



POLICY PAPER

No. 11 (152), July 2016 © PISM

Editors: Sławomir Dębski (PISM Director) • Wojciech Lorenz (Managing Editor)
Jarosław Cwiek-Karpowicz • Karolina Borońska-Hryniewiecka • Anna Maria Dyner • Patryk Kugiel
Zuzanna Nowak • Sebastian Płóciennik • Patrycja Sasnal • Marcin Terlikowski

NATO in Libya: A Long-Term Plan for Stability

Paolo Quercia, Patrycja Sasnal, Julianne Smith, Kurt Volker¹

SUMMARY

- *Never was there a better time for NATO's involvement in Libya than now. The Government of National Accord (GNA) is the only available option for a more stable future of the country. It has already shown it can deliver by defeating the Islamic State (IS) in Sirte, but without urgent support from the international community it may not be able to show more progress in providing security, reform and services to the Libyan people. Once it receives a request from the GNA, NATO can and should assist in SSR, border control and countering people-smuggling as there is no better placed actor to help Libya in this regard.*
- *The sense of urgency and importance in NATO must be internalised. No half-hearted action will be effective. NATO should not and cannot engage in a large-scale operation but can quickly put together a focused mission, tailored to the needs and requests of the GNA. There is now a clear preference for a training mission over any other involvement but it also remains a high-risk approach as weapons and other assets can easily fall into the wrong hands.*
- *Alongside any concerted NATO mission in and for Libya, the Alliance needs to reassess its image in the country. Long-term political acceptance of NATO will be bolstered only by clear pro-Libyan non-military action such as: preventing oil smuggling out of the country and weapons into the country, preventing assets of the Libyan people abroad from being used by Libyan individuals, or ensuring that arms sales to third states are properly tracked and do not end up in Libya.*
- *As the key global security alliance, NATO will have to act politically in order to show leadership in the Euro-Mediterranean region by making sure that Libya's neighbours are included and cooperating in achieving the most favoured outcome for Libya and the region, namely a unity government that takes control of the whole country. NATO could ensure that states bordering Libya*

¹ The authors wish to thank the MENA Division of the Geneva Centre for the Democratic Control of the Armed Forces (DCAF) for contributing comments on specific points of this paper.

refrain from any form of military interference in Libyan affairs and respect its territorial integrity. Possible direct NATO involvement could include border control at the request of the GNA in coordination with Egypt, Algeria and Tunisia.

- *A new NATO mission would not make it the first outside actor in Libya—there are several international and national players involved already. The EU operation Sophia can and should be adjoined by NATO. A joint EU-NATO campaign on the sea and coordinated action on the ground with a clear division of labour—NATO working for disarmament, demobilisation and reintegration (DDR) as well as security sector reform (SSR) and the EU for socioeconomic development—would be most effective.*
- *DDR in the medium term and SSR in the long term remain priorities that ought to be addressed in parallel. The Temporary Security Committee and its successor can be assisted by implementing comprehensive long-term SSR, including the development of a Ministry of Defence that has the required capabilities and training of Libyan military officers through existing programmes at the NATO Defence College or the NATO School in Oberammergau, Germany.*
- *NATO's strategic long-term priority should be the protection of the Mediterranean Sea, effectuated with the EU, through involvement in monitoring migration in the southern Mediterranean, tracking criminal networks and enhancing and sharing intelligence with the member states of both the EU and NATO.*
- *Diplomatically, NATO member states should consider re-establishing diplomatic missions in support of the GNA, once Libya's House of Representatives fully endorses its composition.*

For months leading up to the Warsaw Summit, the Alliance has focused on crafting new initiatives to both deter Russian aggression and respond to instability across the Middle East, stemming in large part from the violence in Syria. Less attention, however, has been paid to Libya, a country many describe as the second biggest source of instability in the Euro-Atlantic neighbourhood, with its multiple local centres of power, some 2,000 militias in intertwined conflict, a growing people-smuggling market and expanding terrorist organisations, namely IS and Al Qaeda.

Located just 450 km from Europe's shores, Libya may in 2016 become the new centre of operations for jihadist movements, elevating the terrorist threat to Europe, as well as a major migration route should the process of propping up a national unity government under the auspices of the UN fail. Libya is therefore likely to become a top priority for the Alliance in the months ahead. In an effort to help prepare the Alliance for its post Warsaw Summit agenda, this paper examines the ways in which NATO might engage in Libya, the risks associated with doing so, and prospects for success.

