

United States Policy in Libya: Intervention or Assistance?

Abstract

Libya is gaining a higher priority as a center of new Islamic State (IS) activity, a sort of terrorist safe heaven, exporter of refugees and a breeding ground for criminals and trafficking in persons. This study of the U.S. strategy in Libya for counter terrorism and counter insurgency, argues that the United States, with its allies and regional partners, is still assessing the security situation and that a long debate is taking place in Washington to consider the options for future engagement in Libya, with two parallel goals: to support the emergence of unified and capable national governance and reduce transnational threats posed by Libya's instability and Libya-based terrorists.

Introduction

Libya's political transition has been disrupted by armed non-state groups and threatened by the indecision and infighting of interim leaders. The main problem facing Libyans since the end of the 1940s up to and after the end of the rule of Qaddafi in late 2011, is finding a stable government to address pressing security issues, reshape the country's public finances and create a viable framework for post-conflict justice and reconciliation.

As of early 2016, the Islamic State's rise in parts of Libya had become a matter of deep concern among Libyans of course, and also among neighboring countries in Africa and Europe and the international community in general, with flows of migrants, refugees and contraband across Libya's unpoliced borders.

United States and Libya

The United States Administration decision to intervene in Libya in 2011 was based on the pretext of invoking the Responsibility to Protect principle (R2P), and in line with the Obama Doctrine, which sought to appear to comply with international law and in accordance with the world community, committed to the principle of "Leading from Behind". That was vital for eradicating the public image of post 9–11 U.S. unilateralism.

Besides, the 2011 intervention reflected the U.S. strategic vision as described in the 2010 *National Security Strategy* document that awarded a high degree of importance to the pursuit of interests through diplomacy, especially by working through international organizations and respecting international legal norms.¹

Since late 2014 conflict mitigation appeared to be the Obama Administration's top policy priority in Libya. U.S. officials and other international actors have worked since August 2014 to convince Libyan factions and their regional supporters that inclusive representative government and negotiation are preferable to competing groups' attempts to achieve dominance through force of arms. Up to December 2015, when the Security Council Resolution 2259 welcomed the 17 December signing of the Libyan Political Agreement to form a Government of National Accord

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¹ *United States National Security Strategy*, Washington DC: The White House, February 2015, p. 23, https://www.whitehouse.gov/sites/.../2015_national_security_strategy.pdf (accessed 23 June 2016).

(GNA), and called on its new Presidency Council to form that Government within 30 days and finalize interim security arrangements required for stabilizing the country.²

According to the Resolution 2259 (2015), the Security Council endorsed the 13 December Rome Communiqué supporting the Government of National Accord as the sole legitimate Government of Libya that should be based in Tripoli. It called on Member States to cease support for, and official contact with, parallel institutions claiming to be the legitimate authority, but which were outside of the Political Agreement. All Member States were requested to work with Libyan authorities and the United Nations Support Mission in Libya (UNSMIL) to develop a "coordinated package" of support to build Government capacity.³

Libya in the U.S. Strategy: Opportunities or Challenges

The U.S. State Department describes Libya as a terrorist safe haven, and the U.S. government suspended operations at the U.S. Embassy in Tripoli and relocated U.S. personnel out of the country in July 2014. Congress has conditionally appropriated funding for limited U.S. transition assistance and security assistance programs for Libya since 2011. Congressional consideration of the September 2012 attacks on U.S. facilities and personnel in Benghazi is ongoing.

Statements made by U.S. officials in 2016 suggest that U.S. counterterrorism concerns have grown from one side, to the extent that military action against the Islamic State, al-Qaeda and other extremists in Libya may continue and/or expand in as yet unspecified ways, even if political consensus among Libyans remains elusive.

Since the end of 2015, senior U.S. officials have acknowledged the interrelated nature of U.S. objectives. And here are some of these statements to better understanding of how the U.S. administration determines the threat of ISIL in Libya and, ways to deal with it.

