



# SECURITY SECTOR REFORM FOR LIBYA

A CRUCIAL STEP  
TOWARDS STATE BUILDING

Dr. Murat Aslan

Contributors:

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A CRUCIAL STEP  
TOWARDS STATE BUILDING

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## ACRONYMS

|        |   |
|--------|---|
| CGS    | Chief of General Staff                          |
| CS     | Abu Salim Central Security Forces               |
| CSA    | Central Security Apparatus                      |
| CVE    | Countering Violent Extremism                    |
| DAESH  | Al-Dawla al-Islamiya fi al-Iraq wa al-Sham      |
| DDR    | Disarmament, Demobilization and Reintegration   |
| GIS    | General Investigation (or Intelligence) Service |
| GNA    | Government of National Accord                   |
| GNC    | General National Congress                       |
| GS     | General Staff                                   |
| IDDRS  | Integrated DDR Standards                        |
| LAF    | Libyan Armed Forces                             |
| LIS    | The Libyan Intelligence Service                 |
| MoD    | Ministry of Defense                             |
| Mol    | Ministry of Internal Affairs                    |
| NGO    | Non-governmental Organization                   |
| NTC    | National Transitional Council                   |
| PM     | Prime Minister                                  |
| PMO    | Prime Minister's Office                         |
| SDF    | Special Deterrence Force                        |
| SSC    | Supreme Security Committee                      |
| SSR    | Security Sector Reform                          |
| The UN | The United Nations                              |
| TRB    | Tripoli Revolutionaries Battalion               |
| UK     | United Kingdom                                  |
| WEAL   | Weapons, Equipment, Assets and Logistics System |

## ACKNOWLEDGEMENT

The security sector reform research and report took more than two years to conclude the actual status and specific proposals by a handful of the security community. Libyans, who offered their distinguished ideas and experiences, are the actual architect of the overall project. They were frank and dedicated to seeing a safe, secure, and prosperous country while being aware that they could somehow sacrifice their status after a probable reformation. All interviewed Libyans were insistent on the requisiteness of security sector reformation. They suggested precise and concise ideas to realize the reformation.

The only beneficiary of this survey was overall Libya and interviewed Libyans embraced this inspiration. The Security Sector Reform Research Team of BINA Project appreciates their dedication and contribution to set a reformation process within objectivity. SESRIC offered and encouraged the Security Sector Reform Project by sponsorship, presence in the workshops, and guiding ideas. SETA Foundation mobilized all of its assets to promote and ease the overall process. The Security Sector Reform Team is thankful to the efforts of the SESRIC and SETA Foundation due to their commitments and honest critics. I, also, tank for the commitments and dedication of the SSR Team members. I appreciate Emrah Kekilli, Dr. Veysel Kurt, Bilal Salaymeh, Gizem Gezen due to their distinguished contributions.

This research and concluding report represent a determination to start a reformation process in Libya. We, all, hope to see a safe and prosperous Libya disregarding if this report is counted as eligible or not. The issue is to inspire the ones who start a reformation in Libya even by a sole claimed word or concept of this report.

Dr. Murat Aslan

*Editor*

The SSR Team Leader

## FOREWORD

The Bina program is a state-building program that was launched to support fragile and conflict-affected countries by the Libyan Program for Reintegration and Development (LPRD), the Islamic Development Bank (IsDB) and the Statistical, Economic and Social Research and Training Centre for Islamic Countries (SESRIC). The main goal was to help Libya and its people overcome the challenges they face in building a new strong, prosperous country. The program was initiated after consulting Libyan, Turkish, international experts, think tanks and the Organisation of Islamic Cooperation (OIC). They all suggested that one of the main efforts should be a research project into the three main areas Libya needs most to work on: Security Sector Reform (SSR), Countering Violent Extremism (CVE) and Public Administration Reform (PAR). It would analyze the fragility of the state institutions and challenges to rebuilding the new Libya and then put forward a set of solutions for Libyans to implement.

The first study focused on SSR because of its importance to stabilizing, securing and building peace in Libya. Libyan researchers and practitioners provided local facts and built their capacity by engaging with Turkish and other international experts to benefit from their experiences. This model had its managerial challenges

but proved to be rich in expertise and in providing accurate analysis and practical solutions to the Libyan case. Adopting a holistic approach, the project examined the current status of the entire Libyan security sector including the police/interior forces, the intelligence agencies, the military and the armed groups that were formed after the Libyan revolution in 2011. After more than nine months of hard work that included many workshops and interviews with Libyan practitioners, officials and experts; the mission of analyzing and proposing solutions to reforming the security sector in Libya has been accomplished.

The next very important phase will be to disseminate the research findings and solutions to the Libyan public and decision makers. This task is no less important than the research itself since the main goal is to help Libyans rebuild their institutions through a clear roadmap and solutions that can and shall be implemented with the will of the people and the decision makers. We shall launch a series of forums, workshops and events with Libyan ministries, civil society and the general public to raise awareness on the importance of SSR and to discuss the solutions proposed by our research. BINA program shall continue its efforts to support Libyans in their state-building endeavor with a firm belief that they will reach their goal in creating a secure, stable, strong and prosperous Libya for all its citizens.

Last but not least, I must with all sincerely thank and congratulate each person who participated in putting together this valuable research including the partners behind this work: SESRIC, IsDB, LPRD and SETA.

Mustafa Elsagezli  
*General Manager*  
LPRD

## PREFACE

Libyan people are striving for a secure and prosperous life for decades. An authoritarian regime devastated the lives for many years while the 2011 Revolution hoped to start a state-building effort. Unfortunately, both internal and external challenges hindered such an undertaking. Long-lasting conflictual environment and the latest security concerns inside Libya reminded why a security sector reform needs to be planned, programmed, and implemented. In this sense this project aims at depicting the status of the current security architecture, questioning the root causes of the deficiencies, and proposing courses of actions to build an efficient security structure. The number and context of proposals may be enlarged are amended pending to the world views and experiences of the ones who are interested in reforming the security sector though; this piece of research is just designed to ignite the first momentum in the way to inspire.

The research project was based on a methodology that will erect the overall process upon objectivity. For this purpose, a group of experts surveyed utilizing workshops with Libyans or interviews. Libyans and experts on Libya's security sector are selected from differing segments of Libyan society regarding their background, opinion leadership status, and the region they could represent. The

overall interviews and workshops are designed to examine strategic level security mechanisms, force structures, and how the reformation itself could be achieved. Essential principles of building a promising security sector, within the scope of Libyan security sector vision, are identified to guide the overall process and to identify the tenets of Libya's post-conflict security.

The Security Sector Reform Team, with their all impartiality and dedication, was insistent on privileging the whole Libyan community rather than specific subgroups of the society. The motivation is to build a 'security system' that will function under democratic and civil control and subject to accountability and reliability. The Team is aware of the fact that this report designates a commitment to start a security reformation in Libya though; the implementation and strength of the established security architecture are pending to the willingness of Libyan people and political decision-makers.

## EXECUTIVE SUMMARY

The slogan and aim of the research are to determine the basics of the SSR reform to have an inclusive and capable security architecture for a united Libya under civilian and democratic control. The purpose of SSR research is not to impose a western/liberal reform agenda. Rather it aims to work with partner governments and civil society to develop a security sector that reflects local norms, history, and tradition which is economically sustainable, operationally effective, and meets basic international democratic standards of security sector governance. In this sense initial issue in concern is to establish and augment Libya's security by the reformation process of the security architecture to build societal order and stability inside, along with strengthening defense against external threats/risks. This course will facilitate the functioning Libyan state and prosperity for the Libyan people. In this context, the research question to be responded by this research is "By what context and how can the SSR be achieved in Libya to prevent further grievances of the post-conflict era?".

The research as a whole and concluding report are based on a holistic assessment that covers all dynamics of Libya's security picture. Besides concise security conceptualizations, organizations, authority, and responsibilities are delved to display security think-

ing with Libyan features. In this frame, security should facilitate the consolidation of the Libyan state and prosperity of the Libyan public by a demarcated transition period with required codes of conduct. For this purpose, a concise but precise wording of the SSR program, along with a relevant action plan, has been proposed to dispel any ambiguity from the minds of Libyans. The main driving force to abstract such a program and action plan is that collective profit has to be the priority rather than individual gain.

Five dimensions of security are counted as subject matters of SSR for Libya which are defense, public order, border, and coastal security, the Armed Groups (militia), and soft security (such as immigration, epidemic diseases, economic security, or organized crime) issues. Soft security is within the scope of the other security headings and heavily tied to wider state-building reforms, which this report did not cover. However, the other four headings are examined to portray their current status and proposed reformation process in comparison to the identified institutional security needs, of an adequate level of capacity and capability, for the Libyan public. Different course to address the reformation process is scrutinized and analyzed though; an optimum model is proposed in terms of strategic security structure, force structure, probable issue fields in question that could be met.

The methodology rests on three main techniques, which are literature review, interviews and workshops with distinguished Libyans, and track the security affiliated events on the ground. In this sense, the SSR Team preferred a methodology based on the phased research process. The final phase is to implement the SSR program as far as embraced by the Libyan people and government, which is beyond the SSR Project. After concluding the research, this report is drafted under four chapters and a conclusion. The first chapter focused on the SSR conceptualization and its applicability to the Libyan case. The second chapter portrayed the background of Lib-

ya's security phenomena and display the current security picture. The third chapter analyzed the probable models for an SSR program in Libya while the fourth chapter delved into an action plan and how the reformation will be achieved.

The Report concludes that, first, organizational capacity for the security sector reformation need to be maintained by a detailed law, appointing an authorized representative and reformation councils and working groups. The Preparatory phase is designed to gather data on facts and figures, identify the attitudes, map the current security infrastructure by drafting manning and inventory lists, and identify ideal security architecture after a brief threat, mission, and task analysis. The third phase of the SSR is the planning and resourcing phase taking the personnel reformation, required assets and logistical system, command and control linkages, force structure, DDR, and resourcing all the process. Strategic communication is identified as a separate phase since the persuasion of all segments of the Libyan public is a prerequisite for success in this reformation. The final phase is designed to delineate the implementation of security sector reform.



## INTRODUCTION



It is essential for state actors to ensure the fundamental right of the public to be 'safe and secure' by fulfilling their responsibilities in a coherent and professional manner. Libya has been struggling to establish a security system on which all segments of society can agree. The chaos of recent years has partitioned the state between competing Armed Groups who have profited at the expense of the Libyan people. Wider and deeper state-building is indispensable to establish order in Libya. Security sector reform (SSR) is the foundation of such an effort.

SSR in Libya is not a new phenomenon. It has been often referred to and attempted by both Libyans and international actors. Unfortunately, previous attempts have failed to build the security system. Eventually Libya desperately needs to avoid further devastating conflict by a comprehensive security sector arrangement. This report examines what an ideal SSR might look like, given the urgency of the situation, exacerbated by the lack of a unified state.

This SSR project is justified by a series of dynamics. Libya's current 'insecurity' is due to the inter-connected factors of security and state failure, which hinder the country's progress. In other words, lack of security impedes of state-building efforts. Lack of a strong state, in turn, deepens the insecurity. Even though Libya needs multi-layered reform of various state functions, security sector reform is a pre-condition to efforts in other areas. For instance, the fear of experiencing another dictatorship, such as Qaddafi's, is a motivation to reform the political structure;

however, lack of security is both an impediment and an excuse to delay the required reforms necessary to establish a democratic system. The same argument is valid for the “must-do” lists of economic consolidation, social reconciliation, judicial independence, respect for human and fundamental rights, providing public services or any other reform attempt.

Libya should achieve the ‘to-do-lists’ of the aforementioned improvements by ‘institutionalizing’ reform in public bodies and by building a ‘system’ using a holistic approach that includes both “hard” and “soft” concerns of security sector. We may group the issues into five main headings: defence, public order, border and coastal security, the Armed Groups (militia), and soft security (such as immigration, epidemic diseases, economic security, or organized crime). Soft security issues are largely encompassed by the other security headings and heavily tied to wider state-building reforms, which this report will not cover. However, the other four headings should be examined in order to portray their current status and proposed reform process in comparison to the identified institutional security needs. We will therefore limit ourselves to establishing the current status of institutions under the other four headings and comparing that to what is required to meet the needs of the Libyan public.

The SSR Team, focusing on the fore-mentioned issues, aimed to draft a report with the ultimate objective to propose a program for a safe and secure Libya by building up the capacity of state. The theme of the report is that SSR is essential and it cannot be postponed if Libya’s unity is to be maintained. Hence the question to be answered is “How can SSR be achieved in Libya to prevent further grievances in the post-conflict era?”. This will be broken down into sub-questions such as “Why does Libya need SSR without delay?”, “What SSR conceptualization ought to be applied to Libya?”, “What do Libyans need to do to create an effective securi-

ty architecture?”, “What SSR course(s) might address the security needs of Libyans and by what program can they achieve it?”. These questions frame the context of this research project and the conclusions of the report. The main conclusions are:

- SSR Reform must be holistic, covering all aspects of Libya’s current security situation.
- All segments of Libyan society have to be satisfied to ensure their loyalty and long-term public commitment to a stable Libya.
- SSR needs to establish an environment for internal peace and solidarity in Libya.
- Underlying security concepts, organizations, authorities and responsibilities need to be clarified to prevent future conflicts.
- Security should facilitate the consolidation of the Libyan state and prosperity of the public by a clearly demarcated transition period with required codes of conduct.
- A concise and precise expression of the SSR program, along with a relevant action plan, should be proposed to dispel any ambiguity from the minds of Libyans.
- SSR must be transparent, objective, unbiased and impartial to embrace all segments of Libyan society.
- Unjust treatment of any Libyan citizen will harm the credibility of SSR. Collective benefit must come before individual gain. Achieving the right balance between individual and collective rights will be critical.

The SSR Team was cognizant throughout its research that it must comply with the *sui generis* needs of Libya rather than simply copying solutions previously attempted by other states. Under

the shadow of recently experienced ‘one-man rule’ in Libya, it is clear that Libya’s political structure and strategic security architectures are intertwined zones of authority and responsibility. Command and control link have to be acceptable, legitimate, wise and pragmatic to prevent another power vacuum in the country. The main security affiliated organizations should be grouped under the Ministry of Interior, Ministry of Defence and the Directorate of Intelligence, rather than the currently legitimized post-Revolution Armed Groups. Learning from the disastrous practices of the Qaddafi era, civilian control and democratic accountability appear fundamental to organize the security system under the authority of these organizations. Moreover, the envisaged security architecture has to be in line with the laws and regulations to prevent the interference of power brokers. The Armed Groups of today need to be reviewed to create an effective security system the under the control of the state.

**TABLE-1 THE COURSE OF THE SSR PROJECT**

| Phase | Context  |
|-------|--|
| 1     | Understanding security concerns through literature review and interviews |
| 2     | Analysing security concerns  |
| 3     | Scrutinizing courses to address the security concerns through interviews |
| 4     | Brainstorming to identify all alternatives for SSR                       |
| 5     | Consulting with selected Libyans on the identified courses for SSR       |
| 6     | Re-analyse the security system after receiving feedback                  |
| 7     | Build a program and action plan  |
| 8     | Conclude a comprehensive report for the overall SSR process              |
| 9     | Strategic communications efforts to publicize report                     |
| 10    | Implementation of the identified SSR Program and action plan             |

Strategic assessment and proposals are vital to synchronize the base of the security architecture. Operational and tactical level security arrangements require force structures, command links, doctrine, operational capacity, logistics, personnel policy, training and education. These functions need technical assessment of current needs and a thorough engagement to reform afterwards. In this sense, the SSR Team opted for a methodology, which is based on a phased research process, as detailed in Table-1.

