Middle East and North Africa Summary

Local Conflicts, National Stability: Managing Conflict in Libya as a Platform for Successful Transition

Libya Working Group

June 2013

INTRODUCTION

This paper is a summary of discussions that took place during a Libya Working Group seminar on *Local Conflicts, National Stability: Managing Conflict in Libya as a Platform for Successful Transition*, held at Chatham House in June 2013. The seminar was hosted by the Chatham House Middle East and North Africa Programme in partnership with the Centre for Humanitarian Dialogue, Interpeace and the Peaceful Change initiative (PCi).

The seminar reflected on the success of immediate responses to local crises/conflict in Libya since October 2011, how to develop sustainable conflict management capacity, and the link between local conflicts and national transition processes. It was attended by select Libyan and international policy representatives.

The summary is organized into sections looking at the challenges causing or deepening conflict, lessons learnt on conflict management in Libya, recommendations for more effective conflict management, and suggested focus of support from the international community.

The meeting was held under the Chatham House Rule and the views expressed are those of the participants. The following summary is intended to serve as an *aide-mémoire* to those who took part and to provide a general summary of discussions for those who did not

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The Chatham House Rule

'When a meeting, or part thereof, is held under the Chatham House Rule, participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed.'

The challenges causing or deepening conflict

Historical grievances between towns or communities: For example, land disputes that may have been created or exacerbated during the Gaddafi era, and have subsequently re-emerged during the transition. It was suggested that there are other grievances that have the potential to manifest themselves in violence if not properly addressed at an early stage.

Perceived 'winners', 'losers' and marginalization: It was felt that efforts to build a new sense of Libyan nationhood and unity were being undermined by divisions in society between those that perceive themselves to be 'winners' in the revolution and those that perceive themselves to be losers, or to be otherwise marginalized.

Competition over power and influence (at the expense of rule of law): It was understood that the transition has been affected by ongoing conflicts for power and influence, played out against the backdrop of low capacity in the judicial sector and low public confidence in social justice. This was seen in the context of both dealing with the consequences of Gaddafi-era policies, as well as the post-revolution experience of groups, communities or cities assuming control in the absence of effective state authority.

Disputes over citizenship and nationality: Some local conflicts were said to be fuelled by disputes over who has the right to Libyan citizenship. Such disputes were seen by participants as largely resulting from inconsistent application of immigration policy within and across different communities during the Gaddafi period. Confrontations over citizenship have been further exacerbated by weak border controls and lack of clear guidelines for acquiring citizenship.

Inflammatory media coverage: Negative media influence on local conflicts was described using the Arabic word *fitnah*, meaning to spread discord or cause problems between people. The discussion did not expand on the way the media contributes to *fitnah* – whether through poor skills or inexperience, or as a result of deliberate political manipulation.

Stagnation of the Libyan economy: Despite the promise of the oil industry to deliver economic prosperity, it was argued that there needs to be immediate and long-term planning to re-align the Libyan economy. It was said that particular emphasis should be placed on developing a robust private sector to soak up over-capacity in the public sector and as an alternative for young people in armed groups.

Open borders and migration (strongly connected to citizenship): The challenges of managing both large desert borders to the south, and sea borders to the north, were discussed; especially in light of weak capacity within the reforming security agencies. The most problematic migration patterns were seen as deriving from sub-Saharan Africa and passing through Libya on the way to Southern Europe. As such, the partial responsibility and interest of the European Union was emphasized.

Low capacity in security forces to prevent and manage conflict: This was explained both in terms of low professional skills, and the need for modern equipment, especially in the context of widespread weapon ownership in society. In particular, helicopters, and other logistical support for quickly deploying personnel and equipment, were seen as essential for effectively responding to conflict challenges and projecting central authority in the south.

Rules of engagement (when dealing with internal confrontations): Libyan security actors have adopted strict rules of engagement, so as to minimize civilian casualties (which would further fuel conflict). While it was emphasized that tight restrictions were appropriate for dealing with civilian protest, it nonetheless creates significant difficulties when faced with heavily armed brigades.