In February 2016, senior U.S. intelligence officials identified the ISIL presence in Libya as the group's most developed branch outside of Syria and Iraq and suggested that presence could grow more dangerous if left unchecked. Defense officials believe that Islamic State supporters are moving towards Libya, having found it increasingly difficult to travel to Iraq and Syria. U.S. intelligence estimates suggest the size of the ISIL force there is between 5,000 and 6,000, up from about half that just a few months ago.⁴

According to the Pentagon, there is an effort to confront Islamic State beyond the confines of Iraq and Syria, which remains the primary focus, but as Islamic State metastasizes and spreads to other parts of the world, with the lack of obvious partners on the ground that make the threat more dangerous.⁵

According to the ex-director of U.S. National Intelligence, James Clapper, Libya becomes home to the second-largest and fastest-growing Islamic State group affiliate outside Iraq and Syria,

² *Unanimously Adopting Resolution 2259 (2015), Security Council Welcomes Signing of Libyan Political Agreement on New Government for Strife-Torn Country: 23 December 2015, 7598th Meeting*, New York: UN Security Council, SC/12185, 2015, <https://www.un.org/press/en/2015/sc12185.doc.htm> (accessed 30 April 2016).

³ *Ibidem*.

⁴ 'U.S. General: Number of ISIS Fighters in Libya Doubles', *CNN*, 8 April 2016, <http://edition.cnn.com/2016/04/08/politics/libya-foreign-fighters-isis-doubles> (accessed 30 April 2016).

⁵ *Department of Defense Press Briefing by Pentagon Press Secretary Peter Cook in the Pentagon Briefing Room*, Washington DC: U.S. Department of Defense, 19 February 2016, <http://www.defense.gov/News/News-Transcripts/Transcript-View/Article/659088/department-of-defense-press-briefing-by-pentagon-press-secretary-peter-cook-in> (accessed 10 May 2016).

and a major threat not just to the security of Libya, but also Egypt, Tunisia, Algeria, Mali, Niger and Chad. It could become a jumping off point for terrorist attacks in Europe.⁶

And here are some of the threats of ISIL, as explained by top U.S. officials.

1. ISIL's branches continue to build a strong global network that aims to advance the group's goals, often works to exacerbate existing sectarian tensions in their localities and also plan to strike at Western targets, such as the downing of a Russian airliner in October 2015 by ISIL's self-proclaimed province in Egypt.
2. In Libya, the group is entrenched in Surt and along the coastal areas, and has varying degrees of presence across the country, and is well positioned to expand territory under its control in 2016. The insecurity and conflict in Libya will persist in 2016, posing a continuing threat to regional stability. The permissive security environment has enabled the Islamic State to establish one of its most developed branches outside of Syria and Iraq. As of late 2015, ISIL's branch in Libya maintained a presence in Surt, Benghazi, Tripoli, Ajdabiya, and other areas of the country, according to press reports. Members of ISIL in Libya continue to stage attacks throughout the country.
3. Seeking to influence previously established groups, such as Boko Haram in Nigeria, to emphasize the group's ISIL identity and fulfill its religious obligations to the ISIL 'Caliphate'.⁷
4. ISIL threatens not only North African stability, but Sub-Saharan Africa and Europe as well.⁸
5. The fear to be on a glide slope to a situation like Syria and Iraq.⁹
6. In case of a country has resources, there is fear of a false caliphate with access to billions of dollars of oil revenue.¹⁰

U.S. Policies in Libya

First of all, I will talk about the legal basis for the military operations conducted by the United States against Islamic State in Iraq and Syria, and even the air strikes in Libya, and how they are consistent with both domestic and international law.

Domestically, the U.S. President's authority to fight ISIL is based on the authorization for the use of military force 2001 AUMF passed by the Congress and signed by the President only days after the 9/11 attacks.¹¹

⁶ *Statement for the Record Worldwide Threat Assessment of the US Intelligence Community*, Washington DC: Office of the Director of National Intelligence, 9 February 2016, p. 5, <https://www.dni.gov/index.php/newsroom/testimonies/217-congressional-testimonies-2016> (accessed 10 May 2016).

⁷ *Ibid.*, p. 23.

⁸ Susan E. Rice, *The Global Campaign against ISIL-Partnerships, Progress, and the Path Ahead*, Washington DC: The White House, 14 April 2016, <https://www.whitehouse.gov/the-press-office/2016/04/14/remarks-national-security-advisor-susan-e-rice-us-air-force-academy> (accessed 10 May 2016).

⁹ *Department of Defense Press Briefing by Secretary Carter on Force of the Future Reforms in the Pentagon Press Briefing Room*, Washington DC: U.S. Department of Defense, 28 January 2016, <http://www.defense.gov/News/News-Transcripts/TranscriptView/Article/645952/department-of-defense-press-briefing-by-secretary-carter-on-force-of-the-future> (accessed 02 May 2016).

¹⁰ *U.S. Secretary Of State Remarks at the Ministerial Meeting of the Small Group of the Global Coalition to Counter ISIL*, Washington DC: U.S. Department of State, 2 February 2016, <http://www.state.gov/secretary/remarks/2016/02/251992.htm> (accessed 02 May 2016).