Situation Update

At the beginning of 2016, Libya seemed on the verge of becoming a failed state as defined by the 2015 Fragile States Index. However, efforts aimed at forming a national unity government launched in 2014 by the UN Support Mission in Libya (UNSMIL) and UN Special Representative Martin Kobler resulted in the signing of a political agreement between the major stakeholders in December 2015. Shortly after the Government of National Accord (GNA), led by Fayez al-Sarraj and the Presidency Council (PC) acting as interim head of state and composed of nine people representing three historic regions of Libya, were created, they installed themselves in Tripoli on 30 March 2016. Apart from the overarching goal of bringing together the two competing power centres of Tobruk and Tripoli, one of the new government's main tasks was to specify the role of the supreme commander of the armed forces and create a unified Libyan army.

Since Muammar Qaddafi's ouster in 2011, the country has been controlled by nearly 2,000 local and regional militias. The agreement provides for their disarmament and disbandment or integration into the army, as well as for combatting terrorist organisations such as IS, Ansar Al Sharia and Al Qaeda. Legislative power is to remain with the internationally recognised House of Representatives (HoR), formed after the June 2014 elections and which presently controls mostly the northeastern parts of the country (Tobruk, Ajdabiya and others) and Zintan in the northwest. HoR competes for power with the Tripoli-based General National Congress (*Al Mutamar Al Watani Al Aam*, or the GNC). It is supported by an alliance of Islamist militias called Libya Dawn and branches of the Libya Shield grouping, together controlling most of the northwestern part of the country (Tripoli, Misrata and others). HoR, in turn, enjoys the military backing of the Gen. Khalifa Haftar-led Libyan National Army (LNA), which is fighting the Islamists from Libya Dawn and Libya Shield.

HoR backed the GNA only informally—the interim government still awaits a formal vote of confidence. The GNC opposes it, although the GNA managed to take control of several key ministries and is operating from Tripoli, for now successfully. The PC issued an executive decision to establish a committee to control the allocation of funds and a Temporary Security Committee was formed—an entity responsible for the PC's safety and acting as a linchpin for different groups in the security sector. Under the new government, the forces allied with it already managed to retake Sirte from IS, which also lost Sabratha in the west and Derna in the east.²

In essence, under the GNA Libya seems to be doing slightly better than several months ago, although it still faces four major risks: internal conflict; humanitarian and economic collapse; human trafficking and migration; and, jihadism.

² For an update about the situation in Libya, see: "Report of the Secretary-General on the United Nations Support Mission in Libya," United Nations Security Council, 16 May 2016.

Now is the time for NATO to help Libya

The optimal scenario for NATO would be for the GNA to take control of the whole country. In order for that to happen, the negotiated political process must continue, regional players must agree on a common course, and Libyans must see benefits from the national agreement at their own, local level so that they too have a stake in it. If the GNA were to face these tasks alone it would fail. It must, therefore, receive relief where possible through international support.

Given the situation in Libya, the time is ripe to start a mission there as soon as possible for two reasons. First, the GNA is managing the situation quite well and it seems to be the Libyans' and NATO's best bet for an inclusive, responsible government. Second, the longer NATO is out of the picture the more neighbouring countries will be encouraged to work toward tilting the balance of forces within Libya to their advantage.

Sarraj, the leader of the GNA, controls a number of important institutions and ministries in western Libya and is recognised by the UN and allies like the U.S. But he does not have the full support of Gen. Haftar, who commands the Libyan Army. Nor does he have the support of Libya's national parliament, which resides in the east. This east-west governance divide is hindering the GNA's efforts to stabilise the country. One of Sarraj's top priorities is fighting IS, which controls roughly 200 km of coastline around Sirte, but he simultaneously needs to gain the confidence of Gen. Haftar, build a unified security force, and dissolve the militias that inhabit tiny city-states across the country.

In order for Sarraj to succeed, he will need the support of Western institutions like the EU and NATO as well as individual countries like the U.S., the UK, France, Italy, and Germany (among others). Fortunately, Western powers fully appreciate the risks involved if the GNA fails: Libya could become a haven for smugglers and traffickers; militias of all shapes and sizes could surge; IS in Libya could gain a stronger foothold near the country's lucrative oil and gas fields; the violence inside Libya could increase; and IS could successfully execute attacks in neighbouring countries like Tunisia or across Europe. As such, several Western leaders have promised Sarraj their support and a number of countries have offered some form of economic or military assistance. British Foreign Secretary Philip Hammond visited Libya in mid-April and pledged £10 million of assistance; Italy has deployed over 40 intelligence officers and 50 special forces to Libya; and the United States and other world powers announced in May that, at Libya's request, they were working on an "arms embargo exemption" that would allow them to begin providing light weapons to the GNA to fight IS.

