to achieve that goal.³² The Council stated it considers the opposition ITNC “a political interlocutor.” Prior to the start of coalition military operations, EU member states took a range of positions on the conditions under which they might support military intervention and the necessary authorizations and proper mechanisms for doing so. Some EU Member states such as the United Kingdom, France, Spain, Greece, Denmark, and Italy have taken an active role in the military operations, while others, such as

²⁹ AU, Communiqué, Consultative Meeting on the Situation in Libya, Addis Ababa, Ethiopia, March 25, 2011.

³⁰ 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.

³¹ See Council Implementing Regulation (EU) No 233/2011, March 10, 2011, implementing Article 16(2) of Regulation (EU) No 204/2011 concerning restrictive measures in view of the situation in Libya; and, Council Decision 2011/178/CFSP of 23 March 2011 amending Decision 2011/137/CFSP concerning restrictive measures in view of the situation in Libya.

³² Extraordinary European Council Declaration on the EU’s Southern Neighborhood and Libya, March 11, 2011.

Germany have declined to endorse military intervention.³³ On March 25, European Council President Herman Van Rompuy reiterated the joint European Union position by stating:

Kadhafi must go, and we want a political transition, led by the Libyans themselves, and based on a broad based political dialogue. We also stand ready to help a new Libya, both economically, and in building its new institutions. The humanitarian situation in Libya and at its borders remains a source of serious concern and that's why we will continue to provide humanitarian assistance in Libya.

On the humanitarian front, as of March 28, the EU, acting through the European Commission, and EU member states had committed €75.8 million (~\$106.4 million) in cash and in-kind donations to support the creation and maintenance of transit facilities, to provide relief to individuals, and to repatriate EU and third-country nationals. 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 U.N. and EU operations. 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 influencing EU decisions.

The North Atlantic Treaty Organization (NATO)³⁴

On March 27, after just over a week of coalition air operations under U.S. command, the North Atlantic Treaty Organization (NATO) announced that it would take over command and control of all ongoing military operations in Libya. According to NATO Secretary General Anders Fogh Rasmussen, the goal of NATO's Operation Unified Protector (OUP) is "to protect civilians and civilian-populated areas under threat of attack from the Gaddafi regime." This entails: (1) enforcing a UN-mandated arms embargo; (2) enforcing a no-fly zone over Libyan territory; and (3) protecting civilians and civilian population areas from being attacked by military forces from the Qadhafi regime. OUP is commanded by U.S. Canadian Air Force Lt. Gen. Charles Bouchard, headquartered at the Allied Joint Force Command in Naples, Italy. He reports to Joint Force Commander U.S. General Sam Locklear, who in turn reports to NATO Supreme Allied Commander U.S. Admiral James Stavridis. As of March 28, eleven NATO member states, including the United States, had committed military forces to the new NATO mission.³⁵

The decision to bring coalition military operations under NATO command and control capped several weeks of increasing allied involvement in the mission. Since March 8, NATO has been conducting 24-hour air surveillance of Libyan territory and the Central Mediterranean, using AWACS aircraft deployed as part of NATO's Operation Active Endeavor, NATO's longstanding counterterrorism and maritime security operation in the Mediterranean Sea.³⁶ On March 23,

³³ On March 17, German Foreign Minister Guido Westerwelle said, "we won't take part in any military operation and I will not send German troops to Libya."

³⁴ Prepared by Paul Belkin, Analyst in European Affairs, ext. 7-0220.

³⁵ Belgium, Canada, Denmark, France, Italy, Norway, Spain, and the United Kingdom have deployed fighter planes to the region. Turkey and Greece have committed naval assets to enforce the UN arms embargo.

³⁶ For more information on NATO's Operation Active Endeavor see (continued...)

NATO launched a maritime operation to enforce the arms embargo against the Libyan regime. Naval vessels and aircraft participating in the operation are charged with monitoring the Central Mediterranean off the Libyan coast and, if necessary, intercepting and diverting any vessels suspected of carrying illegal arms or mercenaries in violation of the arms embargo. On March 24, the allies agreed to take command of air operations to enforce the no-fly zone over Libya. The first no-fly zone missions under NATO command began on Sunday, March 27. Finally, also on March 27, NATO Secretary General Anders Fogh Rasmussen announced that NATO would expand the scope of its mission to include implementing all military aspects of UNSCR 1973, including the protection of civilians and civilian areas through possible air strikes on ground forces loyal to Qadhafi.

In spite of statements underscoring NATO unity on steps announced to date, the initial planning and operational phases were also marked by significant levels of discord within Europe and NATO on the aims and future direction of the mission. A key point of contention was reportedly the amount of flexibility that NATO forces would be granted to protect civilians and civilian areas, as called for in paragraph 4 of UNSCR 1973. Reports indicate that French officials insisted on maintaining the ability to strike ground forces that threatened civilian areas, while their Turkish counterparts vocally opposed any targeting of ground forces.³⁷ Adding to the strain within NATO, NATO ally Germany abstained from UNSCR 1973 and, opposed to any potential combat operation, on March 23, withdrew its naval assets in the Mediterranean from NATO command.³⁸ Throughout the first week of operations, other European allies contributing to the mission, including Italy and Norway, expressed increasing frustration with the lack of agreement within NATO, with Norway refusing to deploy its fighter jets unless under they were under NATO command and control. Although the allies appear to have come to agreement on the terms of their military engagement moving forward, some of the aforementioned tensions could reemerge over the course of the mission.

Russia and China

Russia and China abstained from the vote on Security Council Resolution 1973. Russia's representative stated that "any attacks against civilians and other violations of international humanitarian law and human rights must immediately and unconditionally cease," and noted Russia's view that the quickest solution would be to demand an "immediate cease-fire."³⁹ China called for an end to attacks on civilians but linked its abstention to its opposition to "the use of force in international relations" and the views of Arab and African governments. Since March 19, both governments have criticized coalition military operations, reiterated calls for an immediate

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http://www.nato.int/cps/en/natolive/topics_7932.htm

³⁷ See, for example, Ian Traynor and Nicholas Watt, "Libya no-fly zone leadership squabbles continue within NATO," *The Guardian*, March 23, 2011; and "Still No Decision Who Will Oversee Libya Strikes," Agence France-Presse, March 22, 2011.

³⁸ On March 28, German officials reportedly signaled that at least two German navy vessels would be placed back under NATO command, but would not be available for use in Operation Unified Protector. The vessels will continue to participate in Operation Active Endeavor. Also, on March 25, in what was portrayed as an effort to ease the allied burden in other NATO operations, the German parliament authorized German forces to take over command of AWACS surveillance operations in Afghanistan with a deployment of up to 300 additional military personnel to the country.