In accordance with the roadmap of the SSR project, the methodology relies on three main techniques: literature review, interviews and workshops with distinguished Libyans, and tracking the security-related events on the ground. Literature has been selected from the authors who have delved into Libya's history, security sector and dynamics by direct observations. In other words, the aim was to identify gaps rather than simply repeat what is already known. Interviews were conducted in a semi-structured style where basic questions were provided before each workshop but topics were expanded during discussion. Interviewees are selected from the key Libyan experts and personalities with direct links to the security sector through their positions and background. The SSR Team then used the "snowball technique" to identify further interviewees and expand the list. Twenty-eight distinguished Libyans were invited to participate in workshops either in Turkey or Tunisia for consultation. In total, twenty-eight workshops were held, either integrated with interviews or as intra-group meetings. The SSR Team did not hold workshops and interviews in Libya due to the safety concerns of interviewees. Finally, open sources are used to observe what is happening on the ground, who did what and for what purpose. Methodology was designed to identify the required reform by being aware of the background inherited from the past, observing current developments, performing a needs analysis and assessing the courses for SSR after comparing and contrasting all gathered data.

The SSR Team conducted the research to identify an institutionalized security architecture, which is acceptable, concrete and transparent. The motto of the report is “An inclusive and capable security architecture for a united Libya, under civilian and democratic control”. This encouraged the SSR Team to be objective and avoid prejudices in order to maximize credibility. Based on the above-mentioned framework, the first chapter is a concise review of the concept of SSR and its applicability to the Libyan case by portraying the ideal vision, general principles, conditions and a baseline to achieve success. The second chapter gives a short review of the Qaddafi era to present the legacy that currently impedes the institutionalization of the security sector. The ongoing security situation is also assessed in terms of the lack of international engagements, Libya’s institutions and the post-revolution militias (the Armed Groups). The third chapter covers models for the SSR in Libya while the fourth outlines a program and an action plan for the proposed SSR.

## CHAPTER 1

# SSR CONCEPTUALIZATION AND A FRAMEWORK FOR THE LIBYAN CASE

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## 1. SSR CONCEPTUALIZATION AND PROCEEDINGS

UN documentation explains the context of SSR along with its purpose, which is to strengthen the security system or a significant part of it. The ‘strengthen’ part covers the protection of fundamental rights with equity and fairness. In this context, the aim is to build efficient, reliable and accountable security institutions. This chapter will cover the definition and course of the ideal SSR. However, Libya’s SSR needs to be *sui generis* even though international theory and practice will shape its common perception and setting. This will enable us to compare Libya’s SSR to the ‘ideal’.

### 1.1. Definition and Scope

The term “Security Sector Reform” (SSR) was first politically introduced in a speech by UK Secretary of State for International Development Clare Short in 1998. (Short, 1998) The use of the term was directly linked to changes in the international security environment after the collapse of Soviet Republics and its effects on different regions with a perception of ‘liberal’ theory and practices. Hence, the main innovation of the SSR model, as compared to previous forms of security assistance in the Cold War, is its focus on not only the security issues but also on good governance, development, and democratization. In this context, the professionalism and effectiveness of the security sector are not just measured by the capacity of the security forces, but also by how well they are managed, monitored and held accountable. Moreover, the SSR model conceives of the security sector as more than its blunt, hard security instruments, recognizing that the security forces cannot perform their duties effectively in the absence of competent legal

frameworks and judicial bodies as well as correctional institutions and government oversight bodies. (Sedra, 2010)

It should be noted that the purpose of SSR is not to impose a reform agenda. Rather, it aims to work with partner governments and civil society to develop a security sector that: reflects local norms, history and tradition; is economically sustainable; operationally effective and meets basic international democratic standards of security sector governance. Four key factors have spurred the development of SSR after the Cold War: the first is the rise of the UN role in peacekeeping operations in various peace agreements, which mandated the establishment of transitional administrations in conflict-torn areas. The second is a wider understanding of the security sector. Shifting the debate on security from state-centred to human-centred was the main concern in security studies. The third is the wave of democratization and demand for good governance and the fourth is the emergence of a new relationship between security and development. (Gindarshah, 2015)

Despite the worldwide practice of SSR, there has been no common or standard definition of the concept. In a general sense, 'security sector' is associated with the set of structures, institutions and personnel responsible for the management, provision and oversight of security in a country. It is generally accepted that the security sector includes defence, law enforcement, corrections, intelligence services and institutions responsible for border management, customs and civil emergencies. (The UN, 2008) An ideal security sector features "well-managed and competent personnel operating within an effective institutional framework defined by law". (DFID, 2000) However, a badly planned and implemented SSR process [or lack of an SSR process] can prompt the people to search for security resources out of the state, leading to a proliferation of non-statutory security forces such as militias or non-state armed groups.

Here, we identify SSR as a process of assessment, implementation and review (monitoring and evaluation) led by national (and/or international) authorities which aims to enhance effective and accountable security for the State and its peoples without discrimination and with full respect of human rights and the rule of law. (The UN, 2008) This definition was the result of processes aimed at developing global norms and guidelines for UN bodies and member states. According to the United Nations Development Programme (UNDP), the objective of SSR “is to strengthen the ability of the sector as a whole and each of its individual parts to provide an accountable, equitable, effective and rights-respecting service.” (UNDP, 2003)

There is general agreement that no common model of SSR exists and that, in principle, each country adopting SSR constitutes a special case and hence a different reform context. However, for analytical purposes, broad SSR contexts may be distinguished which contain a number of similar cases – depending on the criteria for categorization. (Hanngi, 2004) In this respect, three main contexts can be claimed for SSR. The first is when the SSR process is adopted by international development donors as an instrument to improve the efficiency and effectiveness of development assistance. Secondly, SSR can be a tool to facilitate the practical coordination and conceptual integration of defence and internal security reforms in post-authoritarian states. This model has been practiced after the Cold War in the newly emerging countries from the former Soviet and Yugoslav territories, in Africa and the Balkans and is the source of much SSR terminology. Thirdly, SSR is especially relevant in the context of post-conflict reconstruction of so-called ‘failed states’ and states emerging from violent internal or inter-state conflict, as evidenced by a wide variety of cases such as Afghanistan and Iraq, or Libya.

## 1.2. Security Sector Reform in the Post-Conflict Countries and Societies

SSR seems to be particularly difficult in an adverse environment such as a post-conflict setting, usually characterized by weak state institutions, a fragile inter-ethnic or political situation, with influential armed and other security forces, both statutory and non-statutory, and precarious economic conditions. (Karkoszka, 2003) In these cases, the disarmament, demobilization and reintegration (DDR) process should be considered as a part of the SSR model. DDR is a broad label for a cluster of interventions to disarm, demobilize and reintegrate members of warring factions and antagonistic groups once a conflict has ended. The aim of DDR programmes is to remove “the immediate threat to a fragile peace posed by groups of armed, uncontrolled and unemployed ex-combatants”. (Sundh & Samuelson, 2006) DDR and SSR processes are interrelated and mutually reinforcing. As DDR and SSR have the same objective—consolidation of the state’s monopoly of force to uphold the rule of law—they succeed or fail together and should be planned, resourced, implemented and evaluated in a coordinated manner.

UN IDDRS<sup>1</sup> module identified three practical links between DDR and SSR: linking disarmament and demobilization with national security policy; linking military and police integration with SSR and sharing information between DDR and SSR actors for planning purposes. (von Dycke, 2016) To ensure the success of the SSR process, DDR should be implemented even at a minimum level. SSR requires the combatants/militias to be disarmed, demobilized and reintegrated to security forces. By definition, conflict-affected states have lost this monopoly, and the

<sup>1</sup> The Integrated DDR Standards (IDDRS) can be found at <http://www.unddr.org/iddrs.aspx>

joint purpose of DDR and SSR programs is to restore or establish it by disbanding non-state armed actors and reconstituting statutory forces while some cases involve disbanding state forces and/or retiring their personnel. Beyond their shared political objectives, DDR and SSR are programmatically linked, as the failure of one may risk the failure of the other. (McFate, 2010) Despite the fundamental linkage between DDR and SSR, there are several challenges to integrate them at a practical level. The first challenge is the different political concerns, priorities and agendas of ex-combatants in DDR and SSR processes. This differentiation can make it challenging for program planners to adopt a unified approach to political issues. Secondly, ex-combatants can be resisted by the local population. (McFate, 2010)

Because the term refers to a practical process, more than a theoretical one, its context changes from one country to another. Countries may embark on reforming their security sectors for a range of reasons: (Wulf, 2004, s. 10)

- The emergence of a new security threat,
- Recent independence,
- A lack of accountability and transparency in public affairs,
- Major disrespect for the rule of law,
- Mismanagement of scarce resources,
- Post-conflict reconstruction,
- Political transition from authoritarian regime to democratic governance.

The collapse of the state and its institutions is especially likely in the last two scenarios where SSR is more closely related to DDR. The growing threat of transnational terrorism and the recent popular uprisings in the Middle East and Northern Africa further show that SSR is relevant not only for developing nations

or societies in transition, but also to good governance or democratization. It is also linked to peace processes, disarmament, reintegration and rebuilding the state at political and operational levels. SSR is, therefore, a highly political process that must be placed in its specific national context. Reforming the security sector in conflict-affected countries requires more than building effective security forces and institutions.

The key features of SSR in post-conflict countries can be typified by eight headings as shown in Table-2. (Hanngi, 2004)

| <b>TABLE-2 KEY FEATURES OF SSR</b> |   |
|------------------------------------|---|
| <b>Feature</b>                     | <b>Remarks</b>  |
| Key criteria                       | Specific security situation   |
| Key problem                        | Security and democratic deficits  |
| Key reform objective               | Peace-building / nation-building  |
| General reform process             | The transition from violent conflict to peace and medium to long term capacity to secure the country under democratic control   |
| Nature of external involvement     | Military intervention/occupation; mostly UN-led peace support operations; cooperation efforts with international organizations [ex.: NATO, EU]; efforts of allied/friendly nations, former colonial powers, private contractors.  |
| Key external actors                | Security actors: intervention forces; peacekeeping forces under international auspices; non-state actors; hostile nations; international organizations [ex.: NATO, EU]; allied/friendly nations; former colonial powers; private contractors; NGOs.   |
| Specific security sector problems  | Government and civil society institutions collapsed; displaced populations; privatization of security; possible pockets of armed resistance; abundance of small arms and anti-personnel mines; hostile foreign intervention/destabilization; ethnic tension/conflict; integration of "government" and "opposition" forces; corruption; antiquated personnel, doctrine & equipment; new security threats; inadequate resources; new regional security obligations; finance; etc. |

Sedra adds objectives of SSR for fragile states as follows: (Sedra, 2010, s. 5)

- To enhance the capacity of service providers (state and non-state)
- To deliver essential services in an effective, accessible, accountable and rights-respecting fashion.
- To strengthen governance and rationalize organizational structures and management systems at the national and sub-national levels, consistent with basic democratic standards.
- To establish a security sector that is both fiscally sustainable and appropriately sized and resourced to meet existing and future threats and satisfy the security needs of the population.

### 1.3. Four Dimensions of SSR

Jane Chanaa clarifies the four dimensions of the SSR process as political, institutional, economic and societal. (Chanaa, 2002) According to Chanaa, the political dimension involves the development of mechanisms to manage the security sector by civilians within democratic methods. The institutional dimension focuses on reform and capacity-building within the security institutions. It is a process of increasing operational effectiveness, rationalizing bureaucratic structures, eliminating corruption, and institutionalizing international standards. The economic dimension is concerned with the security sector's consumption of resources, stressing the long-term sustainability of reforms. Promoting sound public financial management practices, consistent with the standards applied across the public sector, is central to meeting the resource demands of an appropriately sized and equipped security sector. Finally, the societal dimension accords a crucial role to civil society in the security functions of the state. NGOs, the media and

independent research and advocacy institutions are seen as having an important role in negotiating the process before the public and ensuring transparency and accountability. (Sedra, 2010, s. 4)

#### 1.4. Preconditions for SSR

Successful SSR examples (the most cited one is South Africa) indicate that the SSR process requires a set of pre-conditions as seen in Table-3. (Cawthra & Luckham, 2003)

| <b>TABLE-3 PRECONDITIONS OF SSR</b>  |
|--|
| The process must be domestically owned and driven by local actors                |
| A sufficient consensus among the political actors                                |
| Endorsement by outgoing and incoming elites                                      |
| The security situation must be stable  |
| Local institutions should be functional  |
| External intervention must be limited and constructive                           |
| Removing the danger posed by coordination deficits and divergent donor interests |

#### 1.5. Implementation of SSR Model

Implementation of an SSR model consists of three interrelated phases: preparatory, main implementation and reform consolidation phases. Each of these phases comprises of key tasks or steps that have a critical role for SSR proceeding.

##### 1.5.1. Preparatory Phase

This phase includes designing an SSR model, policy agenda and strategy undertaking based on comprehensive assessments in accordance with the particular country's national/local context. In addition to specific historical conditions, the level of economic development, the nature of the political system and the security en-

vironment will heavily influence the pattern of the reform process. The preparatory phase is crucial because it determines and analyses the conditions and assessments for implementation and consolidation. A well-designed model and strategy are a good starting point to successful SSR process. This phase consists of three crucial stages: strategy design, consensus building and conducting assessments. (Sedra, 2010, s. 4) Assessments in the preparatory phase seek to carry out the following tasks:

- Develop an understanding of the local context and its key actors,
- Conduct institutional mapping and analysis,
- Identify gaps and needs,
- Examine obstacles and challenges to program implementation,
- Assess needs against available resources and establish feasible timelines,
- Propose strategic options and program design,
- Determine benchmarks for evaluation.

#### 1.5.2. Main Implementation Phase

This is the main phase that includes implementation of the policy agenda within strategic approaches as determined in the preparatory phase. This phase consists of two main activities. The first one is adopting the reforms in the security sector. During the main implementation phase, special attention must be dedicated to linking the SSR process to parallel peace-building and state-building activities, poverty reduction strategies, legislative/administrative reform and transitional justice initiatives. The second one is the capacity development that involves the mobilization and deployment of the needed resources, whether it is human capacity – in

the form of trainers, advisors, mentors and program managers – equipment, or cash.

### 1.5.3. Consolidation Phase:

SSR is by nature a long-term process. The focus of this phase is the long-term consolidation of reform achievements made during the main implementation phase. It may include facilitating SSR Implementation, SSR expert deployments, SSR education and awareness-raising.

## 1.6. Challenges for Implementation of the Reforms

There are several challenges for implementation of the reform, such as ownership, sequencing, coordination, capacity deficit, civil society engagement, monitoring, and fiscal sustainability. (Sedra, 2017, 66-70; Hanggi, 2008, 15-16).

- **Local ownership:** the SSR process needs ownership that is legitimate, has enough capacity to secure the country at a minimum level and ensures coordination among the parties.
- **Sequencing:** The SSR process includes a high degree of changes and reforms in different institutions.
- **Coordination:** Coordination at any level (government-local actors; government-civil society; government-international actors) is crucial for the process. Fragmented political and security environments in post-conflict societies are a challenge for coordination.
- **Capacity deficit:** The collapsed state after a civil-war, generally lacks the capacity to secure the country. However, the implementation of SSR reforms requires a minimum of capacity.
- **Civil Society Engagement:** The demand for security in the society is the greatest benefit for the SSR process.

The process should be transparent and negotiated with civil society to advance this support and create legitimization from society.