There are roles only NATO can play

For NATO, pledges of support to Libya have been largely rhetorical, even though some of its member states are starting to take action. While the Alliance will admit that it failed to work with other institutions to develop a viable plan for stabilisation and reconstruction in Libya after its 2011 mission there,³ it has had a harder time reaching consensus on how to help Libya today.

Policy paralysis regarding Libya exists for a number of reasons. First, the Alliance faces acute challenges in other regions, most notably from a resurgent Russia and IS in Syria, which is fuelling a historic migration crisis across Europe. Second, getting the Allies to agree on where to dedicate their limited set of resources and capabilities is an ongoing challenge. Simply put, not everyone holds the same threat perception regarding Libya. As one would imagine, NATO allies that border the Mediterranean worry more about Libya

³ J. Goldber, "The Obama Doctrine," *The Atlantic*, April 2016, www.theatlantic.com/magazine/archive/2016/04/the-obama-doctrine/471525.

than those that border the Baltic Sea. Finally, while IS's presence in Libya is worrisome, it simply hasn't reached the severity of the problem inside Syria.

As the Alliance considers a potential joint naval mission with the EU near Libyan shores, some are asking whether NATO should consider additional missions to Libya. But the question of NATO taking on additional roles has been a difficult one for all the reasons cited earlier: divisions inside the Alliance over where to focus its attention, the feeling that Libya's situation isn't *that* urgent, and a demanding policy agenda in advance of the Warsaw Summit. The debate has also been clouded by the fact that some NATO members have argued that Libya best be left in the hands of a few select countries. In fact, one member state, Italy, has repeatedly volunteered to serve as the lead nation, given its proximity and historical ties to Libya. In February of this year, Italy announced that it was mobilising 5,000 troops to support the UN's mission in Libya, and in May, Italy offered to lead the fight against IS. But since then, in the face of a heated domestic debate and conflicting signals from the Libyans themselves, Italy has decided to significantly scale back those ambitions.

Italy's back-peddalling on its plans to lead a mission in Libya brings into question the viability of a coalition of the willing, especially if no one wants to take the lead in the first place. What the West has now in Libya can only be described as a "fractured" approach, where individual states make modest contributions without coordination or an overarching strategy. There is only one organisation that could provide the necessary direction and command and control to today's *ad hoc* efforts in Libya, and it is NATO. Thanks to its past missions in places such as the Balkans, Afghanistan, and Iraq, the Alliance has the experience needed for an array of missions, ranging from training the Libyan forces to helping the Libyans establish a new Ministry of Defence. It also has the capabilities to lead the fight against IS in Libya. Of course, it's not just a question of whether NATO has the *capacity* to do more in Libya. One also needs to consider the risks associated with each of these missions, what Libya actually wants from NATO, and whether the Alliance has the will to proceed.

The advantage of the Alliance's involvement over the current *ad hoc* assistance from the U.S., UK and other countries is that NATO can provide and execute a focused plan of support for Libya. Member states can then contribute exactly what is needed in the general plan of the mission instead of makeshift assistance in fighting IS. With some level of coordination between the GNA, NATO and the EU, many urgent challenges that Libya faces can be addressed simultaneously.

In the short term, NATO may train Libyans once the central command's legitimacy is established

Of all the possible future missions for NATO in Libya (beyond its plans to assist the EU with Operation Sophia), the Alliance seems most interested in training Libyan forces, particularly given the Alliance's extensive experience in this regard. Secretary General Jens Stoltenberg has mentioned that NATO is working to build capacity with the Libyan government and "could conduct training in the future."⁴ An anonymous senior U.S. State Department official went further, stating that "we have a NATO offer to the Libyan government to do more training and capacity-building there, which the Libyans have not yet opened formal conversations with NATO about."⁵

Training foreign forces has become a cornerstone of NATO's cooperation with its partners and for good reason. NATO has successfully executed a number of training missions over the past 20-plus years. NATO's role in Kosovo is often seen as the pinnacle, showcasing the alliance's ability to stabilise countries through the development of the professional and multi-ethnic Kosovo Security Force. Since then, NATO has significantly expanded its training programmes, utilising its specific strengths to train partners on how to

⁴ A. Bunkall, "NATO Chief: We Are 'Ready to Help' Libya," *Sky News*, 14 April 2016, <http://news.sky.com/story/1678894/nato-chief-we-are-ready-to-help-libya>.

⁵ *Ibidem*.

handle improvised explosive devices, conduct civil-military and civil emergency planning, and build a cyberdefence network. Stoltenberg is pushing the Alliance to go even further and develop a comprehensive approach to training. Just recently, in an April 2016 speech in Washington, he noted, “in the fight against terrorism, building local capacity is one of the best weapons we have. And the earlier we can do it, the better.”