LESSONS LEARNT ON CONFLICT MANAGEMENT IN LIBYA

The importance of the 'social fabric' in Libya: Participants emphasized the importance of shared cultural and religious values across Libya in reducing and preventing social violence. These common values were thought to be essential in the absence of a written constitution to manage conflicts.

Issues to be addressed include:

- How to reinforce shared social values within the workings of local government and civil society, so as to reinforce local conflict management capacity?

- How should this be reflected in the new constitution and/or future legal framework?

Important, but limited, role of traditional mediation: Traditional elders were identified as having played an important role in dealing with post-revolution conflicts, as they have the ability to access parties and mediate between them. However, it was felt that while they had been necessary and effective 'fire-fighters' (stopping violence/negotiating ceasefires), traditional elders have limited ability to deal with the 'root causes' causes of conflict and do not have access to all segments of Libyan society – meaning that important groups may be excluded from mediation processes.

Issues to be addressed include:

- How to develop a more comprehensive infrastructure for understanding conflicts and dealings with 'root causes'?

- How to do this in a way that does not dilute or undermine the effectiveness of traditional mediation to fight fires (stopping violence / negotiating ceasefires)?

The important role of the emerging civil society in Libya: Examples were discussed where civil society has worked separately, and in support of, traditional elders in managing conflicts or resolving disputes. Civil society is seen as playing an important role in maintaining the positive change in society resulting from the revolution, encouraging interest in dialogue and civic participation, and creating potential avenues for engagement with hard-to-reach groups such as extreme religious groups (see also below).

Issues to be addressed include:

- How to ensure that both central and local government grow their understanding of the role that civil society organizations can play in facilitating dialogue in local conflicts?

- How to maximize the potential role of civil society in supporting credible and visible follow-up to such dialogue (e.g. implementing or monitoring agreements) so that they are seen to be effective?

Lack of a national vision for, and coordination on, peace-building: It was suggested that Libya currently lacked the right infrastructure for longer-term peace-building to complement and build on its crisis response efforts. Participants discussed the need to tackle the root causes of problems, as part of a better coordinated effort towards national reconciliation, incorporating relevant institutions and non-state actors.

- Issues to be addressed include:

- How to gain consensus by the different stakeholders on a vision for peace-building, and to identify the most effective form of coordination among relevant institutions and non-state actors?

- How to communicate the resultant shared vision, clarity of roles and responsibilities, and coordination and accountability mechanisms, to the wider Libyan society?

RECOMMENDATIONS FOR MORE EFFECTIVE CONFLICT MANAGEMENT

Identify the right point from which central coordination and leadership on effective conflict management can be applied in Libya. This would:

- Unify and coordinate the various initiatives, institutions and other actors behind a common approach and shared vision; and

- Ensure effective follow up across government ministries/departments and with expert groups, and free senior government time from the need to be actively involved in the detail of every dispute.

Examples were discussed of how such bodies are organized in the international community, although it was recognized that the opportunity was for Libya to develop an approach suited to its current context and experience. For example, it was agreed that to have credible authority, such a body would normally need to be situated near the heart of government, such as in the Prime Minister's Office. However, it was also recognized that there was a good body of experience held in the General National Congress' (GNC) Reconciliation Committee, which could play an important role in bringing together disparate groups of elders. Furthermore, it was also noted that there was a process underway within the GNC to reform the committee with a budget and mandate to work more on longer term peace-building.

Issues to be addressed include:

- What is the appropriate structure (whether from an existing or new body), and how to incorporate existing bodies and ensure that their different strengths are maximized? and

- How to ensure appropriate resources are made available for long-term peace-building activities, including the development and implementation of agreements related to the return of displaced persons?

Develop a national approach for delivery of local services in communities experiencing conflict/tension. This would:

- Build trust between local authorities and communities, and between different groups in the same locality; and

- Ensure a complimentary source of coordination and leadership on local conflict management in support of, and contributing to, wider national conflict management.