- **Monitoring:** Measuring the success of the reforms and securing progress requires effective monitoring. But the question is by whom and how it will be monitored.
- **Fiscal sustainability:** Fiscal sustainability is important not only to finance the reforms but also to create a self-sufficient security sector rather than one dependent on external support.

## 2. A VISION FOR LIBYAN SSR

Everything starts with a vision. Vision is the process that brings imagination and creation. (D'Angelo, 2012) Future prospects based on current needs identify the context for any transformation or envisaged reform. Libya's security reform is not exceptional. There must be an image as to what type of security architecture has to be built to have a sustainable security system, which will satisfy internal expectations and respond to threats.

The SSR Team has designed the following vision for Libya's security sector reform:

The security sector will be reformed to achieve a **safe and secure** Libya based on sustainable **internal order and protection** against external threats. It will respect **the rule of law** in a way **that serves all of Libya's people**.

The foreseen vision covers the ultimate aim of a 'safe and secure' Libya against probable internal challenges and external risks/threats. Internal order has been the primary concern since the revolution and any security arrangement have to address the internal concerns of community segments from the varying demographic

backgrounds. In this sense, two additional features are obligations for Libya's security reformation one of which is respect to the rule of law and embracing the whole community disregarding differences but putting forward civic standards for enjoying a secured environment. There is currently a high level of regional participation in Libya's internal conflict as well as the presence of foreign terrorists and armed groups, sometimes working with internal actors. As a resource-rich country with a large territory and a small population that is strategically situated and surrounded by more populous poorer nations, Libya also needs to worry about external threats. This must be done in a way that respects the rule of law and protects the right of every community to enjoy a secure environment.

### 3. GENERAL PRINCIPLES FOR SSR IN LIBYA

The SSR team has consulted with Libyans and experts to clarify general principles that should be adhered to:

| <b>TABLE-4 GENERAL PRINCIPLES APPLICABLE TO SSR FOR LIBYA</b>  |
|--|
| Civilian and democratic control                                |
| Political commitment and decisiveness                          |
| Rule of law and appropriate codification                       |
| Loyalty to the Libyan state                                    |
| Transparency and accountability of the security institutions   |
| Professionalism  |
| Discipline at all times  |
| Inclusiveness  |
| Benefit existing structure within the mentality of reforms     |
| Institutionalization   |
| Technology and asset-rich security system                      |
| Diversion of practice and monitoring & evaluation (Inspection) |

Civilian and democratic control is a cultural accumulation where armed institutions (or groups) obey authorized institutions and governmental bodies, disregarding personal loyalty to an individual, family, tribe or any other societal formation. Civilian control of the military, in the case of Libyan Armed Groups, [should] prevail by means of the effective decision-making process in the frame of Libya's strategic commitments. (Desch, 1999, s. 6) The Qaddafi era has taught Libyans that a lack of democratic involvement and civilian control may take them back to the edge of a dictatorship and the arbitrary control of an individual.

Political commitment, as will be discussed in the next chapter, appears to be the precondition of reform attempts and is crucially important for Libya. Libya's fractured political situation makes any attempt to promote security by reforming security services a matter of bargaining in terms of obtaining and maintaining influence. Political unity should be sought for security reform above all partisan and personal interests.

Professionalism is expected to be a criterion for security institutions and relevant personnel in terms of task-based perception, merit, an adequate level of training and education, clearly approved and implemented procedures. For this purpose, personnel reform will help to augment professionalism. (MM, 2018) Discipline is the accomplishment of the mission according to universal standards and regulations. Along with transparency, it increases the reliability of the established security forces.

Inclusiveness is another precondition for the desired security system. Inclusiveness requires security institutions to address the expectations of all strata by reflecting society's dynamics into the architecture and by preventing discriminatory treatment of the public. All segments of Libyan society must join and rely on Libya's security architecture. However, structural inclusion does not mean there will be no merit-based evaluation process to meet the job

description of the posts; nor will unjust demands and violations of laws will be tolerated to pander to demographic background.

Libya's most significant challenge is currently the Armed Groups, which possess more power than state institutions. One issue, the SSR Team discussed with Libyans, was whether the Armed Groups could be integrated into the state security system. (MM, 2018) In order to prevent further setbacks, the Team concluded that the wisest course would be to incorporate the Armed Groups into a revised version of the existing arrangements, while not hesitating to create new structures if necessary.

In order to effectively integrate the Armed Groups into a reformed security structure, it is necessary to give them options in an institutionalized framework with a pre-defined balance of authority and responsibility. This will require a detailed database that can be used as a control mechanism. (YY, 2018) Online transparency will allow the Libyan public to monitor performance and check for corruption. In other words, the necessary physical inspections on the ground can be reinforced by technologically enhanced infrastructure.

#### **4. CONDITIONS FOR SUCCESSFUL SSR IN LIBYA**

SSR in Libya is heavily dependent on several factors. The most important ones are popular support and political will. The people's wishes should be the primary consideration, though political williness likely have the most immediate impact. Power brokers are currently challenging the security environment by the Armed Groups. But Libyans see security as a pre-condition for prosperity. Senior politicians need to stand up for that, so that a national compromise can be found involving all Libyans. An adequate level of resources (finance, personnel or logistics) is of vital importance to have a sustainable reform and coherent security architecture. An initial challenge will be to obtain the Armed Groups' consent

with the agreed road map on security building efforts. A reform in personnel will be needed to charm the Armed Groups into being part of the newly established security organizations. Nevertheless, foreign intervention appears to be enough of a threat to persuade the Armed Groups to be loyal to Libya's interests. (Table-5)

| <b>TABLE-5 CONDITIONS FOR SUCCESSFUL SSR IN LIBYA</b>         |
|---|
| Popular support   |
| Political will  |
| Adequate resources  |
| Personnel reform with a pension and attractive benefit system |
| Rejection of external interference                            |
| Consent of the Armed Groups                                   |

The current situation, in terms of actors and factors, needs to be scrutinized in order to conclude what security needs are and what ought to be designed to meet these needs. The next chapter covers what is actually driving Libya either towards a peaceful and prosperous state or the breakup of the country.



## CHAPTER 2

### **CURRENT SITUATION IN LIBYA: WHY DOES LIBYA NEED SSR?**

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Libya is not a new state and has a deep history with customs typical of the Maghreb. When compared to most states, Libya has a highly educated population and natural resources that should facilitate a state of prosperity and stability. Despite Libya's potential, the Revolution's weakly organized structure caused major shortcomings in the 'new' state. This is in addition to fragilities inherited from the Qaddafi regime. For instance, it lacks functional government, civic spirit and consensus on the formation of a national government. The legitimacy of many armed groups is reinforced by being on the payroll of the Central Bank. The divided Libyan state thus paradoxically creates alternative state mechanisms using its own financial assets from the Central Bank to pay salaries to all 'legitimate' armed groups, including the dissident factions.

Ibrahim Fraihat describes the Libyan conflict and its aftermath as the least understood conflict in the region. (Fraihat, 2018) The reason for this characterization is the absence of civil society and politics for the previous 42 years under Qaddafi's one-man show. For Fraihat, an example of Qaddafi's self-styled governing strategy is that Libyans still do not know why they fought against Chad for eight years. He finds that the situation remained complicated after the Revolution. 30,000 people fought to bring down Qaddafi, but the number of armed fighters has now reached 200,000 because individuals and groups want to take advantage of the Revolution, perceiving their guns as their insurance. Hence each militia has started to control a portion of the country. They toppled the regime but also dispersed/destroyed the security structure.

This situation is why Libya needs reform. The developments of recent years and the current state of security architecture will

determine the features of this reform. This chapter will review the negative legacy of the Qaddafi era on the current security culture and norms, the continuing insecurity following the Revolution and the input of international actors and national security formations (both formal and informal). In addition, existing threats and risks will be examined to see whether or not the current security (dis)order can respond to them. It is the claim of this chapter that the current security structure is non-institutionalized and disorganized and must therefore be reformed.

## **1. LEGACY OF QADDAFI ERA**

The genesis of the current abnormality emanates from the past practices of Qaddafi that is based on discrimination and disabling Libyan security organizations for his regime's survival. (BB, 2018) In order to understand how Qaddafi's attitude and logic were shaped, we need to present a short history of Libyan security forces.

### **1.1. The Transformation of the Libyan Armed Forces:**

The Libyan Army was formed in 1940 by the British Army in Egypt to force the Italians out of Libya. The Libyan leaders of that time were deported and built-up the Libyan National Army from fellow countrymen who were prisoners of war. This army played a crucial role in sweeping out the Axis Powers; however, they were demobilized in 1943 when victory was achieved. The officers of this formation rebuilt several military units in Benghazi and Tripoli and this era can be considered as the initial stage of the modern Libyan security forces. (BB, 2018)

Libya was one of the early states to obtain independence through the direct involvement of the UN, on December 24, 1951. After a long struggle for independence, the Libyan government started the efforts of re-structuring the Libyan Armed Forces on August 09, 1952 and established a military academy in Zawiya for

officers' training and education, as an alternative to the Royal Academy in Benghazi, which was fully inaugurated in 1957. In parallel to this start in training and education, the Libyan Navy was established in 1962 and Libyan Air Force in 1968. The initial years of forming the Armed Forces were committed to having well-disciplined and high-ranking soldiers with advanced skills as a nucleus for future security forces, but they lacked an adequate level of resources. Training and education were the critical issues, since the established academies had a limited capacity to graduate skilled officers. For this reason, Libya sent officers and cadets abroad for training in 1963. Turkey was an important destination while Libya also brought General Umran Caba, from the cadre of Turkish Armed Forces, into the country to restructure the Libyan Armed Forces. The golden years of Libyan Armed Forces were shaped by the officers either brought in from or educated in Turkey, as was also the case for the Libyan Naval and Air Defence forces. (BB, 2018)

The Al Fateh (also known as September 1) Coup D'état was initiated by a group of young soldiers, who called themselves the 'Free Officers'. Their intention was apparently known by the then Kingdom's Office and they were kept under observation by the Ministry of Defence. The Ministry did not have concrete proof but suspected them of planning a coup d'état and formed a military intelligence commission to clearly ascertain their intention. However, some members of the Commission were also part of the Free Officers. The infiltration of the chain of command by the Free Officers ensured the success of the Al Fateh coup, which was justified by claiming 'the risk of being occupied by a foreign force', which offered the opportunity to consolidate the Armed Forces in 1969. (BB, 2018)

Qaddafi instigated the Al Fateh Coup D'état from the emerging and consolidated armed forces, which was small in number but militarily capable. Ironically, Qaddafi, like Idris, perceived the

military as a threat to his reign. Hence, he designed a strategy to create a huge but hollow Armed Forces. The number of officers increased from 650 to over 17,000, while recruits increased from 1,000 to 120,000 in 42 years. He started loosening unity of command in the Armed forces, thus encouraging soldiers not to execute their assigned tasks, while competent personnel were replaced by an unqualified staff. (BB, 2018) As an extension of Qaddafi's strategy, more officers were recruited and given bogus titles in order to balance different groups, but they were largely unqualified individuals. The superior positions of the Armed Forces were held by the same individuals for 42 years, which represented the inter-tribal connections. Outside of the neglected and disengaged Armed Forces, Qaddafi established Special Protection Units for his safety alone. (BB, 2018)

The years 1987-1988 appear to be a turning point in Qaddafi's evolving strategy of ensuring that the Army was softened in order to not pose a threat against him. He formed the "Popular Guard" with a supposed 'new thinking' and dissolved the existing Army. He established councils and assumed the authority of commanding the Armed Forces in the name of the Libyan people along with the Revolutionary Command Council. The new system required people to have arms and mobilize in case of a threat. This period was one of societal and bureaucratic transformation. (BB, 2018) The same era witnessed the imperialistic ambitions of Qaddafi. With progressively accumulating oil revenues, Qaddafi began an arms procurement program and committed himself "to save Chad". (EE, 2018) Chad had become the initial phase of a long-term campaign for Qaddafi although the military was redundant for this engagement. Qaddafi had a vision in his mind to unite all of Africa, which led him to create a huge army. He conscripted almost everybody to the Armed Forces between 1977-1987 although most had no desire to be a soldier. (EE, 2018)

The Chad campaign, itself, had become a challenge for the Libyan Armed Forces, which withdrew after being defeated in 1986. Qaddafi had sent Khalifa Haftar to Dom Valley to retaliate and re-capture the lost territory though; Chadian forces defeated the Haftar-led Army and the strategy collapsed. Qaddafi invented a new method to gain influence in Africa, based on bribery. The leaders of poor African countries received direct payments from Qaddafi every three months and with this strategy Qaddafi realized that there was no need to have an 'Armed Forces'. He built a Protection Force only for himself and let the soldiers stay at home while maintaining monthly wages to ensure that they were not a risk to his regime. The Military Academy was reserved almost exclusively for the relatives of Qaddafi and other leading military figures. On the other hand, the new Protection Force was being paid more than military officers to ensure their loyalty. The new perception in the public was that the Armed Forces were Abu-Bakr Yunis Jabr's army, who was the Minister of Defence under Qaddafi while the Protection Units were Qaddafi's Army.<sup>2</sup> (EE, 2018)

Source "DD", who is important in the Libyan security architecture, confirms Source "EE" about the strategy of Qaddafi to build a Protection Force only for himself and pacify the regular Armed Forces. The Protection Force was better funded than the regular army while key command positions were allotted only to trustworthy individuals like Qaddafi's sons and relatives. For instance, Khamis Qaddafi commanded the 32<sup>nd</sup> Brigade while Qaddafi's cousin was in charge of Mugaryef Brigade. These units were heavily armed, fully manned, and could be deployed rapidly to important Libyan cities. (DD, 2018) Qaddafi's strategy was also based on maintaining the image of his indispensability to sustain internal order and to sow consciously initiated chaos in certain

<sup>2</sup> Interviewed individual claims that he directly listened to Qaddafi talk about his imperialist expansionism in Africa.

locations to remind the public that he was vital to maintain order and make things better. Moreover, he continually changed the security system to build a 'new and functional' one, which shook the established security order, also challenging the societal structure. The February 17th Revolution may be assessed as the reaction to Qaddafi's previous unbalanced security policies. (BB, 2018)

Qaddafi sought arms deals and benefitted from the climate of the Cold War. Libya accumulated an enormous number of weapons and ammunition in excess of its needs. He built many weapons and ammunition storage sites in various locations, which were later captured by the revolutionaries in the course of the Revolution. Another use for these arms was to provide support to favoured militias or terrorist organizations, either in Africa or further afield.<sup>3</sup> It is a fact that the current widespread possession of weapons is a result of Qaddafi's overstretching procurement and storage strategy. It remains an impediment for today's attempts to reform the security sector.<sup>4</sup> (BB, 2018)

During the difficult Qaddafi era, the Libyan Armed Forces were challenged by an inverted pyramid in the chain of command. The ideal structure of the military hierarchy was turned upside down by awarding ranks and positions according to personal ties. For instance, the number of colonels and generals filled 60 percent of the manning table while only 5 percent was dedicated to the middle strata of the cadres. The generals of Qaddafis' army filled their positions for more than 40 years even after they passed the mandatory retirement age. On the other hand, young officers, besides their unsatisfactory numbers, lacked adequate training

<sup>3</sup> The interviewed individual outlined the support of Qaddafi to militia in Africa, like Boko Haram, and elsewhere like the Irish Republican Army (IRA).

<sup>4</sup> BB cites the procurement of 1.000 tanks on the 20th anniversary of the 1969 Revolution in 1989. After the tanks were unloaded from the ships and paraded before the public in a show of force, they were sent to storage sites, never to be used.

and education. For instance, officers who attended four years of training in the military schools were not taken to the range for proper shooting drill. Moreover, crucial parts of the weapons were removed to prevent their unauthorized use.