Executing a training program for Libyan forces poses unique challenges, though, especially when it comes to the questions of who to train and where to train them. Unfortunately, neither the GNA nor NATO possess the networks, access, and relationships needed to identify and vet possible trainees. However, U.S. special forces are reportedly already on the ground trying to recruit and vet proxy forces.⁶ Assuming enough potential recruits are eventually identified, NATO would then need to determine *where* to train those individuals. That’s not an easy question given the very fluid and dangerous situation on the ground. In the spring of 2015, in what was viewed as the safest option, the UK committed to train 2,000 Libyan forces on British soil. But after a group of soldiers went on a drunken rampage that ended in vandalism and sexual assault, the programme was quickly abandoned. The UK is now pushing for training inside Libya despite the risks. Germany disagrees and has floated the idea of conducting training in neighbouring Tunisia. But so far, the Tunisians haven’t expressed any interest in the idea.

As for the GNA’s views on the training question, Libya has expressed a preference for the EU over NATO. On May 22, EU High Representative for Foreign Affairs and Security Policy Federica Mogherini announced that Prime Minister Sarraj had formally requested that the EU help train Libya’s coast guard, naval forces, and security services.⁷ Mogherini promised to discuss the request with the Foreign Affairs Council to make it “operational as soon as possible.”⁸ As the EU looks at its options (and tries to address those same questions about who to train and where to train them), it should consider partnering with NATO. Each institution possesses its own comparative advantage. The EU has a sizeable sum of resources dedicated to security sector reform and a better brand across the region but lacks NATO’s depth of experience. Examining ways in which the two organisations could develop a joint mission, much as they are in the Mediterranean, would therefore be wise.⁹ Pursuing this idea would have the added benefit of breaking down the longstanding barriers to EU-NATO cooperation.

NATO should engage in long-term Security Sector Reform in smart cooperation with the EU

Training, however, is only one short-term puzzle of a bigger long-term picture that seems indispensable for Libya to stabilise. A comprehensive SSR strategy is needed, once several armed groups accept their integration into the Presidential Guard, its Temporary Security Committee or any other command structure that receives political legitimacy in Libya. Disarmament, Demobilisation and Reintegration (DDR) alone would not be sufficient. SSR is an all-encompassing approach that needs to be devised and implemented hand in hand with DDR. In Libya, DDR is perceived as pressing in order to reinstate the monopoly of force and to advance peace- and state-building. However, DDR cannot be implemented successfully before the parties have agreed on a political solution to the conflict and before an economic solution has been found for those who need to get an alternative income after being demobilised. DDR requires a range of supporting SSR measures, which need to include the establishment of clear command structures for all forces, proper political control and oversight, clear missions for forces, the development of mid- and long-

⁶ T. Gaist, “US Special Forces Have Been Operating Secretly in Libya for Months,” *World Socialist Web Site*, 14 May 2016, www.wsws.org/en/articles/2016/05/14/liby-m14.html.

⁷ V. Pop, “Libya Requests EU Help Training Security Services,” *Wall Street Journal*, 22 May 2016, www.wsj.com/articles/libya-requests-eu-help-training-security-services-1463940918?cb=logged0.8501078650431233.

⁸ *Ibidem*; see also: European External Action Service, “Statement by the HR/VP Federica Mogherini on Libya,” European Union, 22 May 2016, http://eeas.europa.eu/statements-eeas/2016/160522_02_en.htm.

⁹ The EU is also expanding its engagement in Libya. For more, see: M. Toaldo, “Intervening Better: Europe’s Second Chance in Libya,” *ECFR Policy Memo*, May 2016, www.ecfr.eu/page/-/ECFR172_-_INTERVENING_BETTER_-_EUROPES_SECOND_CHANCE_IN_LIBYA_2.pdf.

term strategies for the development of force capabilities (training and procurement), the right-sizing of forces guided by mission objectives and strategies, and processes and procedures to ensure accountability.

In Libya, hurried approaches to force training over the past years have undermined political stability and amplified the problems. Providing Libyans with access to training and weaponry before the legitimacy of the force and its command structure have been clarified remains a high-risk approach, as the weapons and troops with capabilities can easily fall into the wrong hands. Therefore, train-and-equip support in the absence of a central force command with political oversight by a unified government would be extremely risky. The conclusion for NATO would be to develop a strategy for Libya that covers the entire SSR spectrum and is long-term oriented (20–30 years minimum) and politically acceptable to a broad range of Libyans. NATO would also need to place a strong focus on developing the Libyan capabilities for programming, planning and budgeting, involving not only the military but also civilians. NATO could further assist the Libyans in developing a Ministry of Defence that has the required capabilities. Finally, training Libyan military officers through existing programmes at the NATO Defence College or the NATO School in Oberammergau might also be useful.