³⁹ United Nations Security Council Meeting Record, S/PV.6498, March 17, 2011.

cease-fire, and warned of the potential for continued conflict to destabilize neighboring countries. On March 28, Russian Foreign Minister Sergei Lavrov said, “We consider that intervention by the coalition in what is essentially an internal civil war is not sanctioned by the U.N. Security Council resolution.”⁴⁰

Prospects and Challenges for U.S. Policy

Fast-moving events and independent decisions by a range of Libyan actors and U.S. coalition partners shape the context in which U.S. officials are pursuing U.S. national security interests with regard to Libya. Administration officials and some Members of Congress continue to debate U.S. goals and the best means for ensuring that U.S. policy actions achieve short and long-term objectives. President Obama has outlined short and long term policy goals with regard to Libya and has identified distinct policy tools for achieving them. In the short term, U.S. military operations continue in support of the civilian protection, arms embargo, and no-fly zone provisions of U.N. Security Council Resolution 1973. Administration officials believe that U.S. targeted financial sanctions and U.S. support for the U.N.-mandated multilateral arms embargo and financial and travel sanctions will contribute toward the longer term goal of pressuring Qadhafi to leave power. However, U.S. officials have stated that a range of scenarios are possible and that U.S. policy must remain flexible in order to effectively shape and respond to developments.⁴¹ Administration officials have declined to offer firm predictions for the time frame of U.S. military operations or deadlines for the achievement political objectives.

President Obama has ruled out the use of U.S. military forces to overthrow Qadhafi’s government or to provide coordinated military support to the Libyan opposition, even as U.S. and coalition military operations continue to create conditions that have facilitated opposition military advances. Libyan opposition figures are adamant that they will not accept an outcome that leaves Muammar al Qadhafi in power in Tripoli. Armed opposition volunteers have advanced on areas held by pro-Qadhafi military forces and supporters, and civilians and volunteers in Misurata and Az Zintan continue to defend themselves from attacks by pro-Qadhafi forces. Some opposition elements are focused on maintaining law and order in opposition controlled areas, and some opposition media sources are encouraging civilians to refrain from taking advantage of the unrest to commit crimes, seek retribution, or settle personal disputes violently.

President Obama’s address to the nation March 28 signaled his Administration’s concern that the conflict in Libya could have direct security implications and intangible political implications for the broader Middle East as that region continues to grapple with widespread upheaval. The apparent proliferation of small arms, man-portable air defense missile systems (MANPADS), and some heavy weaponry among fighters on both sides has leading some outside counterterrorism and arms trafficking experts to express concern about the conflict’s longer term implications for regional security.⁴² Given these circumstances, Administration officials and Members of Congress

⁴⁰ Steve Gutterman, “No UN mandate to attack Gaddafi forces: Russia,” Reuters, March 28, 2011.

⁴¹ On March 27, U.S. Secretary of Defense Robert Gates said, “The idea that [Qadhafi] needs to go... goes without saying. But how long it takes, how it comes about, remains to be seen. Whether elements of the army decide to go to the other side, as some small elements have, whether the family cracks—who knows how this is going to play out.” Bret Stephens, “The Libya Mission Was ‘Never About Regime Change’” *Wall Street Journal*, March 27, 2011.

⁴² For example, these concerns were raised in C. J. Chivers, “Experts Fear Looted Libyan Arms May Find Way to Terrorists,” *New York Times*, March 3, 2011. African Union communiqués have expressed concern about regional stability, and some Sahel region governments have specifically warned about Al Qaeda supporters seizing control of (continued...)

may seek to better understand the range of possible outcomes and discuss their potential implications and the authorization for and costs of potential U.S. responses in advance.

Possible Scenarios

Continued Opposition Advances. Some observers highlight what they view as inherent tension between the benefits that opposition forces are deriving from coalition operations and the provisions of Resolution 1973 that call for an immediate cease-fire and protection of all Libyan civilians. For the United States, reconciling a long-term objective of regime change with short term military action to enforce a UN resolution that does not expressly endorse that goal is a particular challenge. The retreat westward of pro-Qadhafi forces and the advance of opposition volunteers in their wake from March 19 through March 28 appeared to be a direct result of coalition air operations, and some opposition military figures credited the change in their fortunes directly to coalition air strikes against their pro-Qadhafi adversaries. Some U.S. military officers shared this assessment, but stressed that direct coordination was not occurring.⁴³

It is unclear if coalition forces are prepared to militarily target opposition military forces if opposition fighters attack or threaten pro-Qadhafi civilians. On March 27, an unnamed senior Administration official responded to reporters' questions about how the coalition would respond if the opposition advance threatens civilians in areas held by Qadhafi supporters, including Sirte, by saying that "our mission is to protect civilians against the threat or actual use of military force. So when civilians are being attacked or threatened to be attacked, those who are doing the attacking or threatening are the ones who are going to be subject to military action."⁴⁴ On March 29, U.S. Admiral James Stavridis stated in Senate testimony that, "In terms of whether or not we would parse through civilians versus rebels versus opposition leaders versus Gadhafi forces, we would have to rely on our intelligence, particularly our signals intelligence, to have a sense of what's occurring on the ground and then make conditions-based decisions at that time."⁴⁵

Stalemate and Backlash. Skeptics who have highlighted Qadhafi's decades of cunning and survival in the face of armed domestic opponents and determined international adversaries now express concern about how he and his hard-line supporters may react to the tightening regional and international noose. U.S. military sources believe that pro-Qadhafi forces retain significant ground-based military capacity, in spite of ongoing coalition strikes. Qadhafi and some of his supporters have threatened attacks against civilian and military targets outside Libya in response to the intervention. A stalemate or Qadhafi-sponsored attack outside Libya might increase pressure on the United States and other outside parties to expand military operations or otherwise provide assistance to opposition forces. At the same time, international military operations that

(...continued)

specific types of weapons and exploiting the weakness of government forces in Libya to expand their areas of operation and sanctuary.

⁴³ On March 28, U.S. Joint Staff Director Vice Admiral Bill Gortney stated, "clearly, [opposition forces are] achieving a benefit from the actions that we're taking." He emphasized that the U.S. had no contact with front-line opposition military figures and were not coordinating operations. The announcement that AC-130 gunships and A-10 aircraft were being used for "precision effect" operations against Libyan military targets raised questions about the potential for U.S. operations to be seen as providing close air support to opposition fighters.

⁴⁴ U.S. Department of State, "Transcript: NATO Enforcing All Aspects of UNSCR 1973 in Libya," Brussels, Belgium, March 27, 2011.