¹¹ Stephen W. Preston, *The Legal Framework for the United States' Use of Military Force since 9/11*, Washington DC: U.S. Department of Defense, 10 April 2015, <http://www.defense.gov/News/Speeches/Speech-View/Article/606662/the-legal-framework-for-the-united-states-use-of-military-force-since-911> (accessed 2 May 2016).

The President's authority was further reinforced by the 2002 AUMF against Iraq, and the threat it posed on the national security of the United States.¹²

In February 2015, President Obama transmitted to Congress his draft AUMF against ISIL in a way that refined and ultimately repealed the 2001 AUMF to better fit the then current fight and the strategy going forward.¹³

The secretary of Defense Ashton Carter elaborated more on the issue in his testimony before the Senate Foreign Relations Committee¹⁴ that the proposed AUMF 2015 gives the authority and flexibility needed to prevail in the campaign against ISIL:

First: taking into account the reality that ISIL as an organization is likely to evolve strategically, morphing, rebranding, and associating with other terrorist groups, while continuing to threaten the United States and its allies.

Second: no geographical restriction for the military campaign, because ISIL already shows signs of metastasizing outside of Syria and Iraq to Libya, Yemen, Egypt, etc.

Third: the great flexibility in the military means needed to pursue the strategy, with one exception that the proposed AUMF doesn't authorize long-term large-scale offensive ground combat operations like those conducted in Iraq and Afghanistan as the strategy isn't calling for them. Instead, local forces must provide the enduring presence needed for an enduring victory against ISIL.

Fourth, the proposed AUMF expires in three years, in a way to afford the American People the chance to assess the progress in three years' time and provide the next President and the next Congress the opportunity to reauthorize it if they find it necessary, with no emphasis that counter-ISIL campaign will be completed in three years.¹⁵

The Secretary of Defense has added another key consideration to the above points, which is sending the right signals, most importantly to the troops, that their government stands behind them. Besides, it will be a signal to the coalition partners and the adversary that the U.S. government has come together to address a serious challenge.¹⁶

But Congressional inaction leaves the U.S. in an open-ended war without much debate on its duration, scope, or use of ground troops. It also gives lawmakers a pass in having to vote on authorizing a war they're otherwise happy to critique. This Congress inaction can be analyzed as a failure of leadership, primarily from the Commander in Chief and secondarily from Congress.

Besides, this proposed AUMF represented, according to many specialists, an effort to mandate a de facto third Obama term of national security policies. Also, the limitations on the use of military operations would likely cause a crisis in the case the coming Republican president chooses to follow his own policy, as simply we are close to a new president in the White House (January 2017).

Functionally, Congress is treating previous authorizations as unlimited declarations that authorize the President to use all force he deems appropriate, resting the legal case for war on previous authorizations and ride out the rest of Obama's term.

¹² Ibidem.

¹³ Ibidem.

¹⁴ *Secretary of Defense Testimony on the President's Request for Authorization to Use Military Force against ISIL before the Senate Foreign Relations Committee*, Washington DC: U.S. Department Of Defense, 11 March 2015, <http://www.defense.gov/News/Speeches/Speech-View/Article/606652> (accessed 02 April 2016).

¹⁵ Ibidem.

¹⁶ Ibidem.

According to the International Law, on the other hand, the U.S. War against terrorism in Iraq is committed to collective self-defense of Iraq, and U.S. national self-defense, and in Syria, consistent with Article 51 of UN Charter.¹⁷

Related to policies, The United States, with its allies and regional partners, continues to assess the security situation and a long debate is taking place in Washington to weigh up the options for future engagement in Libya, with two parallel goals:

- 1) to support the emergence of unified capable national governance;
- 2) reduce transnational threats posed by Libya's instability and Libya-based terrorism.

In pursuing these goals U.S. policy makers face a lot of choices regarding their relative priorities, including the types and timing of possible aid and/or intervention, the nature and extent of U.S. partnership with various Libyan groups, the potential use of sanctions or other coercive measures, and relations with other countries seeking to influence developments in line with their own interests.¹⁸

The Obama Administration is pursuing a comprehensive counterterrorism strategy¹⁹ that draws on every aspect of American power. Here is a look at various policies aimed at combating the threat of terrorism outside and inside U.S. borders.