Even if some of these actions (reconstruction of a Ministry of Defence, DDR, SSR) will actually need direct NATO involvement on the ground, other security problems (such as the fight against IS or ending the conflict between opposing governments) may in fact be worsened by direct NATO participation. The Alliance would risk becoming an internal target and a scapegoat in regional players' policies.

NATO should assist the GNA's anti-IS campaign but refrain from boots on the ground

In recent months, a handful of countries have launched attacks against IS in Libya. The U.S. and Egypt have carried out airstrikes, and many suspect—or in some cases can confirm—that the UK, France, and Italy, along with the United States, now have special forces on the ground.¹⁰ Despite recent defeats,¹¹ IS's presence may still grow, which raises the question of whether Libya, its partners in the West, and its regional partners need a more robust strategy. Officially, Stoltenberg states that the Alliance is *not* preparing for a combat mission in Libya. Unofficially, NATO officials are just beginning to debate that possibility.

The advantages of NATO undertaking a counter-IS mission in Libya are many. For one, NATO knows the territory. Having conducted a seven-month air campaign there in 2011, NATO knows a great deal about Libya's geography and the precise military capabilities it may face. Having undertaken its 2011 mission with countries like the UAE, Qatar, and Jordan, NATO also has the added advantage of having successfully operated with some of Libya's partners across the region. Of course, NATO would bring decades of military experience, a world class command-and-control system, and countless air, naval and ground assets to any future mission in Libya, too.

By taking the lead in Libya, NATO could also relieve the U.S. of at least some of its responsibility in managing the wider counter-IS campaign. For two years, the U.S. has been overseeing counter-IS operations in Iraq and Syria, which seem to grow in complexity and ambition with each passing month. U.S. policymakers clearly see some utility in leading the full operation, but there is no question that transitioning at least one part of the mission to NATO would allow the United States to focus on the much more complicated challenges in Iraq and Syria. And to the extent that European policymakers are keen to prove that Europe is indeed able and willing to assume responsibility for its own security, taking on IS in Libya certainly checks that box.

¹⁰ "Serraj wants united army, admits 'aid' from foreign special forces," *Libya Herald*, 26 June 2016, www.libyaherald.com/2016/06/26/serraj-wants-united-army-admits-aid-from-foreign-special-forces.

¹¹ E. Graham-Harrison, C. Stephen, "Libyan forces claim Sirte port captured from Isis as street battles rage," *The Guardian*, 11 June 2016, www.theguardian.com/world/2016/jun/10/libyan-forces-fight-street-battles-with-isis-for-control-of-sirte.

A NATO combat mission in Libya faces an equal number of challenges, however. In regards to Libya, the West continues to lack clarity on what Sarraj actually wants. To date, Sarraj hasn't expressed any interest in a full scale, foreign military operation against IS in Libya. In Europe, it is entirely unclear whether NATO could actually reach consensus on a mission there. Foreign Secretary Hammond has stated he cannot "rule out" the need for British troops to combat the terrorists that have seized a stretch of Libya's coast.¹² But he never mentioned NATO in that context. And few NATO allies have stated anything similar. More challenging, perhaps, is the question of international legitimacy. The last time NATO intervened in Libya, it did so under a proper UN Security Council Resolution. Because Russia continues to argue that NATO's 2011 mission in Libya exceeded the mandate under UNSCR 1973, it is highly unlikely that Russia would allow the West another UNSCR this time around. If the Alliance were to launch a mission against IS in Libya, Libyan policymakers, regional partners, and the wider international community would no doubt demand that NATO avoid the mistake it made last time by developing a viable and well-resourced post-conflict plan. And finally, any NATO boots on the ground in Libya again would be seen and portrayed by the jihadists as a Western crusade against Islam. For several decades now, this argument has been attracting recruits and bolstering anti-Western ideology and terrorism.

In sum, while the GNA is not asking for it and is managing the security situation relatively well, no anti-IS ground operation seems viable or a wise step. Helping Libya protect its borders, however, would be an option with the next highest return for all stakeholders.

NATO's best bet for successful direct involvement is border protection combined with diplomatic initiative vis-à-vis Libya's neighbours

The Libyan civil war has been taking place substantially in an "open borders" environment in which a growing number of private actors are exploiting the absence of the rule of law in order to conduct criminal activities right outside the EU's external borders. Weapons, drugs, and people are the main illicit traffic that has transformed Libya not only into a transit country for criminal activities but also into a strategic criminal hub. Libya urgently needs surveillance and control of its immense land and maritime borders, which are fading, fragmenting, and distant as ever from the central authority and under the control of several local militias.