⁴⁵ Testimony of Admiral James Stavridis before the Senate Armed Services Committee, March 29, 2011.

provide direct, coordinated protection to any armed advance by opposition forces may jeopardize the fragile regional and international consensus that allowed the U.N. Security Council to act in the first place. Intra-NATO concerns, Arab League views, and the views of Security Council members, including Russia and China have proven particularly relevant thus far.

Cease-fire and Political Negotiations. A cease-fire that freezes the status quo as of March 29 may leave Qadhafi in power and his forces in control of significant amounts of territory and energy infrastructure. This may present a long-term, if unpredictable threat to pro-opposition civilians or to those countries participating in the coalition. Similarly, opposition forces may retain control over much of eastern Libya and key energy infrastructure without being able to assert broader control. The multilateral arms embargo and sanctions in place would have to be adapted to reflect any cease-fire that resulted in competing authorities in Libya or led to a negotiated settlement. The United States and European governments have made general statements about providing political and potentially economic support to ease any post-Qadhafi transition. However, practical implementation of those pledges may be challenged by apparent gaps in intelligence about the makeup and goals of the opposition. Competition among tribal or regional groups that are not now apparent could emerge during any post-conflict political negotiations. The political ascendance of nonviolent Islamist opposition forces or the emergence of an armed organized Islamist faction also may create unique challenges.

Competition or Collapse among Opposition Forces. Some expert observers of Libya's domestic politics have emphasized the general weakness and fractured condition of Libya's political landscape after forty years of idiosyncratic abuse by Qadhafi and his supporters. Competition among the opposition might emerge under any conditions, and U.S. military officers cite the relative weakness of opposition military forces in warning that yet another reversal of the opposition forces could occur. Opposition ranks might split in the short term over differences in opinion about a cease-fire and a negotiated settlement or in the long term over the goals and shape of any post-Qadhafi political arrangements. The United States and Europe have expressed concern about violent Islamist groups in Libya and were pursuing counterterrorism cooperation with the Qadhafi government prior to the unrest. Should serious infighting develop on the opposition side or if advancing volunteer elements break against Qadhafi defenses, the United States and others may face competing demands to withdraw or redouble their efforts.

Possible Questions

Possible questions that Members of Congress may wish to consider when assessing the ongoing no-fly zone, arms embargo enforcement, or civilian protection operations include:

- What is the ultimate political goal of current U.S. policy in Libya? What U.S. national interests are at stake? How are no-fly zone operations or other U.S. or multilateral military interventions contributing to or detracting from that goal? What domestic authorization exists for the use of U.S. military forces for such an operation? How might a cease-fire in Libya change these calculations?
- What regional or international political support and legal authorization exists for military operations and how might such support and authorization or lack thereof affect the political ramifications of intervention? How might these factors affect the operational considerations for the success of current operations, including basing and over-flight rights and contributions? How should events unfolding in

- the broader Middle East and North Africa affect decision making in the Libyan case?
- What key operational objectives need to be achieved in order to consider the no-fly zone and civilian protection operations successful? What geographic or time parameters should be imposed on the no-fly zone and civilian protection operations? What are the operational requirements of no-fly zone and civilian protection operations in terms of costs, troop deployments, and equipment needs? How are these requirements affecting ongoing U.S. military operations and readiness elsewhere?
 - What unintended consequences may result from current military operations? What are the prospects for the United States or its allies being dragged into a broader conflict? What precedents have U.S. or multilateral military intervention in the Libyan conflict set and how might those precedents affect the context in which U.S. decision makers must respond to other regional crises and events?
 - When and on what terms should U.N. or U.S. sanctions on Libyan entities be removed? In the event of a stalemate or negotiated cease-fire, what sanctions should be maintained? Why and on what terms?

Libyan Political Dynamics and Profiles

Political Dynamics

In recent years, Libya's political dynamics have been characterized by competition among interest groups seeking to influence policy within the confines of the country's authoritarian political system and amid Libya's emergence from international isolation. Economic reforms embraced changes to Libya's former socialist model to meet current needs, even as political reforms languished amid disputes between hard-line political forces and reform advocates. In general, the legacies of Italian colonial occupation and Libya's struggle for independence continue to influence Libyan politics. This is reflected in the celebration of the legacy of the anti-colonial figure Omar al Mukhtar during the current uprising. Prior to the recent unrest, rhetorical references to preserving sovereignty and resistance to foreign domination were common in political statements from all parties. Most Libyans also accept a prominent role for Islamic tradition in public life: Islam is the official religion and the Quran is the basis for the country's law and its "social code."

Tribal relationships have remained important, particularly with regard to the distribution of leadership roles in government ministries, in some economic relationships between some social groups and families, and in political-military relations. Tribal loyalties reportedly remain strong within and between branches of the armed services, and members of Qadhafi's tribe, the Qadhafa, have held many high-ranking government positions. Some members of larger tribes, such as the Magariha, Misurata, and the Warfalla, have sought to advance their broad interests through control of official positions of influence and some of their members have opposed the regime on grounds of tribal discrimination. Some Libyan military and security officials staged limited, unsuccessful coup attempts against Qadhafi in 1993 and 1996 based in part on tribal and familial rivalries. Unsuccessful plotters were sentenced to death.

Prior to the current conflict, the Qadhafi government had performed periodic reassignments and purges of the officer corps to limit the likelihood of organized opposition reemerging from within the military. However, these political considerations were largely seen to have affected the military's preparedness and war fighting capability and in any case appear not to have prevented the defection of some military officers and units. Competition for influence among Libya's regions characterized the pre-Qadhafi period and some saw the 1969 Qadhafi-led revolution as having been partly facilitated by western and southern Libyan resentments of the Al Sanusi monarchy based in eastern Libyan region of Cyrenaica. Contemporary Libyan politics have not been dominated by overt inter-regional tension, although pro-Qadhafi forces have accused the organizers and leaders of the current opposition as having, *inter alia*, an eastern regional separatist agenda. The opposition ITNC has denied these accusations.

Political parties and all opposition groups are banned in Libya under law number 71 of 1972. Formal political pluralism has been frowned upon by many members of the ruling elite, even as in the period preceding the unrest some regime figures had advocated for greater popular participation in existing government institutions. The lack of widespread experience in formal political organization, competition, and administration is likely to remain a challenge, regardless of the military outcome.