Operating under these conditions, the Libyan Armed Forces were discredited in the eyes of the public and lacked the capacity to be a functioning military structure. In 2011, the Armed Forces that were hollow with ranks and positions distributed because of personal connections, lacking logistics and had a manning level of 120,000 compared to a well-equipped and manned Protection Force for Qaddafi. It took eight months to destroy Qaddafi's security structure while the Armed Forces, with its incapacity, was oscillating between providing support to the Revolutionaries, to Qaddafi, or remaining neutral to 'wait and see' who would be the victor. (DD, 2018) Qaddafi's violent suppression of the protests gave impetus to the Revolution and quickly resulted in the formation of Military Councils to resist him. The councils were comprised of both regular military officers who had joined the Revolution and civilian members of the Armed Groups. Therefore the military found a place for itself in the Revolution as part of these councils. (BB, 2018)

## **1.2. Libyan Police: Roots and Drawbacks**

Ottomans built the police force in Libya as part of their judicial and security architecture. The occupying Italians dissolved the police in 1911 and built their own system by appointing military personnel responsible for public order. When the Italians withdrew from Libya in 1943, the British were in charge of organizing and managing the Libyan police until 1951. Although the British policing system was applied in Tripoli and Cyrenaica between 1943 and 1951, Fezzan still used the Ottoman system. (BB, 2018) This situation of two different policing systems in three regions persisted after

independence in 1951, when Libya became a federation consisting of the provinces Tripoli, Cyrenaica and Fezzan. The security forces in Cyrenaica acted as both military and police. However, the police in Tripoli were designed after the British model.

Discovery of oil in Libya encouraged a move from federalism to a unitary state structure. The Police Force was organised within a federal model with different forces linked to a central authority from 1951 to 1963. The coordination of the three provinces had been sustained by the central government with an additional task of protecting governmental facilities. The most important function of the Police was monitoring foreigners and immigration in accordance with the climate of the Cold War era. The year 1963 saw the transformation of the federal structure to a centralized one due to increasing income from oil exports. The Ministry of Interior built three Provincial Police Departments in each city to centralize the whole organization under its authority. (BB, 2018)

Qaddafi's coup d'état, the so-called al-Fateh Revolution, handed command of the police to the military. The same methods of defunctionalizing the Armed Forces were applied to the Police Forces after the Qaddafi's coup. The conception of "Popular Guard" for the Armed Forces was contemplated for the Police Forces with a similar concept of "self-security by the people". The commanding cadre was appointed according to their loyalty to the Regime. Similarly, to the Army, reform and transformation attempts to revitalize the Police were undertaken every three to four years, devastating the previously established security architecture. For instance, oversight of the Police was moved between the Ministry of Interior, the Ministry of Justice or to a specific Ministry for the Police Forces. (BB, 2018)

The change in the responsibility for the Police placed both the Prosecutor's Office and the Police under the same institution.

Along with this transformation, specialized branches were formed under the General Directorate of the Police; for instance, to protect key facilities. Sometimes, civilians were appointed as police chiefs in the provinces. During the 1980s, female officers were sometimes chosen as deputy chiefs. During the 1990s, operational considerations became more important than the political ones that had been prioritized in the 1980s. “General People’s Committee for Public Security” was the new title of the organization and the previously mentioned word “justice” was replaced from the title, representing the change in mentality. Private security was also established to protect key facilities, like financial institutions, at their own expense. Foreign Security was also a branch in the newly built Committee although it had been linked to the Ministry of Foreign Affairs before the Revolution. The Police Departments in the Provinces numbered 10, 13 and 35 respectively, indicating expansion of the organization countrywide. The number of Police was around 130,000. The Revolution was witnessed by this Police structure however as there were no police in the Ministry of Internal Affairs when the Revolution sparked. (PP2)

Source BB argues that the February 17th Revolution was complicated for the Police compared to the Military. Their non-committal approach led to a security gap after the Revolution. The Armed Groups had to fill the vacuum by building their own institutions to fill in for the Police like the Supreme Security Committee, Rapid Reaction Forces and the Security Councils. These Councils provide security using former police officers and the Armed Groups who joined the Revolution, in a manner similar to the Military Councils. There were also community-based structures that originated in the provinces which greatly enlarged the quantity of the security forces. (BB, 2018)

## 2. REVOLUTION: A FAILURE OF NON-INSTITUTIONALIZATION

### 2.1. Anatomy of the Revolution

Opinions differ as to Libyans' motivations for the Revolution. Anti-authoritarianism has become the common argument, although a structuralist perception may claim the Arab Spring as the motivating factor to obtain more rights and prosperity. A prominent scholar, GG, claims that limits on the free practice of religion was an issue. It may be argued that the Revolution was caused by a combination of many factors. Generally, there was an accumulated hatred against the regime among society due to extreme pressure, injustice, and suppression of free speech and religious freedom. For GG, it was Masjid that initially organized the masses to topple Qaddafi. Access to weapons and ammunition turned the peaceful demonstrations into an armed resistance once the regime chose violent tactics to suppress demonstrations after Friday prayers. (GG, 2018)

Recruitment for the Revolution was organized in the early days of the demonstrations by a group of local opposition leaders and representatives from Revolutionaries, soldiers and police. This group decided to invite selected individuals and groups based on nationalistic and Islamic sentiments; though some groups still refused to join. (GG, 2018)

The Revolutionaries continued to refine their skills through training as the fighting progressed. Fortunately for them, Libyans were already familiar with small arms due to Qaddafi's 'Armed People' strategy. Training of individuals started at safe houses while the crew and the combat training were employed during the conflicts around Tripoli. Some units preserved their formation because they had once served in the Libyan Army. The Tripoli Military Council learned how to fight not in Tripoli but while chasing the Regime Forces towards Sirte. (GG, 2018)

Essentially, the Revolution started in the east and expanded towards the west of Libya. Revolutionaries formed Military Councils based on regions and organized the Armed Groups depending on their loyalty to a tribe, ethnicity or group. For instance, Tripoli was divided into 13 zones. Factors such as population, city structure and level of threat were taken into consideration. Zones were also confirmed on Google Earth in order to prevent misunderstanding of the areas of responsibility. (GG, 2018) In each zone, there was a Command Council, which was composed of two Revolutionary army officers (former Libyan Army Officers) and three civilians. Each Command Council had an instruction document, only three pages long, as a standard operating procedure. This procedure was created by 67 Revolutionary officers (former Libyan Army Officers) and the papers were shared through fake social media accounts. Women were also used for communication and money transfers because they could not be searched by Qaddafi's soldiers. (GG, 2018)

Şeyh Sadiq Al-Ghariani, the Grand Mufti of Libya, released a Fatwa on February 19, 2011, encouraging Libyans to mobilize and peaceful demonstrations continued until 20 August 2011. Revolutionary forces were organized, armed, trained and motivated during this period. The operation to take Tripoli started on 20 August and three days later, on August 23<sup>rd</sup>, it started to be seized both from inside and outside the city. A huge force from Misrata was able to reach the suburbs of Tripoli on the same day. The maximum number of Revolutionary fighters in 13 commands was around 3000. The weapons of the Revolutionaries came from the places where local military councils had been established. These councils were responsible for confiscating the weapons from the army depots with the help of pro-Revolutionary officers. Weapons and ammunition were then transferred underneath groceries in commercial trucks. (GG, 2018)

In 2011, Revolutionary forces established a coordination mechanism with NATO to coordinate airstrikes (April-June 2011). There was a NATO operation room at Djerba that provided information for target development of Regime forces to NATO HQ in Italy through an improvised satellite communication system. Google Earth was also useful for target acquisition. NATO destroyed a SCUD missile battery in Sirte after this operation room provided the intelligence and coordinates of the target. (GG, 2018)

The Revolutionaries achieved victory in eight months. One problem after the Revolution was that pro-Regime formations continued to survive, even though the Regime had been toppled. Meanwhile, discord between the Revolutionaries grew after the victory. It was an alarming feature where tribalism and benefit-based concerns surpassed the advantages of Qaddafi's diminishing regime.

## 2.2. 'Success in, Failure after' the Revolution

The question why Libya could not build a security architecture after the Revolution can be blamed on many factors although three of them appear to be the most significant: state of the security forces at the time, the nature of the revolution itself and political/administrative issues.

The first factor, the state of the security forces, can be assessed as the most important one, notably because of the lack of a command and control chain but also an enormous number of officers who cannot fulfil the prerequisites of the required security institutionalization because of a grossly inverted rank pyramid with a high level of aging, senior officers and very few junior ones. In addition to a lack of trained military personnel, morale and motivation were low due to an erosion of trust towards the military. This legacy from the Qaddafi era can be considered as the main cause for such distrust. Our workshop with the Libyan military personnel clearly concluded that problems were lack of experience,

training and education capacity; and the disparity of positions, ranks, and qualifications of the officers. The military, which were designed to be passive and not threaten the Qaddafi regime, were not able to be an effective force after the Revolution even if reform could have been achieved by the legitimate political leadership.

When the insurrection began in 2011, security forces were caught between providing support to the Revolutionaries or pro-Qaddafi Forces. Estimates are that approximately 70 percent of the security forces stayed neutral because of the prevailing sense of insecurity and distrust of any of the parties. Furthermore, the security forces genuinely lacked the capacity to respond to either side due to the lack of self-confidence intentionally instilled by the Qaddafi regime. The other 30 percent mostly supported together with the Armed Groups with only a very small number aligning with Qaddafi's Protection Forces. (FF, 2018) This picture pushed the security forces, who were hesitant and discredited, to the back row while the Armed Groups led by low-level regional commanders dominated the security realm. However, their lack of strategic military training and experience also made the Armed Groups uncoordinated in terms of the unity of command. (MM, 2018)

The second factor, the nature of the Revolution itself, can be delved into by analysing a series of complex inputs. One issue was that the Revolutionaries seized military garrisons and started their own codes of conduct independent of each other and varied between cities. Simultaneously, the Revolutionaries appropriated equipment and ammunition from the arsenals even though some inventory—mainly aviation, air defence, heavy armaments and logistical units—was destroyed during the conflict. The Revolutionaries, lacking formal security experience, did not have any vision to restructure the existing security forces. Nonetheless, these fighters had the perception that they were superior in comparison to the regular military due to the inherited negative image of the security forces during the

Qaddafi era. (DD, 2018) Once the Revolutionaries had taken over the military bases and police stations, they seized whatever arms they could, including tanks. As a result, a significant amount of military equipment was in the hands of Armed Groups but not under any real control of the “legitimate” governing institutions in Libya.

The fore-mentioned Qaddafi legacy further compounded the problems, since Qaddafi had abolished the Ministry of Defence, there was no longer a tradition or perception of this concept in Libyan minds. Because of this, the Minister of Defence formed additional military units, which were out of the control of the General Staff so that there was conflict among the decision makers as to their powers and responsibilities. The turbulence resulting from the Revolution caused politics and the armed elements to become further intertwined. The Armed Groups accumulated more power after receiving a share of the influential appointments. (DD, 2018) The Libyan state did not build any institution to absorb the Armed Groups, restructure or demobilize them except minor attempts. To compound this, unemployment deepened the disorder since the unemployed Libyans had to join to either the security forces or the Armed Groups to earn a living.

Another factor that led to the non-institutionalization was the lack of national-level leadership during the Revolution. There was no coordinated effort of the Revolutionaries. Their activities were very dependent on regional dynamics. Hence, there was no common vision, program or collective action to have the Revolution concluded with commonly agreed institutions. Meanwhile, individuals who did not participate in the Revolution joined the Armed Groups afterwards to benefit from its outcomes and produced interest groups that flourished to realize their own ambitions, not the goals of the Revolution. Thereby, Qaddafi’s strategy of sustainable anarchy found life after the Revolution with the resultant non-institutionalization. (FF, 2018)

The initial attempt towards institutionalization was establishing the General National Congress by means of an election apart from the SSC and the creation of the Libya Shields. The Libyan people elected 200 representatives who were mixed in terms of their ideological motivation. However, the Revolutionaries, who perceived themselves as deserving the success of the Revolution, dominated politics while distancing themselves from the Armed Forces because they were afraid of a possible coup d'état. This fear led the Revolutionaries not to re-structure the defence institutions, a situation that was compounded by the fact that the decision-making process was congested. (EE, 2018)

In accordance with the political turmoil, the Law of 2012 and “Political Isolation Law” of 2013<sup>5</sup> required all governmental offices to be cleansed from the officials who had worked during the Qaddafi era. This decision was a turning point to divide the Revolutionaries since the initial attempt of eliminating only high-level officials turned into a clearance of most officials who had served after 1969 during the Qaddafi era. This decision turned out to be polarizing and a further opportunity for the Armed Groups to justify their presence by providing security to either the local public or political figures. Besides, pro-Qaddafi groups were still on the Libyan scene, which complicated the political picture. Meanwhile, the race to trade and possess weapons became a priority for many of the groups. (EE, 2018) The chaos of Libyan politics made the victory of the Revolution appear to be a failure.

Consequently, non-institutionalization after the Revolution can be linked to two interconnected failures. The first one is the inability to manage the transition period. The Revolution was started with the limited organizational skills of the Military Councils. The Councils were not efficiently integrated under a central lead-

<sup>5</sup> For full text, see *Legislation No.13 of 2013 [on] Political and Administrative Isolation*, available at <http://muftah.org/full-text-libyas-political-isolation-law/#.VolMb1Yq4Q>.

ership, most probably due to the fear of having another ‘Qaddafi’, the speed of the Revolution, and the lack of tradition of working together. The prevailing mood of the Revolutionaries was to topple the Regime and create an accountable state system. The regionalization of the Revolution based on city and tribe solidarity impeded a countrywide transition period from the conditions of the Revolution to a consolidated state. Hence, the second non-institutionalization factor is the failure in establishing not only order but also a ‘system’ for the state. Additional factors multiplied the negative impact of the Revolution rather than creating the desired outcomes because of the presence of competing groups seeking more power, foreign incursion via these Armed Groups, corruption or the political agenda of personal benefit. (MM, 2018) Nonetheless, building an ‘institutionalized’ system remains the best long-term exit strategy from state failure in Libya.

Third factor to be considered, ‘political and administrative will’ to govern the post-Revolution era was lacking. The new government attempted to co-opt the Armed Groups to bring them under its control, however the reality was that the Armed Groups controlled the institutions. The political and administrative bodies showed no intention to build an institutionalized security sector. Both the military and the Revolutionaries benefitted from the untidy situation in the security sector, polarizing themselves and/or giving their loyalty to a political or armed group. (BB, 2018)

### **3. DISINTEREST OF INTERNATIONAL ACTORS**

Non-institutionalization after the Revolution can be observed by corrosion in the state institutions and the increasing influence of Armed Groups, although the disinterest of the international community needs to be scrutinized to see if it engaged responsibly in the post-Revolution era. For instance, NATO’s aggressive support to the Revolution and subsequent withdrawal from the state-build-

ing efforts is a point of controversy. The UN's encouragement to establish a state system and affiliated security structure has not been productive, even at the time of this research. Foreign participation of individual states has generally helped to destabilize; particularly so when it has been primarily in support of one faction rather than a universal state-building effort. In the beginning – and even later on – there were a number of offers by Western countries to assist. A big problem – though perhaps an understandable one – was that the Libyans had a hard time getting their act together to even know what they wanted, to put that into a coherent format and to process that demand to the international community. Between the legacy of Qaddafi, the chaos of the Revolution and post-Revolution, the unwillingness of the NTC to take a decision, the GNC to form a government, and the inability of Libyans to talk to each other, it was difficult to make progress. Foreign aid of any kind is usually very slow and bureaucratic. Western countries are increasingly reluctant to go forward in fragile states so as not to take any chances. It is somewhat perverse: the more the aid is needed, the longer and more difficult it is to provide it. Once Libyans start fighting against each other in 2014, certain international powers did nothing while others starting pursuing their own narrow interests. However, this was often done at the invitation of certain Libyans who will inevitably claim that it is to re-establish the state, fight terrorism, etc.