In these circumstances Libya's neighbours can be both a problem and a solution. Algeria shares a 1,000 km-long border with Libya and is well placed to ease tensions between the Tuareg and Toubou militias in the south. In the east, Egypt has an even longer border with Libya and supports the forces of Gen. Haftar in the fight against the Revolutionaries Shura Council (Islamist armed groups) and IS—the latter two fight each other. Thanks to new recruits and supplies of weaponry and ammunition, presumably from Egypt, Haftar has been able to dislodge the Islamists from certain areas.

The risk associated with the involvement of Libya's neighbours is that they may want to slow the political process of instilling credibility into the GNA in order to boost their favourites: Egypt and the UAE may want to give Haftar time and resources to make gains against the Islamists and, hence, augment his political position,¹³ while Algeria, Turkey and Qatar would rather empower the Muslim Brotherhood (present in the GNC) in order to weaken the appeal of the jihadists.¹⁴ The Egyptian camp, on the other hand, is reluctant to give Islamists any share in the future arrangement in Libya—a policy that will most likely fail given the number and importance of Islamist figures in the country. Saudi Arabia may be the country, which, encouraged by Turkey and NATO countries, could influence Egyptian policy in Libya.

¹² T. Ross, "Philip Hammond: We Can't 'Rule Out' Sending Troops to Libya," *The Telegraph*, 24 April 2016, www.telegraph.co.uk/news/2016/04/23/philip-hammond-we-cant-rule-out-sending-troops-to-libya.

¹³ D. Ezzat, "Egypt continues to back Haftar," *Ahram Weekly*, 12 May 2016, <http://weekly.ahram.org.eg/News/16325/17/Egypt-continues-to-back-Haftar.aspx>.

¹⁴ M. Matarese, "Algeria emerges as quiet mediator in quest for peace in Libya," *Middle East Eye*, 1 February 2016, www.middleeasteye.net/news/algeria-headline-here-1589175727.

In these circumstances, NATO may want to use the political mechanisms established with these countries to try and influence their policies as well as limit interference in Libya. The Alliance needs to ensure that states bordering Libya refrain from any form of military interference into Libyan affairs and respect its territorial integrity. Moreover, engaging Libya's three southern neighbours (Niger, Chad and Sudan) in border control would require the active involvement of the African Union (AU), with which NATO has already established supporting operations in peacekeeping missions in Sudan and Somalia. Likewise, cooperation with the League of Arab States (LAS) would be needed to include Saudi Arabia and make sure it eases the tensions between the Arab neighbours of Libya.

In the absence of, or given the fragmented integrated border management by a centralised authority, the control of Libya's eastern, western and southern borders could be pursued through a mix of initiatives, inside or outside the country, national or regional, and brokered with different neighbouring stakeholders where NATO can play a different role in each. This would require strong political coordination between NATO, the EU, AU, and UN and outreach to the EU training and capacity-building missions already ongoing in Libya's southern neighbourhood in order to design a comprehensive strategy for stopping the flows of weapons, trafficked people, and foreign fighters across Libya's borders. NATO alone cannot reach such a goal, but probably only the Alliance has the political weight, capacity and useful assets to promote such a coalition (and implementing the necessary supporting missions) aimed at safeguarding the borders and the unity of Libya, in cooperation with the internationally recognised central authorities and the *inter moras* of the re-establishment of their effective control of the territory.

Protection of the Mediterranean Sea should be NATO's strategic long-term priority

Libya is the first point of departure for the majority of people illegally entering the EU through Italy's borders. In 2015, 92% (138,000) of those who arrived illegally in Italy departed from Libya, while in the first quarter of 2016 they numbered around 87% (25,000). The nationalities of the people illegally departing from Libya reflect the growing role of the country as a hub for different migration routes, with flows originating from Eastern and Western Africa, the Middle East and Central Asia. In fact, after 2011, Libya became the main gathering place for migrants traveling on two different routes: the "Horn of Africa" route, through Ethiopia and Sudan, with most arriving from Eritrea and Somalia; the "Gulf of Guinea" route of people mostly from Nigeria, Gambia, Senegal, Ivory Coast and Mali, crossing Mali, Niger or Algeria. In addition to these routes, Libya has become a destination of choice not only for Sub-Saharan Africa smugglers but also for those operating in other North African countries who bring migrants from Morocco and Egypt, the Middle East (Syria and Palestine) or Asia (Bangladesh).