Qadhafi and the Libyan Government

Muammar al Qadhafi

Muammar al Qadhafi was born in 1942 near the central coastal city of Sirte. His family belongs to one of five branches of the relatively small Qadhafa tribe, and his upbringing was modest. As a young man Qadhafi identified strongly with Arab nationalist and socialist ideologies espoused by leaders such as Egypt's Gamal Abdel Nasser. Although he was excluded from the elite Cyrenaica Defense Forces on a tribal basis during the Libyan monarchy period, Qadhafi was commissioned as a regular army captain following stints at the Libyan military academy in Benghazi and the United Kingdom's Royal Military Academy at Sandhurst. Following his return to Libya, he led the September 1, 1969, overthrow of the Libyan monarchy with a group of fellow officers. He was 27 years old. His subsequent partnerships and disputes with fellow coup plotters have helped define Libya's political dynamics during his rule and are shaping events during the current unrest.

Qadhafi has proven to be a controversial, complex, and contradictory political survivor during his long reign in Libya, in spite of numerous internal and external challenges to his rule. He has exercised nearly complete, if, at times, indirect political control over Libya over the last 40-plus years by carefully balancing and manipulating complex patronage networks, traditional tribal structures, and byzantine layers of national, regional, and local governance. Libya's foreign and domestic policies nominally have been based on his personal ideology. In the past, Qadhafi and his supporters have imposed his theories with realistic purpose and precision, not hesitating to crush coup attempts, assassinate dissidents abroad, or sponsor violent movements and terrorist attacks against Libya's perceived external enemies. His use of force in response to the 2011 uprising reflects his responses to previous challenges to his continued "guidance." Opposition forces and citizens of various political orientations and various levels of capability consistently have failed to dislodge Qadhafi over the last forty years, often with terminal results. He remains defiant in the face of coalition military operations and has sought to rally and arm his supporters.

The Qadhafi Family and Prominent Officials: Selected Profiles

Personally, Muammar al Qadhafi often is described as mercurial, charismatic, shrewd, and reclusive. He has been married twice and has eight children: seven sons and one daughter. Qadhafi's children play various formal and informal roles in Libyan politics, and some are taking active public roles in efforts to crush the ongoing revolt.

- **Sayf al Islam Al Qadhafi.**⁴⁶ The eldest of Qadhafi's sons from his current marriage, Sayf al Islam was viewed until recently as a strong proponent of political reform in Libya, amid some unverified claims about his involvement in corrupt business practices. During the crisis he has rallied strongly to the defense of the government and his family to the dismay of some of his former international interlocutors, including some in the United States. Images of Sayf al Islam rallying Qadhafi supporters and threatening opposition forces have overshadowed his continuing references to the pursuit of a reform agenda following any resolution of the conflict. Skepticism appears to have replaced hope in the minds of those outside observers who felt that he could emerge as a figure able to lead Libya toward a more open political future. The U.S. government has designated Sayf al Islam pursuant to E.O.13566 and he is named in the targeted sanctions Annex to U.N. Security Council Resolution 1970.
- **Mutassim Al Qadhafi.** Qadhafi's fifth eldest son, the 33-year old Mutassim Al Qadhafi is a former military officer and serves as National Security Advisor to his father. He visited the United States in late-2009 for consultations with Obama Administration officials, including Secretary of State Clinton, with whom he appeared publicly. He reportedly has engaged in competition with his brothers and other regime figures for influence within Qadhafi's inner circle. The U.S. government has designated him pursuant to E.O.13566 and he is named in the targeted sanctions Annex to Resolution 1970.
- **Khamis Al Qadhafi.** Qadhafi's sixth eldest son, Khamis al Qadhafi commands an elite military unit known as the 32nd Brigade that often bears his name in press reporting. The unit is rumored to have been on the front line of pro-Qadhafi forces counterattacks against opposition held areas. The U.S. government has designated him pursuant to E.O.13566 and he is named in the targeted sanctions Annex to Resolution 1970.

Former intelligence chief and current Foreign Minister Musa Kusa has remained supportive of Qadhafi during the crisis, as have National Oil Company chairman Shoukri Ghanem and Prime Minister Al Baghdadi al Mahmoudi. Kusa is designated pursuant to Executive Order 13566. The status of some members of Qadhafi's security establishment and founding members of the Revolution Command Council that overthrew the monarchy is unclear. Some are reported to be under house arrest or to have fled Tripoli, including Military Intelligence and External Security Organization director Abdullah Al Sanusi, General Mustafa al Kharrubi, and Defense Minister General Abu Bakr Younis Jaber.

⁴⁶ For a detailed profile of Sayf al Islam al Qadhafi and an example of the pre-uprising discussion about the possibility of his succeeding his father, see Yehudit Ronen, "Libya's Rising Star: Said Al-Islam and Succession," *Middle East Policy*, Vol. XII, No. 3, Fall 2005, pp. 136-44.

Opposition Groups

Prior to the 2011 uprising, Libya's opposition movements were often categorized broadly as Islamist, royalist, or secular nationalist in orientation. Their activities and effectiveness had been largely limited by disorganization, rivalry, and ideological differences. New efforts to coordinate opposition activities had begun in response to Libya's reintegration to the international community and the emergence of a broader political reform debate in the Arab world, and gained momentum with the outbreak of region-wide protests and political change in late 2010 and early 2011. The infusion of popular support and regime defectors to the general opposition cause inside Libya was welcomed by many established opposition groups, even if the specific political demands of newly active opposition supporters and their compatibility with the agendas of the established groups were not clear.

Key current questions for U.S. policymakers include determining the identities and backgrounds of various opposition leaders and groups, assessing the capabilities of armed opposition supporters, and determining the intentions, goals, and legitimacy of opposition elements. On March 28, U.S. Vice Adm. Bill Gortney stated his view that "the opposition is not well organized, and it is not a very robust organization." He further indicated that the United States "would like a much better understanding of the opposition," and that U.S. officials are "trying to fill in" what he characterized as "knowledge gaps."

Interim Transitional National Council (ITNC)

Opposition groups have formed an Interim Transitional National Council (ITNC) that is seeking international recognition as the representative of the Libyan people from its base in Benghazi.⁴⁷ The full extent of the group's domestic political legitimacy and authority are unclear, although its stated aspirations and appeals are addressed to all Libyans and its claims have been endorsed by some Libyans abroad, including opposition groups in Europe and the United States. Domestically, the ITNC claims that local and regional citizen councils formed in the wake of the uprising have endorsed it, and the group's website features reports and videos of some communities recognizing the council. Overseas, the ITNC has endorsed former Libyan diplomats willing to join the opposition cause. In the United States, former Ambassador to the United Nations and Foreign Minister Abd al Rahman Shalgam and former Ambassador to Washington Ali Aujali have represented the ITNC in meetings with Administration officials and Congress.