Participants recognized the important role of local councils in filling the governance vacuum after the revolution, the opportunity for elections of new local councils to build democratic legitimacy, and that effective local governance would contribute to a new social contract for Libya. Local councils were also seen as an important vehicle for enabling local conflict management and building social cohesion. This role was thought to include ensuring that services meet local needs without exacerbating existing or potential sources of conflict, and helping to coordinate civil society and traditional elders.

Issues to be addressed include:

- How to build leadership and communication skills, and mechanisms for engaging inclusively with local communities, CSOs, traditional elders and other key local partners, e.g. international business investors? and

- How to build trust between local communities and the local authorities against a backdrop of historical experiences of conflict or mismanagement, e.g. through quick-wins?

Prioritise and enable effective national dialogue in Libya. This would:

- Be the basis for creating a culture of inclusion and civic participation for all components/communities in Libya, and

- Incorporate key transition issues such as the development of the constitution and/or developing a new sense of Libyan nationhood.

For real inclusion and dialogue to take root, it was argued that Libya should be a place where all Libyans felt they had a say, and fair access to justice, whichever side of the revolution they were on. It was also suggested that there was an historic opportunity to activate a new national consciousness, built through national dialogue – particularly on the new constitution – that could overcome a history of imperial projects and dictatorship. Participants said dialogue should focus on armed groups, extremist groups and youth, in order to address urgent sources of instability. It was suggested that the role of civil society, including traditional elders, could be strengthened in this regard,

i.e. as a way to dialogue with groups that may be reluctant to engage directly with government bodies.

Issues to be addressed include:

- How to ensure that dialogue has effective follow-up (e.g. to implement agreements and to ensure continual engagement and communication with directly affected communities)? and

- How to ensure that interventions are seen to be impartial and not favouring one side or another (e.g. based on clear legal or consent-driven criteria)?

Increased capacity of the security and justice sectors. This would:

- Ensure that justice was seen to be equally accessible for all sections of Libyan society, and

- Enable the effective exercise of central authority.

The challenges and restrictions facing the national security forces were discussed at length, as were recommendations for international support (see 'Challenges' and 'Support' sections above and below respectively). It was said that increased security and justice capacity are essential contributions towards conflict management. For example, through arbitration of land disputes, delivery of equitable compensation or fostering dialogue within the rule of law as an alternative to armed confrontation.

Build capacity for more effective border management. This would make a contribution to conflict management through:

- Enabling more effective control of migration, and smuggling of goods and weapons at the national level; and

- Mitigating potential sources of conflict between border communities at the local level.

The challenges of nationality and citizenship were discussed at length (see above) and were seen as an essential part of the national dialogue on the constitution. Also discussed were the shortfalls in skills and equipment for the border authorities. The continual application of a Gaddafi-era, global ban on sales of heavy weaponry to Libya was also raised as a significant impediment to rebuilding the capacity of the army and to the efforts of the government to reigning in the armed groups.

SUGGESTED FOCUS OF SUPPORT FROM THE INTERNATIONAL COMMUNITY

- Advice on the formation of, and mentoring for, a national body for leadership and coordination on conflict management.

- Improving leadership and administration skills for the new local authorities, particularly in effective communication between officials and local community leaders to encourage transparency and increased civic participation.

- Advice on a process of national dialogue, in particular in the development of the constitution, with an emphasis on equipping Libyan society with skills for effective policy dialogue on a national scale.

- Developing clear monitoring and evaluation benchmarks for the effectiveness and impact of conflict management initiatives – especially those of external/international actors.

- Better equipment and training for security services, including through lifting of the Gaddafi-era embargo on selling heavy weaponry to Libya and support for logistical capacity.

- Support for, and mentoring to, senior level border management.

- Accelerated development of small and medium enterprises, as alternative employment for young people to joining armed groups, with a focus on training and expertise in private sector development.

- Access to smuggled or frozen Libyan assets abroad, through legal means, as an expression of international political support for Libya's transitional authorities in their re-building efforts, to provide material support for development programmes and to demonstrate effective government action.

- More effective media, that is able to report in a more positive manner on difficult issues in society.