On 10 September 2014 President Obama announced the formation of a broad international coalition to defeat Islamic State. Since then, the United States has led 66 international partners in a global coalition to counter ISIL with a focus on liberating Islamic State-controlled territory in Iraq and Syria, under the military operation name *Operation Inherent Resolve*. The mission is aimed at striking ISIL at its core, degrading its networks and constraining its prospects for expansion.

The U.S. military has killed several key Islamic State of Iraq and the Levant terrorists and on February 2016 the airstrikes on a training camp in Sabratha, a seaside town 50 miles west of Tripoli in Libya, targeted Noureddine Chouchane, a Tunisian militant associated with planning two major attacks on Western tourists in Tunisia last year, and helped arrange the arrival of Islamic State recruits into Libya, did demonstrate the United States' growing concern over Libya as a new base for the Islamic State and its willingness to use air power against militant commanders and infrastructure. Since 2016, American and allied Western officials have mulled a possible air campaign against the Islamic State in Libya, particularly around its *de facto* headquarters in Sirte. Libyan officials and news media outlets have reported the presence of American, French, British and Italian Special Forces units in the country since then, ostensibly on reconnaissance missions and to liaise with local militias.²⁰

In June 2015, American warplanes struck a farmhouse thought to hold Algerian militant Mokhtar Belmokhtar, who was affiliated with al-Qaeda, while in November another strike killed Abu Nabil, an Iraqi who ran the Islamic State's franchise in Libya.²¹ The raid was the third U.S. airstrike carried out against the Islamic State and Al-Qaeda elements in Libya.

¹⁷ Preston, *The Legal Framework...*

¹⁸ Blanchard, *Libya: Transition...*, p. 1.

¹⁹ *The U.S. Strategy to Defeat ISIL and Combat the Terrorist Threat*, Washington DC: The White House, <https://www.whitehouse.gov/isil-strategy> (accessed 06 May 2016).

²⁰ Declan Walsh, Ben Hubbard and Eric Schmitt, 'U.S. Bombing in Libya Reveals Limits of Strategy against ISIS', *The New York Times*, 19 February 2016, <http://www.nytimes.com/2016/02/20/world/middleeast/us-airstrike-isis-libya.html> (accessed 06 May 2016).

²¹ *Ibidem*.

But American officials stressed that such strikes did not herald the start of such a campaign, and instead was the continuation of targeted strikes that aim to prevent the Islamic State from using Libya as a springboard for attacks in the region or across the Mediterranean Sea in Europe. For the time being at least, the United States seemed set on continuing to attack targets of opportunity in Libya while supporting the troubled process led by the United Nations. President Obama said:

“We will continue to take actions where we’ve got a clear operation and a clear target in mind... At the same time, we’re working diligently with the United Nations to try to get a government in place in Libya. And that’s been a problem”.²²

On August 2016, at the request of the Libyan Government of National Accord (GNA), authorized by U.S. President Barack Obama on the recommendation of Defense Secretary Ash Carter and Chairman of the Joint Chiefs of Staff Gen. Joseph Dunford, the United States military conducted precision airstrikes against ISIL targets in Sirte, Libya, to support GNA-affiliated forces seeking to defeat ISIL in its primary stronghold in Libya. As a part of a comprehensive series of operations planned and controlled by AFRICOM. The first element of this three-phase plan is Operation Odyssey Resolve, consisting of intelligence, surveillance and reconnaissance flights designed to counter violent extremism in Libya. The second phase, Operation Junction Serpent, provided targeting information. The third element, Operation Odyssey Lightning, includes strike aircraft hitting those targets.²³

On 18 December 2016, the U.S. military formally announced the end of operations in the Libyan city of Sirte following the recent capturing of the coastal city from the clutches of ISIL as a major step towards ending terrorism in the country and for further national reconciliation. The United States Africa Command said that the U.S. drones, gunships and warplanes had hammered ISIL positions, conducting a total of 495 strikes.²⁴

Republican critics of the Obama’s administration strategy against Islamic State welcomed the airstrike in Libya. The Chairman of the House Intelligence Committee Rep. Devin Nunes (R-Calif.) mentioned that the threat posed by Islamic State couldn’t be countered without addressing the group’s presence in Libya, to the extent that he call for a new commitment by the Obama administration to put Libya at the center of a comprehensive strategy to defeat international Jihadist groups.²⁵

But on the other side, there were concerns among democratic congressmen that the air strikes represented a kind of commitment to a wider war without a full public debate. Of course, U.S. airstrikes on Islamic State militants in Libya is fueling a belief in a new front in the western-backed fight against the extremist group. But the way ahead for any military campaign there re-

²² *Remarks by President Obama at U.S. – ASEAN Press Conference*, Washington DC: The White House, 16 February 2016, <https://www.whitehouse.gov/the-press-office/2016/02/16/remarks-president-obama-us-asean-press-conference> (accessed 6 May 2016).