Public reports suggest that a military council has been formed to support the ITNC's efforts. Its full make-up is not publicly known, although some prominent figures who have defected from the security forces apparently are members.⁴⁸ ITNC representatives have been vague about their

⁴⁷ Limited, basic information from the ITNC can be found on its website, <http://ntclibya.org/english/>.

⁴⁸ On March 10 and 11, INTC representatives deflected press questions about the military council and indicated its makeup and plans were "secret" in spite of previous public reports on its makeup. On March 2, London-based Arabic language newspaper *Al Sharq Al Awsat* published the following list of the makeup of the military council: "Military Police: Brigadier General Yusuf Lusayfir; Military Intelligence: Col. Hasan Faraj al-Majrisi; Air Force: Brig. Gen. Miftah Fannush; Air Defense: Col. Muhammad Hammad al-Kazzah; Electronic Communications and Support: Col. Izz-al-Din al-Isawi; Naval Forces: Capt. Faraj al-Mahdawi; Special Forces: Col. Wanis Bukhamadah; Vehicles and Technical Affairs: Col. Engineer Najib Imaysh; Supplies and Provisions: Col. Fathi al-Mismari; Missiles: Col. Muhammad Abd-al-Qadir Salih; Infantry Units: Col. Tariq al-Darsi; Public Security: Brig. Gen. Ashur Shawayil; Military Prosecution: Col. Salih al-Bishari; and Military Judiciary: Col Al-Amin Abd-al-Wahhab." See OSC Report GMP20110302825014, "Report Names Members of Benghazi's Military Council," March 2, 2011.

relationships to leading defectors and the role of military forces in the opposition's efforts to date. Rebel advances westward toward central Libya do not appear to have featured regular military units, and regular units have not been prominent in international media coverage of opposition forces' retreat eastward in the face of an ongoing counterattacks by pro-Qadhafi forces. ITNC leaders continue to call for the establishment of a no-fly zone and publicly reject direct military intervention by foreign ground forces.

In a March 10 interview with a Spanish newspaper, ITNC chairman Mustafa Abdeljalil outlined the Council's plans for a post-Qadhafi political arrangement as follows:

As soon as the regime falls, we will have six or seven months to call elections. Until then, we will respect all international agreements. After the elections, everything will be left in the hands of the new leaders. We will leave. None of the current members of the Council will run in the elections. Libya is in need of new faces and there will be no room for officials from the old regime. Our basic text is the 1951 Constitution to which we are of course introducing changes.⁴⁹

A Council statement released on March 22 states:

The Interim National Council is committed to the ultimate goal of the revolution; namely to build a constitutional democratic civil state based on the rule of law, respect for human rights and the guarantee of equal rights and opportunities for all its citizens including full political participations by all citizens and equal opportunities between men and women and the promotion of women empowerment. The Interim national council will vow to encourage a state where its people enjoy the right to live in safety and security and within an environment of stability.

Libya will become a state which respects universal core values that are embedded in the rich cultural diversities around the globe which includes justice, freedom, human rights, and non-violence. A state that is responsive to its citizen's needs, delivers basic services effectively, and creates an enabling environment for a thriving private sector in an open economy to other markets around the world.

The Interim National Council reaffirms that Libya's foreign policy will be based on both mutual respect and common interests. Libya will be a state that fully respects the International law and International declarations on human rights and one which will participate in international relations responsibly, constructively and with good faith.

Prominent ITNC and Opposition Figures⁵⁰

- **Mustafa Abdeljalil Fadl.** Serves as Chairman of the Interim Transitional National Council. He served as Libya's Justice Minister from 2007 through the onset of the uprising. He is known for having been supportive of some reform initiatives advanced by Sayf al Islam al Qadhafi and for challenging Muammar al Qadhafi and his supporters regarding due process and incarceration of prisoners

⁴⁹ OSC Report EUP20110311178003, "Libyan Rebel Leader Accuses EU of Worrying More About Oil Than Libyans' Lives" March 10, 2011.

⁵⁰ This section reflects material found in David Gritten, "Key figures in Libya's rebel council," *BBC News*, March 10, 2011 and is supplemented with information derived from other international media and academic sources. Public profile information remains incomplete or limited for many leading opposition figures and regime defectors.

in some prominent legal cases during 2009 and 2010. He attempted to resign from his position in early 2010.⁵¹ He is a native of Bayda, where he once served as chief judge. He is 59 years old. In February, Abdeljalil claimed to have evidence that Qadhafi ordered the terrorist attack on Pan Am Flight 103. Libyan State Television carried a report on March 9 from the government General Bureau for Criminal Investigation offering, “A reward of half a million Libyan dinars [about \$400,000] ...to whoever captures the spying agent called Mustafa Muhammad Abdeljalil Fadl and turns him in.”

- **Mahmoud Jibril Ibrahim Al Warfali.** Serves as a foreign affairs representative for the Council and some reports suggest he has taken a leadership role in a new executive body attached to the Council. He travelled to Europe via Cairo, Egypt, the week of March 7 and has worked to secure recognition of the ITNC in meetings with European and U.S. officials, including Secretary of State Clinton. He is 59 years old, and studied political science in the United States at the University of Pittsburgh. He was serving as Libya’s ambassador to India and resigned when the uprising began. He formerly served as head of the Libyan National Planning Council and chairman of the National Economic Development Board (NEDB).
- **Ali Al Issawi.** Serves as a foreign affairs representative for the Council. He was born in Benghazi and is 45 years old. He served as Minister of Economy, Trade, and Investment from 2007 to 2009.
- **Fathi Terbil.** Serves as the youth representative to the Council. He is a legal advocate from Benghazi who represented some families of victims of the 1996 Abu Salim prison massacre in which Libyan security forces are alleged to have murdered over 1,000 prisoners to put down an uprising. His arrest and release on February 15, 2011 sparked an initial series of protests and confrontations that eventually fueled the broader uprising. In subsequent interviews, he has claimed that he was arrested five times prior to the recent unrest and has been tortured by Libyan security forces.
- **Abdel Hafez Ghoga.** Serves as Vice-Chairman and spokesman for the Council. He is described in the Libyan press as a “human rights lawyer and community organizer.” Reports suggest that Ghoga had been working to organize a national transitional council at the same time as Mustafa Abdeljalil and others were working to form the ITNC. The two figures reportedly agreed to cooperate.
- **Dr. Salwa Fawzi al Deghali.** Serves as the Council representative for women. She is a lawyer and a native of Benghazi. She described her view of the challenges facing the opposition in a March 11 interview with an Egyptian newspaper: “We have never had any real organizational experience in Libya, through parties or independent professional associations. Suddenly, we have an entire city to run.”⁵²
- **Ahmed al Zubayr al Sanusi.** Serves as a Council member. He is known as “Libya’s longest-serving ‘prisoner of conscience’” because he was jailed on

⁵¹ OSC Report GMP20100128950040, “Libyan Minister of Justice Resigns Over ‘Harsh’ Criticism in People’s Congress,” January 28, 2010.