In the interests of impartiality, this report will not name any state actor. However, the disinterest of the international community as a whole combined with support from certain countries to favoured armed formations has devastated Libyans' trust. Interviewees frequently raised the question of foreign involvement in Libya by accusing other groups of serving the interests of the foreign actors. Hence, foreign incursion has led to two effects. First, bias against foreign actors has jeopardized genuine impartial pledges to Libya. Second, unity among Armed Groups has diminished as

they accuse each other of promoting the interests of various foreign actors. For instance, KK, an influential local leader, argues that security problems in Libya are not related to Libyan internal dynamics, but rather all about foreign actors. He claims that all the decisions about Libya are made by foreign actors, not by Libyans. This is why all armed groups act individually and separately from each other as they fundamentally serve the foreign actors, which for him are regional and global states as well as multinational corporations. (KK, 2018) Another local leader echoes this, saying that the role of foreign actors in Libya is one-sided and complicates the situation in the country. (AA, 2018)

JJ accuses specific blocs of states of being involved in the internal dynamics of Libya. For JJ, it was mainly the foreign actors who led the conflict for the natural resources. Western states are the main foreign actors as was the case with their interventions in Chad, Mauritania and other African Countries. Meanwhile western powers compete to balance each other in order to gain more ground in the Libyan theatre. Regional powers are also divided depending on their national agendas and their interests are reflected by their provision of support to their favoured political and armed groups. (JJ, 2018)

In parallel with JJ, MM, a youth leader, relates the political order of Libya to the dynamics of African and European states. He claims that what happens in the neighbouring states echoes in Libya's political order and rebounds in the actions of the competing state actors. He was, however, optimistic about the Palermo Conference for Libya. Even though the Conference did not get all parties to agree on a common understanding, it was a success to have all parties attend. MM claims that the internal actors in Libya are not exactly independent from the foreign interventions. (MM, 2018) Therefore, external actors should all agree to respect Libya's sovereignty and assist current transition efforts to build a secure and stable country.

#### 4. THREAT AND RISK ANALYSIS:

A threat and risk assessment for Libya is not complicated since most actors and dynamics are observable and available. The main risk, and to some extent threat, comes from the divided security structure. This is due to the competing interests of different revolutionary groups and a passive Libyan security structure (including police) other than internal conflict risks as is the case by Haftar's attack to Tripoli in 2019. Besides the quest to "have funds, obtain political influence and control more territory to impose their will" may cause the sort of conflicts in Libya as observed in August 2018. Moreover, the separation of eastern Libya from the western region in terms of governance and security structure may further divide an already disintegrated Libya. Libya currently faces two alternative state mechanisms with loyalties from different Armed Groups. The south of Libya is geographically disconnected from these two regions and thus presents a further partition. Interestingly, other than foreign support to certain Armed Groups, it is the Central Bank of Libya which finances the divisive attitude of the conflicting parties as it pays the salaries of both competing state mechanisms. These rival structures attempt to dominate each other by military and political measures at the expense of the common interests of the Libyan people.

Foreign intervention, by means of funding, logistical support, and political encouragement, escalates the security crisis and increases the likelihood the conflict will continue. Any state actor may support any local militia to have a region of Libya in line with its interests, perhaps to profit from oil wealth, align Libya's future with their Africa policy or to indirectly compete with the other state actors. Although a unity government and functional, systematically built state mechanism can hinder foreign intervention, the risk of divisions will always exist. Any government must be vigilant to protect the future of the Libyan people. On the other hand, the probability of direct foreign intervention by direct military means

is currently assessed as low though; polarization will encourage foreign intervention as an extension of proxy war in Libya. But indirect foreign intervention by means of the local armed groups will always be challenge for Libya, if a state building and security consolidation could not be achieved.

Terrorism is still in the initial stage of establishing its roots in Libya. DAESH has penetrated into Libya and performed attacks of violence all around the country. Haftar's excuse of fighting against DAESH is perceived as legitimate by some of the international community even though the western Armed Groups perceive Haftar's claim as no more than an excuse to dominate the country and also disregarding the efforts of Misratans and Derna people to fight against DEASH. Hence, the presence of DAESH has become the legitimization and justification of atrocities and expanding Haftar's sphere of influence in Libya. The international community must treat local actors fairly and encourage them to build a state system and extending security structure if it wants to effectively fight terrorism.

The risk of radicalism is higher in crisis-prone states if the demands of the public are not satisfied. Libya has faced two streams of radicalism after the Revolution which are a risk to building a stable and secure future. The first one is DAESH and, for some interviewees, Madkhalism along with the groups, which were linked to Al Qaeda. For instance, MM says that DAESH is an important phenomenon in Libya after the Revolution while the second currency, Madkhalism<sup>6</sup> is inspired from a certain Saudi ideology. (MM, 2018) AA supports MM's view, by pointing to the infiltration of Madkhalis into the Misratan Armed Groups, alleging that

<sup>6</sup> For a recent paper on Madkhalism in Libya, see "Addressing the Rise of Libya's Madkhali-Salafis". International Crisis Group (ICG) - Middle East and North Africa Report N°200 | 25 April 2019, available at [https://www.crisisgroup.org/middle-east-north-africa/north-africa/libya/addressing-rise-libyas-madkhali-salafis?utm\\_source=Sign+Up+to+Crisis+Group%27s+Email+Updates&utm\\_campaign=8256c60228-EMAIL\\_CAMPAIGN\\_2019\\_04\\_24\\_01\\_59&utm\\_medium=email&utm\\_term=0\\_1da-b8c11ea-8256c60228-359781921](https://www.crisisgroup.org/middle-east-north-africa/north-africa/libya/addressing-rise-libyas-madkhali-salafis?utm_source=Sign+Up+to+Crisis+Group%27s+Email+Updates&utm_campaign=8256c60228-EMAIL_CAMPAIGN_2019_04_24_01_59&utm_medium=email&utm_term=0_1da-b8c11ea-8256c60228-359781921), accessed on 25 Apr 2019.

they complicate the common efforts of the militias in the city. (AA, 2018) These currents have armed elements that will continue to pose a risk of radicalism in Libya. Meanwhile, these elements have established radio channels and have dominated the media to influence uneducated minds by presenting theirs as the correct interpretation of religion. A more in-depth study of radicalism in Libya is being prepared by SETA's CVE [countering violent extremism] team.

Other risks to unity and democratic control are the militarization of politics and the politicization of security forces. (MM, 2018) Politics and Armed Groups are so intertwined that they may be 'prisoners' to each other. This may stall the development of the state and impede it from carrying out its core functions. The reformed security architecture should be designed to facilitate the separation between politics and the military, which should be under civilian, democratic and institutionalized control.

Border and coastal security are important for international security to prevent illegal migration and penetration of terror cells en route to the western hemisphere. Border security is difficult for Libya due to challenging geography, long border lines, demographics along the border and smuggling efforts of cross-border communities. The southern region of Libya struggles with Armed Groups trying to control the border trade and smuggling while the western border line is exploited by the smugglers, who are connected to terror groups.<sup>7</sup> The security architecture is expected to meet the needs of the public living along the border while defending Libyan sovereignty.

<sup>7</sup> For further details, see "Report of the Analytical Support and Sanctions Monitoring Team submitted pursuant to paragraph 13 of Security Council resolution 2214 (2015) concerning the terrorism threat in Libya posed by the Islamic State in Iraq and the Levant, Ansar al Charia, and all other Al-Qaida associates". See also "Final report of the Panel of Experts on Libya established pursuant to resolution 1973 (2011)": S/2016/209, March 09, 2016, p. 3 and para 197, 198, 208-214, ANNEX 7.

The social cohesion of the Libyan public has been difficult since the post-Revolution era with Armed Groups based on cities and tribes. Possession of weapons of all kinds by regular citizens and armed militias may encourage local groups to expand their sphere of influences. The North West of Libya, mainly Tripoli, is particularly afflicted. Political stability and transition to a transparent, democratic system will help prevent social and political tensions.

Finally, the increased level of weapons possession is a real threat in terms of criminality. Moreover, the formation of new Armed Groups is likely as small groups existing umbrella organizations. In order to prevent grievances in the coming era, the state is expected to regulate the possession of arms by a carefully designed DDR process along with a reform of security institutions. Any reform must respond to the threats and risks by effective state-building and coordinated security undertaken by reformed institutions. In order to do this, the current security structure on the ground needs to be scrutinized to identify any defects and devise a way forward.

## **5. SECURITY ARCHITECTURE AND CONCERNS**

### **5.1. STRATEGIC ARCHITECTURE**

The strategic architecture of the Libyan regular security forces is an essential issue that is being handicapped by various impediments; the first of which is the blurring lines of authority and duplication of institutions leading to inefficient security procedures. There happened friction between the Ministry of Defence and Armed Forces General Staff as to their mandates, although neither has well-established institutions on the ground. The strategic demarcation of authority and responsibility is specified by Law No.11 of 2012<sup>8</sup> and its 2015 amendments. The President is identified

<sup>8</sup> The National Transitional Council - Libya. Law No. (11/2012) - Regarding some of the provisions related to the leading positions in the Libyan Army. Issued in Tripoli on Monday, 13th January 2012.

as the Commander in Chief and the respective responsibilities of the Minister of Defence and Chief of General Staff are defined. The further amendment established the post of General Commander<sup>9</sup>, separate from these offices. Law No. 11 and its amendment does not have any position of “General Commander”. The House of Representatives promulgated another decision creating the chain of command: President-General Commander-Minister of Defence-Chief of General Staff respectively. It was specifically created for Haftar to ease the escalation of tension while his self-styled Army has its own Chief of General Staff in Benghazi. On the other hand, the General National Congress had ratified a decision on this chain of command after its mandate had run out that is criticised on the grounds of the invalidity of the General Commander. Furthermore, the Constitutional Court had already declared the House of Representatives to be an illegitimate body. The line between politics and the military has been blurred by this invention. Law No. 11 represents the law of the land. (BB1, 2018) The bottom line is that the strategic command structure and lines of authority have to be demarcated according to the requirements of Libya’s security architecture and not to satisfy the demands of particular individuals.

Besides the higher echelons of Libya’s security structure, another issue that came to light after the February 17th Revolution was the non-existence of an actual Libyan Armed Forces. As mentioned at the beginning of this chapter, Qaddafi left a non-functional Armed Forces and a devastated infrastructure. The Regime’s Protection Forces were destroyed. The Navy and Air Force were relatively spared from the destruction. Both services were at the level of 60 percent strength as were the Police in terms of the work

<sup>9</sup> The National Transitional Council - Libya. Law No. (11/2012) - Regarding some of the provisions related to the leading positions in the Libyan Army. Issued in Tripoli on Monday, 13th January 2012. Acc. 14 Apr 2019 at [https://security-legislation.ly/sites/default/files/lois/317-Decison%20No.%20%2820%29%20of%202015\\_AR.pdf](https://security-legislation.ly/sites/default/files/lois/317-Decison%20No.%20%2820%29%20of%202015_AR.pdf)

force.<sup>10</sup> RR argues that the Libyan Police had already retreated from the public scene probably because they were unsure about the attitude of the Armed Groups towards them. (RR, 2018) It was therefore somewhat absurd to fight for more authority over the security forces since they mostly existed only on paper. The real security providers were, and still are the armed groups while the chain of command over the Armed Groups lost its grip/power.

## 5.2. MINISTRY OF INTERNAL AFFAIRS

### 5.2.1. GENERAL ASSESSMENT

The Libyan public, for SS, hoped that the police could have established order after the Revolution since there was a common perception that the police were in better condition as than the Armed Forces. The Police probably did not take any action to rein in the Revolutionaries because they had less capacity than them. Qaddafi's policy to pacify the Army was repeated for the Police in order to keep them loyal and focused on the security of the Regime. This legacy organization and capacity of the Police was inadequate to respond to the security requirements. Therefore, it was necessary to reform and modernize the Police after the Revolution. (SS, 2018)

Command and control relations are the primary issues of concern for the Police. The Police are required to serve the Public under the authority of various bodies. The Ministry of Interior has to be the ultimate authority although the Prosecutor's Office may assign criminal investigations. In Libya, municipalities also have the authority to direct the activities of the police. Libya does not have any position like General Chief of the Police. Such a deficit has led the ministers of Interior not to direct the Police at provincial levels but has the Armed Groups, with both their light

<sup>10</sup> The salaries of security forces were at the lowest possible level and many were also involved in private businesses.

and heavy weaponry, in charge of providing security instead of police. Hence, the Security Committees of the Armed Groups, which are equivalent to the Police, are authorized to fulfil the policing functions. The Supreme Security Committee, in this context, secured Benghazi and Tripoli rather than the reformed police organizations. Meanwhile, the Committee expanded its influence and shaped local politics while some police officers had to leave their posts. Armed Groups' involvement in policing complicated the security architecture since individual Libyan cities are being served by hybrid militias, with little overall supervision, and a marked militarization of their activities. (SS, 2018)

The Ministry of Defence is also in charge of directing some police forces by means of the Supreme Security Committee since they were enrolled in the Ministry of Defence. The Armed groups were put on the pay-roll of the Ministry of Defence but were deployed inside the cities. The attempts to transform the Armed Groups to police forces failed due to the confusion in the Ministry of Internal Affairs. (SS, 2018)

The year 2011 witnessed considerable re-structuring of the Police to have it more functional and act as a deterrent force after the Revolution. A purge was planned to reduce the number of police to approximately 70,000. The example of Gendarmeries in Turkey, Italy and France were reviewed to see their applicability to Libya. After a process of restructuring, the Central Security Apparatus was built but the Armed Groups were too strong and there were strategic deficiencies that impeded the transformation of their structure. At the provincial level there was a certain amount of progress. For instance, a pilot project was started in Tripoli using 4,600 trained volunteers. However, the central government did not provide a budget or an adequate level of resources to ensure that the new formation was functional. Regionalism proved too strong to achieve national level re-organization and reformation. (SS, 2018)

### 5.2.2. STRUCTURE OF THE POLICE

#### Organization

Police have been organized by Provincial Police Departments and directly linked to the Ministry of Internal Affairs, but there is no central directorate for the Police to subordinate it to the Ministry, which results in a deficit of supervision upon the police. Moreover, there is no standard police chain of command in Libya. There are specialized departments under the Ministry of Internal Affairs, which can be grouped under three departments; Special Deterrence Force, Countering Crime Department and General Security Departments with Security Centres underneath. Although some police stations are directly linked to the Ministry, others are organized at the provincial, city, neighbourhood or municipality level. A criminal investigation may be executed by a specialized General Directorate in the Ministry, but provinces mostly do not have specialized police departments other than, Search and Rescue and Trafficking functions.

The Ministry of Internal Affairs, today, has many types of security organizations such as Special Deterrence Force (SDF), which is currently renamed as the ‘Deterrence Organization for Combatting Organized Crime and Terrorism’ (Presidential Council, 2018<sup>11</sup>), Central Security Apparatus, General Security, Security Offices, Fight Against Crime Units. The range of responsibilities, under different Armed Groups, leads to loss of command and control over their activities. With the current poor state of the police, the presence of various Armed Groups acting as security forces in urban areas often leads to ‘mission creep’. Moreover, the Armed Groups with their heavy weaponry and high salaries overshadow the poorly equipped and badly paid police forces.