²³ Andrew Tilghman, ‘US Conducts New Round of Airstrikes against ISIS in Libya’, *Defense News*, 1 August 2016, <http://www.defensenews.com/story/breaking-news/2016/08/01/libya-airstrikes-isis-us/87914526> (accessed 30 September 2016).

²⁴ Terri Moon Cronk, ‘Liberation of Libyan City Highlights Latest Counter-ISIL Efforts’, Washington DC : Department Of Defense News, 19 December 2016, <https://www.defense.gov/News/Article/Article/1033994/liberation-of-libyan-city-highlights-latest-counter-isil-efforts>. (accessed 23 December 2016).

²⁵ Dan De Luce & John Hudson, ‘Why the U.S. Strike in Libya wasn’t About Libya’, *Foreign Policy*, 19 February 2016, <http://foreignpolicy.com/2016/02/19/why-the-us-strike-in-libya-wasnt-just-about-libya/> (accessed 30 April 2016).

mains unclear. In Libya, there's hardly any sign of a prospective local partner amid the civil war that rages between rival tribes, extremist groups and loyalists to the previous government.

The key for more U.S. military intervention is going to be finding willing, competent partners on the ground. And that is why the U.S. Special Forces teams are there in Libya to get a better sense of the playing field, and the players on the ground.

And here comes the role of the Government of National Accord (GNA), the sole legitimate authority in Libya that would be a turning point in the crisis situation of Libya in terms of the coming role. The first is the need to relax an arms embargo to help fight against the terrorist group ISIL. The Vienna conference co-chaired by U.S. Secretary of State and Italian Foreign Minister (16–17 May 2016), emphasized the partial lifting of the arms embargo. The second is reopening diplomatic missions in Tripoli as soon as possible. The next is delivering basic services and rebuilding the shattered economy.

On the other hand, there would be responsibilities on the international community, as the support of the United States and other western and regional powers, and that has already happened. Other logistical support represented in the supply of specific weapons to counter, and training the new government's presidential guard, and Libyan coast guard to do more to stop people smuggling across the Mediterranean to Italy, and finally resuming oil shipments from Libya.

U.N. Security Council Resolution 2259, mentioned before, endorses UN-facilitated plans for a Government of National Accord to complete the country's transition to a permanent representative government and reaffirms the Council's prior recognition of: "The need to combat by all means, in accordance with the Charter of the United Nations and international law, including applicable international human rights, refugee and humanitarian law, threats to international peace and security caused by terrorist acts, including those committed by groups proclaiming allegiance to ISIL in Libya".²⁶

Resolution 2259 further: "Urges Member States to swiftly assist the Government of National Accord in responding to threats to Libyan security and to actively support the new government in defeating ISIL, groups that have pledged allegiance to ISIL, Ansar al-Sharia, and all other individuals, groups, undertakings and entities associated with Al-Qaida operating in Libya, upon its request".²⁷

On February 2, the United States and other members of the Small Group of the Global Coalition to Counter ISIL released a statement saying: "We follow with concern the growing influence of ISIL in Libya, and will continue to monitor closely developments there, and stand ready to support the Government of National Accord in its efforts to establish peace and security for the Libyan people".²⁸

U.S. officials have arguably placed increased emphasis on the urgency of forming a GNA so that the new government can formally request U.S. and other assistance and lend some political legitimacy to foreign military intervention, which many Libyans either oppose or about which they harbor reservations.²⁹

In January 2016, U.S. Chairman of the Joint Chiefs of Staff General Joseph Dunford said:

²⁶ *Unanimously Adopting Resolution 2259 (2015)*.

²⁵ *Ibidem*.

²⁸ *Statement by the Ministers of Foreign Affairs of the Small Group of the Global Coalition to Counter ISIL*, Washington DC: U.S. Department of State, 2 February 2016, <http://www.state.gov/r/pa/prs/ps/2016/02/251995.htm> (accessed 30 April 2016).

²⁹ Blanchard, *Libya: Transition...*, p. 10.

“It’s fair to say that we’re looking to take decisive military action against ISIL in conjunction with the political process in Libya”.³⁰

According to the U.S. Special Operations Command-Africa (SOCAF) commander Brig. Gen. Donald Bolduc, the United States role in Libya should be based on a collective decision by the Libyans on what they want, which he believed to be related to the United States advice, assistance, training and a certain amount of equipping in order to be successful³¹. Also a Coalition Coordination Center has been established in Rome to plan and coordinate joint security efforts in Libya³².