⁵² OSC Report GMP20110311966049, “Benghazi’s lawyers, Libya’s revolutionaries,” March 11, 2011.

accusations of plotting a coup in 1970 and not released until 2001. He is a relative of former King Idris.

Opposition Military Forces

Public reports suggest that a military council has been formed to support the ITNC's efforts. Its full make-up is not publicly known, although some prominent figures who have defected from the security forces apparently are members. ITNC representatives have been vague about their relationships to key security officers who have defected. The role of former government military forces in the opposition's efforts to date has been unclear. Regular military forces that have defected to the opposition cause have not been consistently visible in leadership roles in operations thus far, although some media reports suggest that some officers are providing guidance and training to the lightly armed and predominantly young volunteers who appear to make up the core of the opposition forces. Coordination among these different elements is not apparent. One Libya-based reporter's current account describes the opposition forces as follows:

"The hard core of the fighters has been the *shabab*—the young people whose protests in mid-February sparked the uprising. They range from street toughs to university students (many in computer science, engineering, or medicine), and have been joined by unemployed hipsters and middle-aged mechanics, merchants, and storekeepers. There is a contingent of workers for foreign companies: oil and maritime engineers, construction supervisors, translators. There are former soldiers, their gunstocks painted red, green, and black—the suddenly ubiquitous colors of the pre-Qaddafi Libyan flag. And there are a few bearded religious men, more disciplined than the others, who appear intent on fighting at the dangerous tip of the advancing lines. ... With professional training and leadership (presumably from abroad), the rebels may eventually turn into something like a proper army. But, for now, they have perhaps only a thousand trained fighters, and are woefully outgunned."⁵³

Key opposition military and security figures reportedly include:

- **Omar al Hariri.** Serves as the military affairs representative on the ITNC. Hariri participated in 1969 anti-monarchy coup alongside Qadhafi, but later was imprisoned and sentenced to death on suspicion of plotting an uprising in 1975. He was moved to Tobruk and placed under house arrest in 1990. He is 67 years old. He has been quoted as calling for "a multi-party system" in the event that Qadhafi is deposed.
- **Abdelfattah Younis al Ubaydi.** Participated in the 1969 anti-monarchy coup alongside Qadhafi. He had been serving as Minister for Public Security and a Special Forces commander, which put him in charge of some internal security forces through the start of the uprising. His resignation and defection came just hours after Muammar al Qadhafi specifically named him as one of his key supporters in a February 22 speech. Human rights concerns prior to and potentially during the beginning of the unrest could have involved forces under his command. His relationship to the ITNC military council is unclear. Some reports suggest he has an unspecified leadership role, and he has been an outspoken advocate for the opposition cause in interviews with international media outlets.

⁵³ Jon Lee Anderson, "Who are the Rebels?" *The New Yorker*, April 4, 2011.

- **Colonel Khalifah Belqasim Haftar.** A veteran of the ill-fated Libyan invasion of Chad during the 1980s, he turned against Qadhafi. Colonel Haftar recently returned to Libya from exile—some reports suggest from the United States—to support the current uprising.⁵⁴ In the past, Haftar has been mentioned as a leader of the Libyan Movement for Change and Reform and the Libyan National Army, an armed opposition group reported to have received support from foreign intelligence agencies and alleged to have been involved in past attempts to overthrow Qadhafi.⁵⁵ Press reports suggest Haftar is now contributing to opposition training efforts.
- **Major Abdelmoneim Al Huni.** An original member of the Revolution Command Council, Al Huni had been serving as Libya's representative to the Arab League and resigned in protest of the use of force against protestors. Regional press accounts from the 1990s describe Al Huni as having coordinated with the opposition efforts of Colonel Haftar and others, before Al Huni reconciled with Qadhafi in 2006.

Exiles and Al Sanusi Monarchy Figures

Complex relationships among former regime figures, competing heirs to the former monarchy, and longstanding opposition leaders may evolve as the conflict unfolds and if specific arrangements begin to be made for reconciliation and/or a new government.

Opposition groups in exile have included the National Alliance, the Libyan National Movement (LNM), the Libyan Movement for Change and Reform, the Islamist Rally, the National Libyan Salvation Front (NLSF), and the Republican Rally for Democracy and Justice. These groups and others held an opposition conference—known as the National Conference for the Libyan Opposition (NCLO)—in July 2005 in London and issued a “national accord,” calling for the removal of Qadhafi from power and the establishment of a transitional government.⁵⁶ A follow-up meeting was held in March 2008.⁵⁷ The NCLO reportedly helped lead the call for the February 17, 2011, “day of rage” that helped catalyze protests into a full-blown uprising against the Qadhafi regime.

A royalist contingent based on the widely recognized claim to the leadership of the royal family by Mohammed al Rida al Sanusi, the son of the former crown prince, has been based in London.⁵⁸

⁵⁴ Chris Adams, “Libyan rebel leader spent much of past 20 years in suburban Virginia,” *McClatchy Newspapers*, March 26, 2011.

⁵⁵ OSC Report FTS19960821000373, “U.S.-Based Oppositionist Has ‘Secret Meetings’ Near Tripoli,” August 21, 1996.

⁵⁶ May Youssef, “Anti-Gaddafists Rally in London,” *Al Ahrum Weekly (Cairo)*, No. 749, June 30 - July 6, 2005; *Al Jazeera (Doha)*, “Opposition Plans to Oust Al Qadhafi,” June 25, 2005; *Middle East Mirror*, “Libya’s Fractured Opposition,” July 29, 2005.

⁵⁷ “Libyan Opposition Groups Meet in London To Reiterate Commitment To Save Libya,” OSC Report GMP20080329825012, March 29, 2008.

⁵⁸ Immediately prior to his departure for medical treatment in August 1969, the late King Idris signaled his intent to abdicate and pass authority to his crown prince and nephew, Hasan al Rida al Mahdi al Sanusi. Crown Prince Hasan was serving as regent during the Qadhafi coup, and he and his family were imprisoned and placed under house arrest until being allowed to leave Libya in the late 1980s. Each of King Idris’s potential direct heirs died as children. Upon Prince Hasan’s death in 1992, he passed the title of head of the Al Sanusi royal house to his son, Prince Mohammed al Rida al Sanusi.