<sup>11</sup> Decree No. 55/2018 on the Establishment of the Deterrence Organization for Combatting Organized Crime and Terrorism [in Arabic]. Tripoli. 7 May. NOTE: ICG gives the number of the Decree as 555. Decision of the Presidency Council of the Government of National Accord N°. 555 of 2018, 7 May 2018. Amnesty International quotes the same number [555].

### Doctrine:

The Police do not have any specific doctrine in Libya. The regulatory heritage of the Qaddafi era is still effective to prevent criminal acts although further reform is required.

### Equipment

Equipment is an essential issue for the Police. Premises are not adequate and there is also a shortage of electronic devices, cameras, communication means, vehicles and anti-riot gear. Logistics is short of adequate funding as confirmed from interviews with knowledgeable individuals. (BB, 2018) (BB1, 2018) (SS, 2018) Meanwhile, although the Armed Groups are well-equipped, the police's weapons are light ones that cannot be used against mass uprisings.

### Training and Education

Training and educating the police abroad, rather than the Armed Groups, was a project, which was realized in Turkey, Italy and Great Britain. Unfortunately, educated police could not resist the domination of the Armed Groups when they returned from the courses. (SS, 2018) At the national level, Libyan Police do not have any comprehensive plan for long-term training and education, however they do have an educational institution that can produce qualified police officers with a certain level of expertise.

### Professionalism

There are many experienced officers who are too old to be on the streets but who could be used to educate the next generation of police. Nevertheless, the education program and consolidation of knowledge have not been sufficient to achieve any progress.

### Capacity

Committees were established after the Revolution, which again transformed the Ministry of Internal Affairs, initially by renaming by different titles. In addition, the Revolutionaries built new Po-

lice Headquarters in the cities, which numbered over 70, ignoring any planning by the authoritative regional directorates in terms of demography, administrative division etc. Subsequently, the MoI co-opted the Security Committees formed from the Armed Groups, which had taken control over all police organization at the Provincial level. 2015 witnessed another reform attempt in the Ministry of Interior. It must be said that the Revolutionaries, including those who did not participate in the Revolution, were integrated into the security architecture, in order to ensure them with pay-cheques. The Armed Groups filled the role of the police but without the training or professionalism. The total number of personnel reached 250,000, whereas it had to be around 150,000 as 200 police officers per 100,000 citizens is sufficient. The ministry has 17 different directorates under its headquarters, and each has a separate budget that makes them independent from the Ministry. For instance, they inaugurated training facilities only for their own function without any coordination. (SS, 2018). Meanwhile the Cabinet Decree No. (145) of 2012 (Article (6)) requires to be 20 “directorates”, 3 “offices” and 2 “departments”.

An important issue for the Ministry of Interior is how to improve its specialised units. Specialised directorates are situated in Tripoli and depend on freedom of movement across the country to fight crime and undertake investigations. The task of issuing passports has been the main active function of the policing function of the Ministry in Tripoli since it is the only authorized body. Unfortunately, the current security environment prevents these departments from functioning outside of Tripoli. Moreover, the control of Armed Groups in Tripoli impedes these directorates from carrying out their duties in accordance with the law. There are efforts by the Ministry of Internal Affairs to integrate its databases and establish a coordinated crime fighting capacity; however, there is still a long way to go to achieve this target. In terms of providing

a service to the public, the Police do the paperwork as far as any complaints that are made or crimes that are identified. (SS, 2018)

What has been achieved thus far is limited since nearly every citizen is armed and the police are too weak to enforce the law. This highlights the need for a disarmament, demobilization and reintegration process (DDR). DDR has always been a topic for debate among Libyans. There was a DDR project during the National Transitional Council period, with a budget of 10 billion dinars however it could not succeed due to resistance inside the Council. DDR was a desired, but unachievable project that has had a direct effect on the security and efficiency of the Police. (SS, 2018) For MM, a former Armed Group leader, DDR is only possible if the Tripoli Government is strong enough to deter arms possession and the leaders of the Armed Groups are persuaded to comply, which requires trust. (MM, 2018) However, the methodology of DDR is a point of disagreement among Libyans. For NN, the heavy weapons should be collected in order to weaken the resilience of the militias. The purchase of the heavy weapons could also have been a reasonable solution however the Ministry of Finance was opposed to this proposal. Another problem could be weapons smuggling where the criminals would profit from the DDR process. (NN, 2018)

Regionalization has also negatively affected the capacity of the Police, who cannot access all neighbourhoods of the major cities while rural Libya is under the control of Armed Groups and factions of the Police who are loyal to a certain tribe or regional group. In Tripoli, for instance, the neighbourhood of Souq al-Juma' has been home to both Revolutionaries and Madkhalis. These two groups were competing against each other but when the Misratans arrived in Tripoli, they started cooperating. Therefore, they can leave their interests or ideological motivations aside if their regional security is in danger. Under this circumstance, the Police are unable to represent the authority of the State since they do not

have the capacity to control these two groups in their neighbourhood. (SS, 2018)

### 5.3. MINISTRY OF DEFENCE

The Government of National Accord [GNA], which is recognized as the sole legitimate governing body by the UN, directs the Ministry of Defence. Current Prime Minister (PM) Fayez al-Sarraj occupies the Prime Minister's Office [PMO] and also acts as the Minister of Defence at the time of drafting this report. The forces of GNA mostly consist of the Armed groups under the authority of either Ministries of Defence, Ministries of Internal Affairs or PM Office. The Ministry of Defence is subordinate to the Presidential Council, which is led by PM Sarraj. Ministers in Libya have to be appointed by the consent of the PM and his deputies with unanimous votes. In this context, PM Sarraj appointed himself as the Minister of Defence in September 2018. Khalifa Haftar has occupied the positions in Benghazi and become an alternative governing body. He has created a separate military formation with a chain of command independent of the GNA. Therefore, Libya is currently a divided country in terms of defence institutions.

The GNA's Ministry of Defence is superior to many organizations although Libyan General Staff, Military Judiciary and Defence Industry Institutions are also prominent. The Operation Rooms, which can be likened to Regional Commands, are directly linked to PM Sarraj in his role as Commander in Chief rather than in his role as Minister of Defence. As the relationships are blurred on paper and in practice, the structure of the defence sector appears complicated, particularly given that the Armed Groups have their own chain of command and control.

This has resulted in cracks in the chain of responsibility at the strategic level that are transmitted to the mid-level military formations including the Armed Groups associated with the Military.

The personalities of the high-ranking decision makers hold more weight than the designated authority of the three aforementioned strategic decision-makers, to allot funds or withhold resources to mobilize or stall the military units if the political agendas are different or conflicting. Such a risk highlights the urgent need for clarification of hierarchy and authorities both in law and in practice.

The General Staff in Tripoli has command authority over all the Services (Land Forces, Navy, Air Force, Air Defence Forces, and Border Guards).<sup>12</sup> Meanwhile many institutions with support functions like Assistance and Logistics, Education, Military Police, Comprodor, Military Affairs are directly linked to the General Staff. However, General Staff does not have Army or Corps level units, only Military Districts and these commands directly report to the PM.

Haftar's Self Styled Army has its own command structure and subordinate units independent of the internationally recognized Government of National Accord. Its hierarchical order has been put in place by its Commander in Chief (Haftar), including: General Staff, Navy, Air Force and Air Defence Forces. Land Forces Command does not exist since it constitutes militia, the Armed Groups, mercenaries and soldiers of the former regime. Army units of significance are the ones represent regional or tribal armed formations. Meanwhile radical armed militias have negotiated a compromise with the self-styled Libyan National Army [LNA] to receive a kind

<sup>12</sup> These functions are also mentioned as directorates under the MoI in Article (6) of Cabinet Decree No. (145) of 2012. Articles 6 & 8 for Borders, though dealing with official entry points. Under Article 10, there is a General Directorate for Coastal Security. Under Article 11, there was a General Directorate for Combating Illegal Immigration but replaced by "Anti-Illegal Migration Agency" under the MoI created by "Cabinet Decree No. (386) of 2014 on the establishment of an anti-illegal migration agency". Under Article 17 of Cabinet Decree No. (145) of 2012, there is a General Directorate for the Protection of Vital Targets, which seems mostly destined to protect archaeological, economic and diplomatic targets (seemingly doubled by the Diplomatic Police under the Ministry of Foreign Affairs).

of legitimization. Khafar also appoints former officers as commanders to organize districts and Operation Rooms: Al Karame (Benghazi), Omer Muhtar (Darna) and Al Wusta (Oil Crescent).

### Military Districts

Libya is, in principle, divided into seven military districts, which report directly to the PM. These are Tobruk, Kufra, Benghazi, Al Wusta, Tripoli, Al Garbiye (West) and Sabha military districts. However, only Al Vista, Al Garbiye and Tripoli are activated. Commanders of these districts have been appointed by Presidential Decree. What makes the situation complicated is that the jurisdiction of the Commander in Chief has also been divided into 10 districts. Individual military units in the three functioning military districts report directly to the Presidential Council along with the ones in the Sabha Military District. Haftar's self-styled LNA has also assembled military units in Tobruk and Benghazi, along with some parts of Sabha. There are various military units, actually Armed Groups, connected to Tripoli or Benghazi. They are sometimes linked to both in order to double their salaries, because the Central Bank pays the declared lists of soldiers to both sides, without efficiently controlling double registrations. Finally, there are 'so-called' military units in the Oil Crescent and Al Garbiye, which claim to be loyal to Haftar, but which are not active.

A criticism of the military district arrangement is their linkage to the PM [who is also the Minister of Defence] rather than through the Ministry of Defence and General Staff, who are only in a supportive role. These districts, under the influence of the Armed Groups, appear to be independent formations, impeding an ordinary chain of command. The poor command & control mechanisms of this irregular structure also make it harder to complete missions -such as dealing with disturbances in the major cities. (BB1, 2018) Finally, Military Councils that were set-up after

the Revolution and which were supposed to be dissolved after the establishment of the military districts, still exist. They are currently accepted in the cities although their participation in security issues is very limited and they mainly attend social activities and ceremonies. (BB1, 2018)

Border Guards are in the organization chart of the General Staff and structured to guard the 4,500 km length border by means of observation posts and patrols at Company level. Border security is not only a matter of military structures. It must also factor in the demography of the border regions, the neighbouring countries and the groups profiting from insufficient controls. Border security in the south of Libya is given prominence because of the “soft” national and international security concerns especially smuggling and illegal human trafficking; however, many shortfalls remain to be addressed to ensure the safety of the Libyan public.

The organization of the Border Guards is based on light infantry units. Despite the fact that such a difficult borderline with desert characteristics cannot be covered by traditional patrolling or observation efforts, these units do not possess specifically designed equipment to observe the border to augment physical security systems. As per the complicated structure of the Armed Forces, the Border Guards are constituted by the local Armed Groups without proper expertise or adequate training. On the other hand, these local groups are accustomed to the conditions of the border geography which helps their performance.

The Libyan Air Force was once very distinct in Africa in terms of aircraft, equipment, training skills and personnel qualification. It was, once, a rather small formation when the 1969 coup d'état was carried out. The total number of aircraft was 20, made up of F5s, training aircraft and three to four transportation aircraft. Qaddafi expanded the Air Force and procured a large number of airplanes so that the number reached 960. However, infrastruc-

ture, personnel qualification and technical requirements were ignored. Hence, the efficiency of the whole Air Force was around only 10 percent. Training could not be performed in accordance with the required assets due to the lack of spare parts despite flight hours being kept at 240 instead of the ideal 140 hours, according to PP1.<sup>13</sup> The Libyan Air Force was also unusual in that it was linked to the Ministry of Transportation and supervised by a civilian in the 1990s.

The 1990s witnessed a significant diminishment in capacity due to the embargo, which halted procurement of spare parts and the required equipment. Some aircraft and infrastructure were destroyed during the Revolution. The Revolutionaries tended to invade the military bases and confiscate all the weaponry including the military vehicles. Only some air bases were saved from their offensive like Benina Air Base in eastern Libya. (RR, 2018) Airmen of the Libyan Air Force came together to mend the damage and destruction. Haftar's offensive in 2014 divided the Air Force into two groups that caused leadership and logistics to become an issue. While the Air Force was divided among the Government of National Accord and Haftar's forces, enjoyed external air support to establish control over eastern Libya and the Oil Crescent. This shows how crucial the Air Force is to securing Libya's vast territory (PP1, 2018)

The current aircraft inventory of the Libyan Air Force is a remnant of the Qaddafi's era which are rather old technology and not well preserved. Consequently, it needs great effort to be modernized in terms of political commitment, funding and renovation of the infrastructure. PP1, as a former prominent member of the Air Force, indicates three conditions to achieve reform: political

<sup>13</sup> A consulted Turkish aviation expert stresses that the ideal number of sorties should be around 200. But a measurement with time framing is inappropriate because a sortie can be one hour or 35 minutes.

determination (as with all areas of reform), personnel qualification using Libya's own capacity, renewal of aircraft and relevant equipment. When these three conditions are met, the Air Force Academy, which is currently non-functional, needs to be restored since it has lost the capacity to train pilots and technicians and is missing the necessary training assets. To summarise, four areas are crucial for a reform of the air forces; organization, training, procurement and logistics. Maintenance and sustainability that requires allotting an adequate level of funds, and aviation is an expensive sector, calls for strong political commitment. (PP1, 2018)

Libyan Air Force veterans agreed that air bases will remain a sensitive topic until the current conflict is resolved. The one who controls the Air Force will have a strategic advantage over rival factions. The interviewees suggested that, for several reasons, the city of Hun in the Jufra region is the ideal location to base the Air Force elements along with strategic and critical headquarters. First, there is already a well-established air base constructed according to Soviet doctrine. The base has accommodation, depots, ammunition stores, aircraft shelters (20 in total) and other facilities. Secondly, its geographic position protects against infiltrations due to the surrounding mountains and limited land routes. It also provides easy access to every remote corner of the country due to its location in the middle of Libya. (RR, 2018), (PP1, 2018)

The Libyan Navy, prior to the Revolution, had 10 vessels of varying classes including one submarine, some of which were equipped with guided missiles, in two naval bases: Tripoli and Tobruk. The submarine was removed from service after two years due to technical incapacity to sustain it. Italy donated two coast guard cutters in 2008 to help reduce illegal human trafficking and Croatia granted two landing crafts. All of the ten vessels were destroyed by the NATO attacks during the Revolution, which flattened the whole navy. Libya currently has one frigate, one minesweeping

vessel and two landing ships along with small boats to provide coastal security. (PP4, 2018)

The EU has supported Libyan efforts to prevent human trafficking since 7 October 2015 as part of its Operation Sophia. The aim of this operation is to train the Libyan Coast Guard and Navy and to contribute to the implementation of the UN arms embargo on the high seas off the coast of Libya. The EU organized courses for Libyan naval personnel in Crete, Malta and Croatia. (EUNAVFOR, 2019) The Libyan Navy was also offered a series of pledges after the Revolution to strengthen coastal security. Italy donated 12 patrol boats to Libya as well as training for units of the Coast Guard. (Xinhua, 2018)

The Navy is officially responsible for the Coast Guard and secures the maritime territory. As the capacity of the Libyan Navy has improved, the coastal security and offshore control capability of the Libyan Navy has evolved. The Navy's role in preventing the escape of radical elements from Sirte during anti-DAESH operations and providing security to the Oil Crescent shows how important they are. In case of disturbances occurring in Libya, naval forces will facilitate the control of oil transport, contributing to the failure of any rebellion.