The U.S. Defense Department has requested 125 million USD in FY2017 Counterterrorism Partnerships Fund (CTPF) monies for programs in the Sahel/Maghreb region that may benefit Libyan entities or address threats emanating from Libya through partnership with governments in neighboring countries. Tunisia has received significant amounts of security assistance from the United States in recent years, in part to meet threats posed by Libya-based groups.³³

Obama Administration officials have remained committed to providing as much transition support to Libyans as possible, and the Administration requested 20 million USD in foreign operations funding for Libya programming in FY2016.³⁴ Of the funds requested for FY2016, 10 million USD in Economic Support Fund monies would support governance and civil society programs, and 10 million USD split among security assistance accounts would support assessment of and engagement with Libyan security forces. The FY2016 Consolidated Appropriations Act (P.L. 114-113, Division K, section 7041[f]) states that: “Not less than \$20,000,000 shall be made available for assistance for Libya for programs to strengthen governing institutions and civil society, improve border security, and promote democracy and stability in Libya, and for activities to address the humanitarian needs of the people of Libya”.³⁵

For FY2017, the Administration is seeking 20.5 million USD in State Department administered bilateral assistance. According to the request, U.S. programs are designed, in coordination with the international community, to support Libyan government and civil society efforts to establish a democratic, representative political system; strengthen the capacity of critical Libyan institutions to deliver services; secure Libya’s territory; and build an effective and civilian-led national security system.³⁶

Prior to mid-2014, the Obama Administration and Congress reached a degree of consensus regarding limited security and transition support programs in Libya, some of which responded to specific U.S. security concerns about unsecured weapons, terrorist ‘safe havens’, and border security. Given that U.S. military involvement in Libya has deepened in 2016 to combat the Islamic State and potentially to provide support to the national security forces of an emergent Government of

³⁰ Lisa Ferdinando, *Dunford Discusses ISIL, ‘Decisive Action’ in Libya with French Counterpart*, Washington DC: U.S. Department of Defense, 22 January 2016, <http://www.defense.gov/News-Article-View/Article/644249/dunford-discusses-isil-decisive-action-in-libya-with-french-counterpart>, (accessed 30 April 2016).

³¹ Yaroslav Trofimov, ‘Libya Will Need American Help to Defeat Islamic State, General Says’, *Wall Street Journal*, 29 February 2016, www.wsj.com/.../libya-will-need-american-help-to-defeat-islamic-state-general-says-145, (accessed 30 April 2016)

³² Ibidem.

³³ Blanchard, *Libya: Transition...*, p. 12.

³⁴ Colby Goodman, ‘U.S. Shifts to Increase Military Aid to the Maghreb and Sahel’, *Security Assistance Monitor*, 17 February 2015, <http://securityassistance.org/blog/us-shifts-increase-military-aid-maghreb-and-sahel> (accessed 30 April 2016).

³⁵ *Consolidated Appropriations Act, H.R. 2029*, Washington DC: U.S. Congress, 18 December 2015, <https://www.congress.gov/bill/114th-congress/house-bill/2029/text>, (accessed 30 April 2016).

³⁶ Blanchard, *Libya: Transition...*, p. 12.

National Accord, Congress may choose to reexamine the basic terms of any proposed U.S. – Libyan cooperation. In the meantime, Congress also may choose to conduct oversight of ongoing U.S. diplomacy and assistance programs or examine criteria for the potential resumption of U.S. diplomatic operations in Libya³⁷.

Another key for more U.S. military intervention is the coming administration, the American President has a constitutional role as Commander in Chief of the Armed Forces, and position on the world stage, especially with the rise of international terrorist organizations and terror attacks all over Europe in France, Brussels, Turkey, etc., and in other parts of the world, which is why foreign policy issues have come to the fore in the most competitive presidential campaign in the United States, in my opinion.

Although the next U.S. President is going to face a hard choice given the turmoil in the Middle East and North Africa region related to engagement and doing much more to stabilize it, or disengagement from it even much more? And now? Donald Trump was sworn in as the president on 20 January 2017, and his cabinet is putting the broad lines together for the new American foreign policy, in which the issue of the fight against terrorism is an important hub, and Libya occupies a pivotal position.