On March 2, he answered a newspaper interviewer's question about his intent with regard to pursuing the restoration of the Al Sanusi monarchy by saying, "It is too early to answer such questions. This will all be revealed in time."⁵⁹ His claim is disputed by a distant relative, whose family members also have given interviews to international media outlets.

In a September 2005 interview, then-Foreign Minister Abd al Rahman Shalgam characterized some of the regime's expatriate opponents as individuals who fled the country after committing economic crimes or collaborating with foreign intelligence services. He then invited any expatriate dissidents who had not committed crimes to return to Libya.⁶⁰ Shalgam has now joined the opposition movement and is speaking as a representative of the ITNC in Washington, DC and at the United Nations in New York.

The Muslim Brotherhood

A statement attributed to the Libyan Muslim Brotherhood in late February 2011 welcomed the formation of the ITNC but called for a future, non-tribal government to "be formed by those who actually led the revolution on the ground" and to exclude supporters of the original Qadhafi coup or officials involved in human rights violations.⁶¹ This would seem to implicate some original Qadhafi allies and security officials who have defected to the opposition cause. In the past, the controller general of the Libyan Muslim Brotherhood, Suleiman Abdel Qadir, has described the Brotherhood's objectives as peaceful and policy-focused, and has long called for the cancellation of laws restricting political rights.⁶²

Like other political organizations and opposition groups, the Muslim Brotherhood is banned in Libya under law number 71 of 1972. Since the late 1940s, when members of the Egyptian Muslim Brotherhood first entered Libya following a crackdown on their activities, the Libyan Muslim Brotherhood has existed as a semi-official organization. Hundreds of Brotherhood members and activists were jailed in 1973, although the Brotherhood eventually reemerged and operated as a clandestine organization for much of the following two decades. In 1998, a second round of mass arrests took place, and 152 Brotherhood leaders and members were arrested. Several reportedly died in custody, and, following trials in 2001 and 2002, two prominent Brotherhood leaders were sentenced to death and over 70 were sentenced to life in prison. The

⁵⁹ OSC Report GMP20110302869002, "Former Libyan Crown Prince Says 2,000 Die in Anti-al-Qadhafi Revolt," March 2, 2011.

⁶⁰ "Libya's Shalgam on Ties With US, S. Arabia, Opposition," OSC Report GMP20050924512001, September 24, 2005.

⁶¹ OSC Report GMP20110228405001, "Libyan Muslim Brotherhood Group Supports 'Glorious Revolution,'" February 28, 2011.

⁶² In 2007, Abdel Qadir responded to political reform statements by Sayf al Islam al Qadhafi with calls for more inclusive, consultative decision making. In a November 2008 interview, Abdel Qadir noted that reform outreach was taking place under the auspices of the Qadhafi Foundation and not through official state organs, which in his view undermined the significance of the outreach. He also repeated calls for reform and reconciliation aimed at creating a constitution and protecting civil rights for Libyans. See OSC Report GMP20050803550006, "Al Jazirah TV Interviews Libyan Muslim Brotherhood Leader on Current Situation," August 3, 2005; OSC Report GMP20070830282001, "Libyan MB Concerned Over Sayf al-Islam's Statements Regarding New Constitution," August 30, 2007; and, OSC Report GMP20081111635001, "Libyan Muslim Brotherhood Official on Libya's Foreign, Domestic Politics," November 10, 2008.

government announced a retrial for the imprisoned Brotherhood activists in October 2005, and in March 2006, the group's 84 remaining imprisoned members were released.⁶³

Libyan Islamic Fighting Group (LIFG)/Libyan Islamic Movement for Change (LIMC)

Prior to the 2011 uprising that began in eastern Libya, some reports examined whether the region was a stronghold for Libyan Islamic Fighting Group (LIFG) members and other extremist groups that might pose a threat to Libya's security and potentially to regional security.⁶⁴ Some Members of Congress have expressed concern that violent Islamists may seek to exploit the conflict in Libya or any post-conflict transition. On March 29, NATO Supreme Allied Commander, Europe U.S. Admiral James Stavridis said in Senate testimony that, at present, he does not have "detail sufficient to say that -- that there's a significant Al Qaida presence or any other terrorist presence in and among" the Libyan opposition.⁶⁵ The full effect of the ongoing unrest on the views, positions, and activities of former-LIFG personnel and other potentially armed Islamist groups has not yet been determined, although some former LIFG members appear to be providing security in opposition held areas and engaging in fighting against pro-Qadhafi forces.

The LIFG is a violent Islamist movement opposed to the Qadhafi government. In recent years, its then-imprisoned leaders engaged in a dialogue and reconciliation process with the Qadhafi Foundation, and over 200 LIFG members were released, including senior leaders and former commanders.⁶⁶ Qadhafi announced the release of the final 110 "reconciled" LIFG members at the outset of the 2011 uprising. Some Libya-based members of the LIFG responded to the release of leading figures on February 16 by announcing the reorganization of the group as the Libyan Islamic Movement for Change (LIMC). The LIMC demands political change and an end to corruption, and has underscored its decision to "enter a new stage of struggle in which we do not adopt an armed program but a belief in the Libyan people's ability to bring about the change to which we are aspiring."⁶⁷ Muammar al Qadhafi has both blamed Al Qaeda and violent Islamists for instigating the uprising, and, on March 15, he threatened to join them if the United States or European countries intervene militarily in the conflict.⁶⁸

In spite of these developments, Libyan government officials claim that some LIFG members previously released as part of the government-approved reconciliation process participated in violence at the beginning of the recent uprising and the government has accused some individuals of seeking to establish "Islamic emirates" in eastern Libya.⁶⁹ Some opposition figures have

⁶³ Afaf El Geblawi, "Libya Frees All Jailed Muslim Brotherhood Members," *Agence France Presse*, March 3, 2006.

⁶⁴ Peraino, "Destination Martyrdom," *Newsweek*, April 19, 2008.

⁶⁵ Testimony of Admiral James Stavridis before the Senate Armed Services Committee, March 29, 2011.

⁶⁶ Prominent prisoners released under the auspices of the reconciliation program include former LIFG leader Abdelhakim al Khuwaylidi Belhadj, former military director Khaled Sharif, and leading LIFG ideologue Sami Sa'idi. OSC Report GMP20100323950045, "Three leaders of Libyan Fighting Group freed – paper," March 23, 2010.

⁶⁷ OSC Report GMP20110217825017, "Libya: IFG Elements Establish New Group Aiming for Peaceful Regime Change," February 17, 2011.

⁶⁸ OSC Report EUP20110315058001, "'Exclusive' Interview With Al-Qadhafi on Insurgency, Western Ties, US, Al-Qa'ida," March 15, 2011.