#### **5.4. MORALE AND MOTIVATION**

Morale and motivation are what mobilize an army with minimal resources, informing success and victory along with trust and interoperability and disregarding internal differences. The interviews conducted clearly indicated vulnerability because of a lack of morale and motivation. Qaddafi's practices and legacy may be counted as a source of moral deficiency leading to a discredited military reputation of not achieving allotted tasks. Qaddafi preferred the military to stay away from the barracks, be paid and not pose a threat to the regime. The Revolutionaries were biased against the

military because they did not fulfil their duties during the Qaddafi era and because of their actions during the Revolution. Though one portion of the soldiers was together with them, the majority was either against them or neutral. The morale and motivation of the military therefore remain suspect in the eyes of the Armed Groups and the public.

Two elements are important for improving morale and motivation. The first is to improve the image of the Armed Forces in the eyes of the public by building an efficient institution. In this sense, SSR and its implementation are essential for their credibility. The second is the self-perception of military personnel and the image of their status in comparison to the Armed Groups. As long as the Armed Groups exist and receive more personal and institutional benefits, the military will not motivate themselves to effectively execute their tasks.<sup>14</sup> The competition of political figures will continue to divide the military and cause them to compare their status with other segments of the military, as can be seen in the friction between Haftar's forces and the legitimate Libyan Army.

Libya's political leadership may overcome such difficulties by employing basic but substantial measures. Uniting the Army may be the first step, which is currently partitioned due to political polarization. The Armed Groups' transformation into a regular force may be another option. Finally, a personnel reform that will guarantee fair personal benefits, ensure rights and clarify duties may be the final element. These three steps may also promote the credibility of the military in the eyes of public, encouraging unemployed but qualified youth to join the Armed Forces rather than the Armed Groups if the benefits are more attractive.

<sup>14</sup> The average salary of the Army is around 3,500 Libyan Dinar per month after the increase in July 2018, which equals to 700 USD. However, the Central Bank only allows individuals to hold 500 USD which forces the military personnel to exchange their income to save their money.

In line with the above-mentioned elements, the efforts of the Libyan Armed forces to sustain professionalism has been supported by the Directorate of Idare-i Manevviye (Spiritual Education), which is similar to the psychological counselling and guidance, self-improvement, career development and indoctrination of army officers and soldiers. The Directorate plans and executes educational courses for the soldiers to increase awareness and understanding. PP3 emphasizes that an estimated 100 courses have been organized with the participation of 60 percent of the Armed Forces. Yet the continuing division of the military between Tripoli and Benghazi hinders such projects. Additionally, an inappropriate and unfair benefit system undermines this attempt since Haftar's soldiers and the Armed Groups are paid more than the regular army. (PP3, 2018)

## 5.5. INTELLIGENCE SYSTEM

Libya has three intelligence institutions: General Investigation Service<sup>15</sup> (GIS - sometimes translated as the General Intelligence Service) under the PM's Office, Military Intelligence under the Ministry of Defence and the Libyan Intelligence Service<sup>16</sup> [LIS]. The GIS is organized in the Municipalities by field offices for internal security. Military Intelligence is not efficient due to the deficits of the military structure. The LIS is responsible for foreign intelligence and linked to the Presidential Council.

Intelligence is a technical and complicated field of work and new intelligence officers cannot be educated in the current security environment. One of the interviewees [CC] observed that the in-

<sup>15</sup> Created by Cabinet Decree No. (325) of 2013\_ establishing the General Investigation Service, Accessed on 24 Apr 2019 at <https://security-legislation.ly/node/32661>

<sup>16</sup> Created by Law No. (7) of 2012 On the Establishment of the Libyan Intelligence Service, Accessed on 24 Apr 2019 at <https://security-legislation.ly/node/31763>. Some further slight amendments were then added under Law No. (27) of 2012 On Amendment of Some Provisions of Law No. (7) of 2012 On the Establishment of the Libyan Intelligence Service, accessed on 24 Apr 2019 at <https://security-legislation.ly/node/31691>.

telligence sector has been weakened because qualified intelligence officers had to resign after the Revolution. They were perceived as loyal to the Qaddafi regime and thus discredited. Meanwhile, many intelligence officers, notably the military ones, are appointed to intelligence tasks without appropriate training and qualification. Finally, intelligence officers do not receive an occupational guarantee and personal/social benefit, so recruitment is problematic. Hence Libya does possess an intelligence architecture in theory; however, some of these agents may be loyal to the various Armed Groups. (CC, 2018)

## 5.6. THE ARMED GROUPS

### A General Assessment

The current picture of the Armed Groups is complicated though; it is easy to portray. It is complicated because the Armed Groups are free to choose any major power broker, be loyal to Tripoli's GNA or Benghazi, which makes it hard to predict with whom they will play along. Micro level neighbourhoods are protected by certain Armed Groups not to be challenged without an armed clash. Regionalization of the groups is apparent with groups generally aligned to the cities from which they come. Armed Groups of these cities mobilized themselves to expand their area of influence, which created competition with others for certain facilities, institutions or neighbourhoods. They may also enjoy the support of external powers who help them to increase their capacities and compete with their competitors for superiority. (SS, 2018)

When Qaddafi was removed from power along with his Protection Units, the Armed Groups had two options for their future. Some members of the Armed Groups returned to their ordinary lives as civilians while those who were unemployed or in need, along with the ones with great ideological or regional identity consciousness, continued their security affiliated activities.

Distrust towards the inactive formal security forces made it easy for these Armed Groups to build independent security systems in their neighbourhoods not only to protect their families, but also to intervene in neighbouring regions to prevent other groups from dominating. Ideologically and psychologically, Tripoli seems to be the main prize in order to maintain influence and deter others.

The Revolution and the concurrent turmoil forced the Armed Groups, first, to enlarge their numbers and obtain financial resources to maintain their organisation by establishing control over critical institutions and regions. The greater the control that the armed groups have on the neighbourhoods and regions, the more money they make to finance themselves. Inevitably the Armed Groups started to compete with each other to capture and hold key locations in order to establish their strength and influence

After common ground was reached through the Libya Political Agreement of 2015 and Haftar's Operation Dignity to seize western Libya, the Armed Groups of the western cities, despite their scattered nature in terms of loyalty and ideological motivations, formed new coalitions. They attached themselves to higher bodies while local ones embedded themselves within the Ministry of Defence, Ministry of Interior, Presidential Council or Haftar's forces through the strong and organized militias. By so doing, they increased their numbers further, allowing them to more effectively display strength and ensure their regular payment. The Central Bank, which is responsible for the payrolls, directly paid the wages without asking if the group was legitimate, functioning or to whom it was loyal. (SS, 2018) The Libyan state thus gave the Revolutionaries more legitimacy, with monthly payments as if they were Libya's regular security forces, through resolutions issued and backed by politicians. (TT1, 2019) In reality, even though the departments to which these groups supposedly answer in principle have the power to command them, these Armed Groups are able

to dictate their own terms due to the security they offer. (BB1, 2018) These legitimized Armed Groups claim to be able to procure equipment simply by a 'letter of intent' and received funds from the Government. Furthermore, the ease with which regular payments were allocated encouraged Libyans to enrol in any group or even in several groups and Government forces to receive multiple salaries. As can be expected, hyperinflation in the number of the revolutionaries occurred even though a substantial number of them had not participated in the Revolution. Furthermore, external support to certain groups in terms of high salaries meant that the loyalty of officers and some Revolutionaries shifted to those groups who enjoy additional resources from rich Gulf countries. (BB1, 2018)

The Armed Groups enjoyed regular wages and it appears some of them used corrupt methods to make even more financial gains. The monopoly of banks to sell foreign exchange offered the opportunity to the Armed Groups to make money. By establishing control over the banks receiving foreign exchange at the official rate, they were then able to sell it in the black market for a profit. (SS, 2018) Though they call themselves Revolutionaries, these false patriots are just benefitting from the crippled financial system, for SS.

The Armed Groups massed various forces after the Revolution to strengthen their presence in the key cities. Some previous efforts had been made to have the Armed Groups integrate. Different responsibilities were distributed to different Armed Groups during and immediately after the Revolution. 2014 witnessed the abolishment of these formations by Libyan Shield Forces, Central Security Organization, Tripoli Revolutionary Battalion, Special Deterrence Forces. Organizations that were supposed to be transitory appear to be permanent since the end of the Transitional period never came. (BB1, 2018)

After realising that it was necessary to reform the Armed Groups, leading political figures reviewed their status and attempt-

ed to reorganize them by integrating or terminating their status. Reform attempts started with the idea of integrating Shield Forces into a more regular security architecture through three phases. The first phase was to employ them as a military force under the General Staff. Shield forces accepted this proposal on the condition that they would be supervised by an officer who had participated in the Revolution. The second phase of the integration was to ask the members of the groups to declare their weaponry, have them stored after an inventory, and give them the choice to take part in the integration process or leave the military to return to their civilian life. The final phase was to have the Armed Groups organized as regular military units with an offer of regular payments made afterwards. (BB1, 2018) The reform attempt was promising and presented the possibility of future achievement.

### **Security and Military Entities: The Preventive Units**

The focus after the Revolution was twofold, to secure the urban areas and continue to fight the ‘fifth column’ of remaining pro-Qaddafi forces. For the urban areas, Preventive Security Apparatus were established while Al-Barikiyye Front was mobilized to engage the Pro-Qaddafi militia in area of Benghazi. The Preventive Security Apparatus continued to provide security all around Libya after the declaration of freedom and were integrated into the Ministry of Internal Affairs in 2013. Later in 2013, they were put under the General Staff of the Libyan Armed Forces. After its dissolution, some of the members joined Libyan Shield Forces while some others returned to their civilian life.

### **Supreme Security Committee (SSC)**

The SSC was formed after the Revolution in Tripoli to provide security, in October 2011. There was first an “Announcement 20”. Then there was a Resolution No. (142) of 2011 forming the SSC.

The SSC was then supposed to be disbanded by NTC Resolution No. (191) of 18 December 2011. It was then reinstated as the “Interim Supreme Security Committee” by Minister of Interior Decision No. (388) of 1433 AH – 2011 AD on 28 December 2011. Its main role was to act under the orders of the MoI, though that included dealing with threats coming from the former Qaddafi regime. It did not seem to have a very effective presence in Benghazi. The SSC was composed of the Neighbourhood Guards, which were 17 in 2011. However, by 2012 this number had increased to almost 100 which presented an expansion in terms of organizational structure. The growth in the number of SSC work force was initially welcomed, with a target of 25,000. However, the staffing level surpassed the target as the military councils in the cities reached 160. In fact, the actual numbers were exaggerated because the enrolment for a salary resulted in duplicate registrations to Councils and Government offices. The SSC quickly expanded its number from approximately 25,000 to 160,000; but these numbers were exaggerated. Local leaders had registered school pupils or imaginary individuals to receive more funding from the newly-established government while some individuals registered multiple times. Once ID numbers were required to entitle a salary, the numbers dropped. The actual number was around 60,000 according to BB.

The SSC was organized as city branches (ex. Tripoli): Combating Crime Committees, Support Forces, Support Companies (different group though similar name to the previous one), Elite Force, Rapid Response Unit and Mobile Unit. The SSC was to be dissolved in August 2012 pending to the foreseen tasks, however the Ministry of Interior preferred to have it continue. Meanwhile, additional organizations were also set-up in Tripoli until 2014 under different names and for different tasks, like the Central Security Organization and the Deterrence Forces. Some of the members

of the Armed Groups under the authority of the SSC joined Libya Shield Forces or the Police while others returned to civilian life.

### **Libya Shield Forces:**

The Libya Shield Forces were established in 2012 in accordance with the decree of the President of the National Transition Council. The National Transition Council was the “Supreme Commander” of the Armed Forces at that time. Through this mechanism, the Armed Groups of all types would be taken under complete control and General Staff would be kept under control. As a requirement of the preparatory phase, the Armed Groups were audited to identify the number of fighters and the inventory of possessed arms and military vehicles. The General Staff was in charge of planning the restructuring of the identified forces and issued decrees to establish military units. The number of the military units reached 13 and officers of the Armed Forces were appointed as the commanders of these units.

Significant Shield forces can be grouped in accordance with their location. Vusta Shield, for instance, was the combination of forces in Misrata, Zliten, Msallata, and Tarhuna. The West Shield was formed by the forces in Zintan and Cebeli Garbi along with the Shield Force of Zuwara, Surman, Sabratha, Al Ajaylat, and Zawiya. The 1st Shield Force was located in Benghazi in the east of Libya. The other Shield Forces were dispersed in different cities and their strength and the man-power level varied. Their regional and revolutionary identity determined their structure.

The task allotted to the Libyan Shield Forces was to secure Libya and oversee arbitration of conflicts among the Armed Groups, tribes and regions. The Shield Forces cooperated with police or military units in order to realize these tasks and took on missions in El Kufra, El Jebel Garbi, Sahel Garbi. They secured Benghazi for the last nine months of 2012 and the first three months of 2013,

which was a very challenging task for them. Additionally, they executed tasks emanating from Decree 7 of the GNC regarding the Bani Walid region.

Libya Shield was affected by the divisions among the blocs in the General National Congress (GNC) and varying political factions with conflicting interests. Polarization in the GNC was deepened by the harsh political competition that had implications on the political and security environments. Consequently, The Libya Dawn Operation that preceded the dissolution of the Libya Shield Forces was hampered by internal divisions. The confrontation started when some Shield Forces left their positions either to participate in activities of the security forces or with Armed Groups from their home regions.

### **Military Councils**

Most Revolutionaries were part of the Military Councils that were created in cities after the Revolution. The Councils facilitated cooperation between the military and civilians, providing a coordination mechanism for the Armed Groups. However, after its re-establishment in 2012, the General Staff experienced difficulties in handling the Councils. The friction was resolved after the military councils were attached to the Ministry of Defence although this chain of command went against normal military protocol.

Military Councils were created in most of the cities under the local municipalities, which were also under control of the Revolutionaries at the onset of the Revolution, with the exception of Benghazi. The prominence and weight of the Councils varied from city to city in terms of being able to provide security. The most organized Councils were in the cities of Misrata and Zintan. Tripoli hosted multiple councils, like Tripoli, Tajoura, and Janzour. As the General Staff expanded its capacity and built military units, these councils lost their influence. The decision to establish ten Military

Districts required the Councils to move to these Military Districts, except for the ones in Misrata and Zintan, and their functions were marginalised. They still exist though they do not challenge the current Armed Groups and military structures.

### **The Armed Groups**

It is impossible to estimate the exact number of militias and portray the dynamic nature of the Armed Groups. The reasons why the Armed Groups come together can be typified under three reasons: personal profit, identity and ideology. Local leadership may also be a factor in ensuring loyalty to a particular unit. Perceived profit and ideology can easily trigger the shift of a group from one front to another. (NN, 2018)

The total number of militias is estimated at 300,000, which is five times more than the regular army, either loyal to Haftar or legitimate government. The discipline of each Armed Group depends on its dynamics; for example, 15,000 to 20,000 militiamen are former prison inmates while there are disciplined groups like the units of Buryan Marsus Operation that might be a base for a regular organizational reformation. (FF, 2018) The commonly known major groups are as follows:

### **The Armed Groups in Tripoli**

Tripoli hosts many Armed Groups that were established with varying regional or ideological motivation. Some interviewed individuals emphasized the infiltration of criminal networks into these groups. These groups are as follows:

- Special Deterrence Force [SDF aka RADAA] of Abdel Rauf Kara [aka Abd al-Rauf Kara] – Now renamed and given a nationwide remit as the Deterrence Unit for the Fight against Organised Crime and Terrorism (Jihaz al-Radaa li-Mukafaha al-Jarima al-Munazzama wa al-Irhab): Based

in Mitiga Military Base, it combats criminality, drug trafficking and terrorism. The group is linked to the Ministry of Internal Affairs with a significant number of police and military officers.