I will focus on the crisis of Libya in the presidential candidates, in a way to show the degree of differences in strategies and policies between both candidates. For the democratic candidate Hillary Rodham Clinton: she has strongly supported the maintenance of a strong army, but she is totally opposing American Exceptionalism, and supporting advance U.S. interests by building alliances and working with other countries on mutual interests, like the UN and other international institutions, to make it easy for the U.S. to withdraw or restrict their actions. That means Clinton is favoring more disengagement from the Middle East, taking into consideration that she was one of the most supporters to the rebalancing to Asia Pacific in the Obama Administration.

For the Republican Donald Trump: ISIL is making millions of dollars a week selling Libya oil, without any American response: blockade or bomb. It's almost as if the United States doesn't even know what's happening, which could be a fact and could be true. And for counterterrorism Trump prefers to work with any nation in the region that is threatened by the rise of radical Islam on a two-way street strategy, and related to war against ISIL, he said: "ISIS will be gone if I'm elected president. And they'll be gone quickly. They will be gone very, very quickly".³⁸

There will be long-term plan to halt the spread and reach of radical Islam as a major foreign policy goal of the United States and the world, working with U.S. allies in the Muslim world. Events may require the use of military force, but it's also a philosophical struggle, like the long struggle in the Cold War.³⁹

Related to ground strategy in the Middle East, in a March 2016 debate Trump seemed to indicate he would be willing when he is president to deploy tens of thousands of U.S. troops to fight Islamic State. "We really have no choice. We have to knock out ISIL", Trump said: "I would listen to the generals, but I'm hearing numbers of 20,000 to 30,000".⁴⁰

³⁷ Ibid, p. 15.

³⁸ 'Transcript: Donald Trump's Foreign Policy Speech', *The New York Times*, 27 April 2016, <http://www.nytimes.com/2016/04/28/us/politics/transcript-trump-foreign-policy.html> (accessed 02 July 2016).

³⁹ Ibidem.

⁴⁰ 'The Next Commander in Chief. See where Donald Trump wants to take U.S. foreign policy', *Council on Foreign Relations*, 2016, <http://www.cfr.org/campaign2016> (accessed 02 December 2016).

Trump also favors the creation of so-called safe zones for refugees in parts of Syria. He has said the U.S. military could lead efforts to protect these areas but that other countries, particularly the Gulf States and Germany, should pay for the operation, and Russia should make moves in Syria, as is the case for Germany defending Ukraine.⁴¹

To sum up, Trump strongly favors a robust military, but building smart and not necessarily big, to cut back on the troops stationed abroad and focus on quality of troops not quantity, and he supports American Exceptionalism. Working with allies and partners is important, but the United States will engage more in the Middle East to the far of ground military intervention to destroy ISIL.

Remarks

In Libya, the United States had thrown its weight behind a United Nations-led initiative to bring the country's warring factions into a unity government. That process has been plagued by rivalry between Libya's myriad political and militarized factions, and in the meantime, Western alarm at the dramatic expansion of Islamic State in Libya has grown.⁴²

The division over what action the U.S. and the international community should take in Libya speaks to the uncertainty about when and where ISIL should be countered: For Europe, Libya is uncomfortably close and already a jumping off point for migrants willing to take on the rough Mediterranean waters in search of asylum. ISIL pronouncements have previously pointed out that Rome is nearby. Besides terrorist attacks all over Europe, some military officials believe Obama feels that France and Italy, which both have hinted at intervention, should take the lead in any military efforts. Both countries were key to the NATO-led campaign in 2011 that led to Gaddafi's fall, and the United States wants to limit its war against the Islamic State to Iraq and Syria. If the United States should lead in Iraq and Syria, then Europe needs to lead in Libya. By dint of its economic ties and proximity to Europe, Libya threatens European interests far more directly than it does American ones, and NATO's role in the 2011 intervention in Libya can serve as a precedent for European leadership. Of course, the Europeans will not take on the challenge if they are not convinced that the United States intends to do its part to quell the Middle East's civil wars, further underscoring the importance of a coherent, properly resourced U.S. strategy. To aid Europe's fight in Libya, Washington will undoubtedly have to commit assistance related to logistics, command and control, and intelligence, and possibly even combat advisers. But taking into consideration the new developments in Europe, Brexit (Britain Exit E.U.) will result in an E.U. that will be even busier with Europe. This would mean less attention to foreign policy in general, and thus towards the Middle East and North Africa in particular. The European Union loses one of its foreign policy heavyweights: without Britain, Europe is weaker, and this will have its impact on intervention in the Libyan crisis.