The sea route from Libya to Italy was used intermittently until 2008 when a bilateral agreement between Italy and Libya put an end to it and the flow of people using this passage to gain illegal entry almost stopped entirely. Human smuggling is one of the most profitable and less risky criminal businesses in Libya and is connected with other criminal activities taking place across Libyan borders. Drug smuggling (mostly from Morocco), arms trafficking (both from Libya and to Libya), and oil smuggling proliferate. But the most dangerous transnational criminal syndicates smuggle people. They have established themselves in Sub-Saharan Africa, North Africa and Europe, using Libya as a hub for goods and people.

It will take time before these criminal activities are effectively challenged in mainland Libya—a successful anti-criminal effort can only be led by a well-functioning and credible government. On the sea, however, NATO can and should fight illicit trade and people-smuggling networks. The hybrid character of the threats coming from and through Libya, their proximity to the Mediterranean Sea and the present difficulties for projecting a stabilisation force in Libya, will configure a persistent near future threat for the security, safety and freedom of navigation in the Mediterranean, a sea that is of paramount importance for the economic and political wellbeing not only of the EU but also of the transatlantic community as a whole. This implies that NATO should look for any possible chance to assist the EU with improving the security environment of its maritime domain, providing concrete support and assistance within the framework of the maritime multilateralism that has been evoked in the European Maritime Security Strategy (2014).

NATO has already signalled a willingness to assist the EU as it expands Operation Sophia in the Mediterranean.¹⁵ That mission started as a somewhat small operation aimed at stemming the flow of refugees in the waters between Turkey and Greece. NATO ships are already helping with that mission. But now, the EU is turning its attention to the more dangerous sea crossing from Libya to Italy, where hundreds of migrants have recently lost their lives when their boats capsized. In response to those tragic events, NATO foreign ministers announced in May that the Alliance would take a look at its existing counter terrorism mission on the Mediterranean, Active Endeavour, and determine whether some of those ships might switch roles and support Operation Sophia.¹⁶

Determining precisely how NATO might assist Operation Sophia will take time. While Stoltenberg himself has mentioned the possibility that the Libyan government could send a team of experts to Brussels for consultations, what Sarraj actually wants remains unclear as no formal request to NATO has been made.¹⁷

The proper legal framework for a NATO/EU operation already exists. On 9 October 2015, the Security Council passed a Chapter VII UN Resolution (due to expire in October 2016) that authorises member states or regional organisations, under certain circumstances, to use force against smugglers and traffickers (“to use all measures commensurate to the specific circumstances in confronting migrant smugglers or human traffickers”). The same resolution authorises the inspection and seizure of non-flagged vessels (or with the consent of the flag state) on the high seas off the coast of Libya when they have “reasonable grounds” to suspect the vessels are used for migrant smuggling or human trafficking.

Within this framework, the EU and NATO ships could, for example, patrol closer to Libya’s shores to enhance their ability to deter smugglers. More importantly, once they start patrolling, resources are needed to process the rescued migrants’ documents either at sea or at the “hotspots” set up in Italy. On the Aegean, migrants are returned to Turkey as part of an agreement between the EU and Turkey. But given the instability inside Libya, returning rescued migrants to Libyan soil would carry far too much risk for both ships and migrants. It is not inconceivable, however, that given the GNA’s recent successes in fighting IS on Libyan shores, and once its authority is bolstered, an agreement to admit third-party nationals can be signed with Libya.

Such “crisis management” activity is consistent with the recent evolution of NATO mission mandates to include support for the local government in combatting human trafficking as well as improving border control, as was the case with ISAF, whose mandate has been enlarged to include support for the government of Afghanistan in countering human trafficking.

The building block of such a naval operation could be the existing Operation Active Endeavour, which has been executing its anti-terrorism mandate in the Mediterranean for 15 years now but has not been extended to conduct other types of maritime security. Transforming the old Active Endeavour mission into a broader Maritime Security Operation in the Central Mediterranean near Libyan waters will strengthen the military measures and maintain high political attention on the Libyan security dilemmas. There are several UN Security Council resolutions that need to be implemented, such as Res. 2240/15 (authorises the interdiction of vessels used for migrant smuggling or human trafficking on the high seas off the coast of Libya), Res. 2146/14 (imposes measures on vessels transporting crude oil illicitly exported from Libya), Res. 1970/11 and 2174/14 (establishes an arms embargo on Libya) and, finally, Res. 2292/16 (authorising inspection off Libya’s coast of vessels suspected of breaking the embargo). A NATO maritime operation in

¹⁵ On 22 June 2015, the EU launched a military operation in the Southern Central Mediterranean (known as Operation Sophia). The aim is to undertake systematic efforts to identify, capture and dispose of vessels as well as enabling assets used or suspected of being used by migrant smugglers or traffickers. In October of last year, the mission was expanded to include boarding, search, seizure and diversion, on the high seas, of vessels suspected of being used for human smuggling or trafficking.