⁶⁹ Libyan authorities specifically named Abdelkarim Ahsadi, Khayrallah Barasi, Mohamed Darnawi, and Abou Sofian Ben Guemou, a former U.S. detainee at Guantanamo Bay, Cuba, who Libyan officials released in September 2010. Libyan government claims have not been independently verified. OSC Report GMP20110223950040, "Senior Libyan (continued...)"

decried the government accusations as scare tactics. One such former LIFG figure, Abdelhakim Al Hasadi, is leading ad hoc security arrangements in the eastern city of Darnah, which was home to several dozen Libyan recruits who travelled to Iraq to fight U.S. and coalition forces.⁷⁰ Al Hasadi claims to have recruited Libyans to fight in Iraq, but has publicly denied accusations he is affiliated with Al Qaeda or is seeking to establish Islamist rule in Darnah or on a national basis.⁷¹

Al Qaeda Affiliation and Recantations

In 2009, some of the LIFG's imprisoned leaders issued a lengthy series of writings, referred to as "the recantations," outlining their rejection of the use of violence (see below). However, Libyan and U.S. concerns about LIFG's domestic and international activities persisted. According to the Department of State, the LIFG has attempted to assassinate Qadhafi, most recently in 1996, and may have participated in the planning of the May 2003 suicide bombings in Casablanca, Morocco.⁷²

The group's reported ties with Al Qaeda came under scrutiny in July 2009 after group members based in Britain reportedly renounced the group's affiliation with Al Qaeda, and contrasted the LIFG with others who use indiscriminate bombing and target civilians. In November 2007, Al Qaeda figures Ayman al Zawahiri and Abu Layth al Libi announced the merger of the LIFG with Al Qaeda, which many terrorism analysts viewed at the time as having political rather than operational relevance.⁷³ Abu Layth Al Libi was killed in an air strike in Pakistan in February 2008. The February 2011 LIFG release by Libyan authorities reportedly included Abdelwahhab Muhammad Qayid, who has been identified in some sources as the brother of prominent Al Qaeda ideologue Abu Yahya al Libi. In March 2011, Abu Yahya Al Libi released a video condemning Qadhafi and calling on Libyans to use arms against Qadhafi supporters, but to refrain from violence or criminality against each other.

In a July 2009 statement, LIFG members in Britain characterized the November 2007 Al Qaeda affiliation announcement from the late Abu Layth Al Libi as "a personal decision that is at variance with the basic status of the group," and sought to "clearly emphasize that the group is not, has never been, and will never be, linked to the Al Qaeda organization."⁷⁴ The statement stressed that LIFG members abroad supported "the dialogue underway between the group's leadership and the Libyan regime if it should lead to an end to bloodletting, the release of prisoners, the spreading of security and justice, the reunion of families, and to permitting preaching, educational, and political activities." The statement warned that the group would "preserve [its] lawful and natural right to oppose the regime if it does not turn its back on its

(...continued)

Security Official Gives Details on Unrest in Benghazi Tripoli," February 22, 2011.

⁷⁰ Kevin Peraino, "Destination Martyrdom," *Newsweek*, April 19, 2008.

⁷¹ Al Hasadi appeared on Al Jazeera and read a statement denying the Libyan government's accusations. See OSC Report GMP20110225648002, "Libya: Former LIFG Leader Denies Plan To Establish 'Islamic Emirate' in Darnah," February 25, 2011; and, OSC Report EUP20110322025008, "Libya: Rebel Leader in Derna Denies Local Presence of Extremists, Al-Qa'ida," March 22, 2011.

⁷² U.S. Department of State, "Libya," *Country Reports on Terrorism 2004*, April 2005.

⁷³ "Al-Zawahiri, Al-Libi: Libyan Islamic Fighting Group Joins Al-Qa'ida," OSC Report - FEA20071104393586, November 3, 2007.

⁷⁴ "Libyan Islamic Fighting Group Abroad Issues Statement Supporting Regime Dialogue." OSC Report - GMP20090703825003, July 3, 2009.

previous policy that has led to tension and deadlock.” In 2009, the government and the LIFG reached an agreement in which LIFG leaders renounced violence against the Libyan state, and, later in 2009, the dialogue resulted in the issuance of written “recantations” of the LIFG’s former views on religion and violence.⁷⁵ In October 2009, over 40 LIFG prisoners were released, alongside other Islamists.

The United States froze the LIFG’s U.S. assets under Executive Order 13224 in September 2001, and formally designated the LIFG as a Foreign Terrorist Organization in December 2004. In February 2006, the U.S. Department of the Treasury designated five individuals and four entities in the United Kingdom as Specially Designated Global Terrorists for their role in supporting the LIFG.⁷⁶ On October 30, 2008, Treasury designated three more LIFG financiers.⁷⁷ Some observers characterized the designations as a U.S. gesture of solidarity with the Libyan government and argued that the ability and willingness of the LIFG to mount terror attacks in Libya may have been limited. Others claimed that some LIFG fighters were allied with other violent Islamist groups operating in the trans-Sahara region, and cited evidence of Libyan fighters joining the Iraqi insurgency as an indication of ongoing Islamist militancy in Libya and a harbinger of a possible increase in violence associated with fighters returning from Iraq.⁷⁸

⁷⁵ “Report on ‘Seething Anger’ in Libya Over Dismantling Al Qa’ida-Linked Cells,” OSC Report GMP20080630825001 June 30, 2008; “Libya: Jailed Islamic Group Leaders ‘Preparing’ To Renounce Armed Violence,” OSC Report GMP20080706837002, July 6, 2008; “Libyan Islamic Fighting Group Source Announces Ideology Revision Nearly Complete,” OSC Report GMP20090615825012, June 15, 2009; and OSC Reports, GMP20090911452001, GMP20090911452002, GMP2009091145200, GMP20090910488004, GMP20090911452004, GMP20090915452001, “Libyan Newspaper Publishes Libyan Fighting Group Retractions,” September 2009.

⁷⁶ U.S. Department of the Treasury, “Treasury Designates UK-Based Individuals, Entities Financing Al Qaida-Affiliated LIFG,” JS-4016, February 8, 2006.

⁷⁷ U.S. Department of the Treasury, “Three LIFG Members Designation for Terrorism,” HP-1244, October 30, 2008.

⁷⁸ Alison Pargeter, “Militant Groups Pose Security Challenge for Libyan Regime,” *Janes Intelligence Review*, Vol. 17, No. 8, August 2005, pp. 16-19.

Figure 2. Political Map of Libya



Source: Map Resources. Adapted by CRS.

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