For the United States, there are major concerns about allowing another ISIL hub to emerge in the region. While the Islamic State has emerged in other places in North Africa, West Africa and Afghanistan, Libya is seen as its key focus outside of Syria and Iraq. The Washington debate over whether or not to use military force against the Islamic State group's Libya branch is increasingly intense. Opponents of direct military action against the group at this point are right. Such action

⁴¹ Ibidem.

⁴² 'Transcript...'

only offers a quick fix. Opponents of intervention, however, fail to realize that military action is likely needed for a more difficult task – restoring Libya’s sovereignty.

If *de facto* arguments against the use of force in Libya are overblown, calls for direct military action against the Islamic State group are grounded in a misdiagnosis of Libya’s underlying problem. As in Syria, the group thrives in Libya thanks to a civil war that has destroyed the Libyan state. If nothing is done to resolve the underlying problem of Libyan statelessness, direct action against the Islamic State group will only open the door to the spread of al-Qaeda in the Islamic Maghreb, Ansar al-Sharia or one of the other Salafi jihadist groups operating in the region.

Western intervention is of a much lower scale than suggested months ago, partly because the Sarraj administration is under attack of being pro the west, and cannot seem to be dependent on the United States or Europe for help. Many Libyan experts argue against the use of force in Libya on the grounds that another foreign military intervention in Libya will meet with massive resistance from a Libyan population they judge to be unusually suspicious of outsiders. True, some Libyans, such as ISIL, will surely use a foreign intervention to their advantage. But for most Libyans, a range of other factors will determine how they react to foreign boots on their soil. Foremost among these will be whether their lives are improving.

U.S. and European cooperation and assistance to counter ISIL in Libya is essential and Libya is unlikely to ever be peaceful without outside military support. But checking ISIL’s growth in Libya will not be easy. Leaders should prepare for the inevitable costs and tough choices ahead.

Conclusion

No matter of intervention, the problem continues to be related to the political situation in Libya. The best option right now is thus to use force selectively to support the strengthening of the Libyan state. Specifically, the international community needs to be far more assertive about the use of political, economic and military power to coerce key players in Libya to get behind the U.N. brokered unity government and begin the task of rebuilding the country. This strategy is more difficult than striking the Islamic State group, but promises a more lasting effect.

And here the role of regional partners is very critical, and Egypt has a lot of weight in Libya, supporting the GNA, and also the forces of General Khalifa Haftar. Egypt, concerned by border security, is reluctant to abandon its support for Haftar. Egypt’s support for the kind of the European intervention in Libya is incomplete, and that is clearly reflected because of the Egyptian Italian differences over the recent crisis between both countries after killing of the Italian researcher Regeni in Cairo.

The role of the third party to settle a civil war long before it might end on its own is something possible, and Libya isn’t an exception. Scholars of civil wars have found that in about 20% of the cases since 1945, and roughly 40% of the cases since 1995, an external actor was able to engineer just such an outcome. Doing so is not easy, of course, but it need not be as ruinously expensive as the United States’ painful experience in Iraq.⁴³

There are three objectives needed to be accomplished by the intervening power to end the civil war, and in the Libyan case the external actors should be regional and international. First, it

⁴³ Kenneth M. Pollack, ‘Fight or flight: America’s choice in the Middle East’, *Brookings*, 16 February 2016, <http://www.brookings.edu/blogs/markaz/posts/2016/02/16-americas-choice-in-middle-east-pollack> (accessed 02 July 2016).

must change the military dynamics such that none of the warring parties believes it can win a military victory and none fears that its fighters will be slaughtered once they lay down their arms. And this will take time in Libya, because of its tribal structure, and also because of the fact that ISIL isn't the only extremist faction in Libya. All of this in a way makes it as complicated as dealing with Syria and Iraq. The Second, it must forge a power-sharing agreement among the various groups so that they all have an equitable stake in a new government, and in the Libyan case, the GNA is still struggling to assert its authority across the country, and still hasn't been formally recognized by the Libyan Parliament. Also the Coexistence Agreement on 24 June 2016, in Confronting the State of Division and Conflict in Libya, signed by President of the Libyan House of Representatives and Senior Commander of the Libyan Armed Forces Aguila Saleh Issa and First Commander in Chief of the Libyan Armed Forces Khalifa Belqasim Haftar, is a step to more power sharing. Third, it must put in place institutions that reassure all the parties that the first two conditions will endure. To some extent unknowingly, that is precisely the path NATO followed in Bosnia in 1994–1995 and the United States followed in Iraq in 2007–2010.