¹⁶ R. Emmott, L. Wroughton, "NATO Agrees Bigger Mediterranean Mission to Stop Smugglers," *Reuters*, 2016, www.reuters.com/article/us-nato-foreign-libya-idUSKCN0YA1RO.

¹⁷ *Ibidem*.

the Central Mediterranean will, therefore, not only extend the outreach of Sophia but also enforce the UN resolutions on arms, oil, and human trafficking.

It will be welcomed if the “new” Active Endeavour mission has a broad spectrum mandate that includes all the general tasks such as situational awareness and upholding freedom of navigation and the specific one identified by UN Resolution 2292 (inspection of vessels in violation of the arms embargo and seizure of the weapons in international waters) but also includes the other tasks embraced in the previous UN resolutions on Libya, such as conducting maritime interdiction operations and maritime counter-terrorism. For these latter two tasks, NATO may contribute by providing additional surveillance capability and Intelligence Surveillance and Reconnaissance (ISR) using Maritime Patrol Aircraft.

The very minimum that NATO can contribute to controlling migration is to continue monitoring it in the Southern Mediterranean and tracking criminal networks. NATO might enhance its intelligence collection on migration and migration-related issues in the Mediterranean and ensure timely dissemination of its intelligence products to NATO member states and partner states.

Conclusion: A Far Bigger Challenge for Libyans than for NATO

After Syria, Libya has quickly become the second biggest source of instability in the Euro-Atlantic region, and it certainly has the dangerous potential of becoming the first. While NATO no doubt faces steep challenges in determining how it might support the UN-backed political process in Libya, it should do everything it can now to lay out and debate scenarios for future engagement there. As Stoltenberg so eloquently noted in his 2016 speech in Washington in regards to the importance of combatting terrorism and training local forces, “... a few months can mean the difference between a fragile state and a failed state.” Libya wasn’t mentioned specifically in that speech but given the country’s current fragility and IS’s interest in overrunning major centres of power there, the time is ripe for NATO to play a stabilising role in Libya.

Fundamentally, NATO’s role must be supplemental to the needs of the GNA and the Libyans themselves. Apart from the security challenges, the country first and foremost must develop economically, for example, by retaining the unity of the national oil corporation so that the GNA secures budget income and can provide services to the people. It is the sole most important underlying factor for the success of the GNA. Current oil production is less than 400,000 barrels a day, which is too little to be of use if any reform is to take place. Political and economic development is as crucial, if not more important than taking on security risks. In this capacity, the EU and the UN are already helping Libyans substantially, but NATO has a part there too, specifically to ensure its political acceptance in Libya. This is considered to be the most important single non-military issue for successful long-term engagement with Libya.

To not only help Libyans but also to ameliorate NATO’s image in Libyans’ eyes in order to be able to do more, the Alliance could support economic development in Libya by preventing oil smuggling out of the country and weapons smuggling into it, coordinating action to ensure that the assets of the Libyan people abroad cannot be used by individual Libyans, ensuring that specific Libyan citizens notorious for undermining peace and security in their country can no longer use the territory of NATO member states for illegal weapons procurement, money laundering and other unlawful activities, and making sure that arms sold to third states are properly tracked and under no circumstance end up in Libya.

Eventually, NATO may also need to find a mechanism for a political reduction of the conflict with Russia over Libya. This would need to involve functioning channels of communication with Russia on NATO’s intent in Libya, early identification of potential conflicts of interest and tools for their practical resolution. That, however, can only come once NATO’s importance to the resolution of the Libyan conflicts is clear and present.

About the Authors:

Paolo Quercia is a strategic analyst and political advisor, researcher at Center for High Defence Studies, Rome.

Patrycja Sasnal is the head of the Middle East and North Africa Project at the Polish Institute of International Affairs.

Julianne Smith is a senior fellow and director of the Strategy and Statecraft Program at the Center for a New American Security and former deputy national security advisor to U.S. Vice President Joe Biden.

Kurt Volker is the executive director of the McCain Institute for International Leadership at Arizona State University and a former U.S. ambassador to NATO.

The article published with the support of the International Visegrad Fund within the framework of the project “Warsaw Summit Experts’ Forum: NATO in Defence of Peace 2016 and Beyond”.