- Haitham Tajouri's Tripoli Revolutionary Forces [aka Tripoli Revolutionaries Battalion or Tripoli Revolutionaries Brigade (TRB)]: The TRB are actually a coalition of different groups. They provide security in the east and south-east of Tripoli as part of the Central Security Apparatus (CSA) under the authority of Ministry of Internal Affairs. Its units are located in Ain Zara and Meshru el-Naam neighborhoods.
- Abu Salim Central Security Forces [aka Central Security/ Abu Salim (CS/AS)] of Abdulghani Kakli [aka Abd al-Ghani 'Ghaniwa' al-Kikli]: This group is also a coalition of different armed groups. It is part of the Central Security Apparatus under the authority of the Ministry of Internal Affairs. They are based in the Abu Salim neighbourhood and along the road of Tariki Matar Airport.
- 301st Battalion under Zubiya's Command: Zubiya's group came to Tripoli from their city of origin, Misrata. The Battalion is based in the south and south-west of Tripoli to provide security under the mandate of the Ministry of Defence. The Battalion is a regular Army unit.
- Fursan Janzour Battalion (aka Knights of Janzour or Janzur): Their area of influence is the Janzour region of Tripoli and the west of Tripoli to provide security under the authority of the Ministry of Defence.
- Armed Tajoura Group (Al Bakara) under Bashir Abdul Ghani: The group is the coalition of the Armed Groups in Tajura, responsible for the security of this neighbourhood.

- Al Nawasi Battalion [aka Eighth Force]: The group is the combination of the military organizations in Suq al-Jum'a [(or Jouma Bazaar). It is the most organized armed group in Tripoli and falls under the authority of the Ministry of Defence.

### Zintanis:

The Zintanis participated in the Revolution from the very beginning. Usama Juwaili [aka Usama al-Juwaili Osama al-Juwaili] is the prominent figure and the commander of the western military council. He previously served as Minister of Defence in the interim government of Abdurrahim El-Keib. Zintan's Armed Groups under al-Juwaili are responsible for providing security in Zintan and securing the border with Tunisia. (NN, 2018)

### Foreign Fighters of Non-Libyan Origin

Foreign fighters of African origin were first brought to Libya by Qaddafi as mercenaries. The ones who are from Sudan appear to be regular military units, loyal to opposing movements in Sudan. The estimated number of the Sudanese paramilitary fighters is around 4,000 and it is commonly known that they were paid by Khalifa Haftar during and after Operation Dignity. (RR, 2018)

### Libya's South

Tribalism is an important factor in the south of Libya. Many define themselves by their Arab or African identities, which often extend into neighbouring states. The Tabu [aka Tebu, Tubu or Toubou] tribe, for instance, has relatives in Chad while Tuaregs can be linked to Mali [also Niger, Algeria, and Burkina Faso].<sup>17</sup> Tabu demography intensifies in Katron, Mazrok and some neighbourhoods of

<sup>17</sup> Tuaregs and Tabus were deprived of Libyan citizenship before the Revolution. (RR, 2018)

Sabha. Corruption and smuggling have been the main occupation in the South. (VV, 2018) Worsening living conditions in the neighbouring African states precipitated immigration towards the south of Libya, although the same immigration flow can be observed towards Tripoli and Misrata.

Security in the south is related to competition between local tribes. The main motivation is obtaining control of the border to profit from smuggling activities. For this purpose, the Armed Groups of the South attempted to build a coalition with the leading figures of the Armed Groups of the north to give them an advantage over other tribes. (VV, 2018) Hence the security situation has always been intense in the south, mainly in Sabha, because criminals and Armed Groups are more powerful than the local police. The tribes and the Armed Groups can be summarized as follows:

- **Al Tabu:** The Tabu is a tribe crossing the border with Chad in and around Marzuk, Al Katarun, Umm el Eranib, Ubara (along with the Tuareg Tribe), el Kafara (along with Azviya tribe). The armed wing of the Tabu tribe is the major force in the south that is able to control smuggling routes. The Tabu and Tuareg are competing tribes with occasional conflicts in the south, mainly in and around Ubari. The Tabu also experienced conflict with the Awlad-I Suleyman tribe in and around Sabha. These conflicts made the security situation tense in the south of Libya. An additional actor in the south of Libya is an Armed Group that is Tabu by descent, but actually with a Chadian origin.
- **Tuareg Tribe:** the Tuareg tribe is dispersed along the border with Algeria in the south west of Libya and extending along the Niger border, mainly in City of Ghat, the cities of Ubari and the Atabe Valley. They were once members of

the Commando Brigades of the Qaddafi Army and famous for their discipline. The Tuareg tribe was in conflict with the Tabu tribe in 2017 around Ubari, causing civilian casualties. They agreed on a truce and signed the 'dignity peace deal' under the supervision of Qatar.

- **Awlad-I Suleyman:** the Awlad-I Suleyman (or Sons of Suleyman) tribe lives to the east of Sirte, the north of Sabha and in Harawah cities. Sabha City hosts the majority of the armed wing of this tribe. The Awlad-i Suleyman was in conflict with the Tabus in 2013 and with the tribe of Qaddafi in Sabha. 2018 witnessed another armed conflict with Awlad-I Suleyman and Tabu that was concluded by the deportation of Awlad-i Suleyman's armed wing from Al Qala and Sabha Airport. They occupied the headquarters of 10th Corps, which declared its attachment to the Operation Dignity Forces. Consequently, Awlad-I Suleyman had to withdraw from their base against the Western Forces and became dominant only in Sabha.

#### Khalifa Haftar

Haftar is a former soldier affiliated with Qaddafi, prisoner of war during the Chad War and a citizen of the USA. These features make him disreputable in the eyes of the Libyans since he did not join the Revolution with the Armed Groups but arrived in Libya afterwards. Haftar managed to get some former and still serving Libyan soldiers to unite around him with the motivation of being paid higher than the other armed groups, since Haftar was supported, not only by the Central Bank but also by external actors, mainly UAE, Saudi Arabia, Egypt, Russia and France. (RR, 2018)

Haftar has built up a militia system based on the integration of armed groups from various cities who expect to gain more from an alliance with him. This makes Haftar's alliance vulnerable since the

same or greater incentive may be offered by another power centre which could easily dissolve it. For that reason, Haftar keeps the Armed Groups under the strict control of his sons and relatives, similar to the policies of Qaddafi. The estimated number of militias, directly under his direct control is estimated to be around 4,000 although counting his allied armed groups in the West enlarges the census. In reality, RR argues, Haftar has several battalions under him. 106th Battalion, the most prominent one, is under the authority of Khalid Haftar. This battalion's role is in effect to suppress the Armed Groups who oppose Haftar's authority. (RR, 2018)

Haftar's key capability is the air power and a limited number of drones he possesses in the east of Libya, located at Harruba Air Base in al Marj. Interviewed Libyans informed this research that there were five aircraft, which are F1 and MiG 23s of the 1960s, alongside five (armed) helicopters. (RR, 2018) Other than his capacities, Egypt and France provide support whenever he claims to be conducting operations against 'radical terrorists'. The air power of Haftar may challenge the western armed groups and Libya's legitimate state, although it is dependent on foreign assistance to sustain and maintain its limited capability.

Haftar's strategy to dominate the security realm was to appeal soldiers on the basis of his personnel policy. He convinced some former officers and soldiers from the Qaddafi era that he would create a state based upon established military traditions that would be able to deliver order for the future of Libya. He offered increased benefits to military, police and the Armed Groups. For instance, he convinced pilots and soldiers on the frontline to join with payments of 3,000 Libyan Dinars per month until Benghazi was captured, in comparison to the officers of the western Libyan groups who received salaries of 1,150 Libyan Dinars. However, Haftar had to reduce payments as the incoming money decreased, which made his legitimacy questionable in the eyes of his Armed Groups.

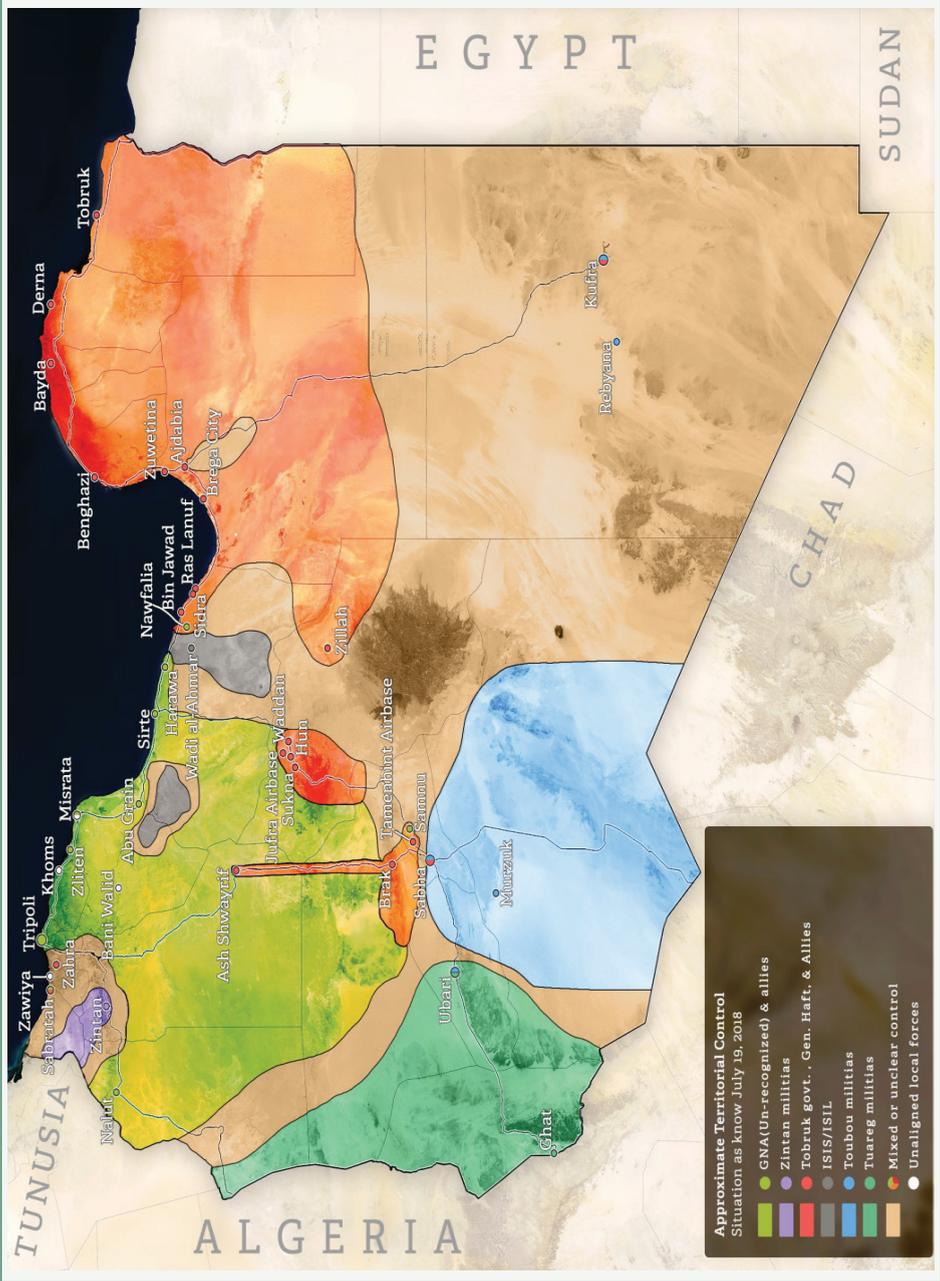
Haftar's strength in Eastern Libya has to be looked at in terms of demography and local attitudes. The east of Libya can be examined in the light of five cities of particular interest. First, Ajdabia is the city where Salafism was born in Libya. Qaddafi had tightened his control upon Ajdabia and deprived the city of infrastructure, while some locals were arbitrarily imprisoned. Almost 30 percent of the local public was located in this city and more than half of the population in Ajdabia participated in the Revolution. (RR, 2018)

Secondly Benghazi, where Haftar has currently prevailed, is a cosmopolitan city made up of a majority of Misratans along with people from Tarhuna and others. Benghazi has sacrificed during the Revolution and can be considered as the city which ignited the Revolution.<sup>18</sup> The third one, Marj city, is the first urban area which supported Haftar. The fourth, Derna, on the other hand, was known to be against the Qaddafi regime and embraced the Revolution immediately after it started. The fifth major city is Tobruk, which is known as a mainly neutral city.

Haftar is much criticized by local power centres but he enjoys the support of external actors. The focus of the critiques is about his 'one-man-rule' attitude, reminiscent of Qaddafi. The factors such as his passive attitude in the Revolution, affiliation with the Qaddafi regime and citizenship of the United States discredits him in the eyes of the opposing Armed Groups. On the other hand, he has been offered the position of "General Commander of the Libyan Armed Forces" to ease tension and have him align with the legitimate government of Libya, although he started a coup d'état attempt to topple down the legitimate GNA, which he has been serving for. The bestowing of this title on Haftar was welcomed by the Revolutionary leaders. For instance, a prominent Revolu-

<sup>18</sup> As Benghazi demanded freedom from the Qaddafi regime, the Misratans followed them. The Misratan public was the decisive factor for the success of the Revolution. The people of Misratan and Benghazi are relatives that can interact on common grounds.

**MAP-1 THE ARMED GROUPS IN LIBYA AND THEIR AREAS OF INFLUENCE**



tionary with a reputable armed group argues that the Revolution was started for progress, not to have another military leader along the same style of Qaddafi. For him, the title “General Commander” is a reminder of the Cold War era and the practices of Jamal Nasser that most Libyans do not favour. He is suspicious of being led by an authoritarian leader rather than a council. (EE, 2018)

The disposition of the identified Armed Groups in Libya is outlined on the Map-1.

## 6. CURRENT SECURITY STRUCTURE

The major causes for the lack of security are the lack of political will and competition among the Armed Groups to grab more influence. All actors want a share of the state mechanism by establishing an area of influence in their regions. This has crippled the reform and re-organization attempts of previous years. Once a measure to build a security system was taken, another security institution was formed to replace it. Attempts to build an organization were labelled as ‘temporary’ or ‘transitional’, reflecting the lack of trust in the minds of the other actors.

The state structure itself contributed to the lack of political will in weakening the security structure in Libya. (BBA, 2018) Disorder has undermined the authorities and responsibilities of the strategic decision makers at the ministerial and supreme military leadership levels. Qaddafi’s legacy of getting rid of the Ministry of Defence and neutralizing the military has led to defective traditions and a lack of the necessary regulation in order to have proper command-control relationships and organization. The refusal of the Armed Groups to answer to appointed authorities that they do not approve of resulted in shortcuts in the hierarchical order that have endangered the architecture of the state.

The Revolution’s outcome can be observed in two normative fields. The first one is the erosion of trust for the discredited state

apparatus. Power-sharing concerns after the Revolution that relied on regional and ideological motivations further eroded trust in the state. Once-allied Armed Groups during the Revolution had their differences exacerbated under the effect of external actors. Transparent and accountable state-building effort is therefore vital for trust building and to start any type of reform. The second outcome is the split between the Revolutionaries and the officers from the old Libyan Armed Forces. Qaddafi's practice of neutralizing the Armed Forces to ensure the safety of his regime and the passive attitude of some officers towards the Revolution did not inspire trust in the eyes of the Revolutionary Forces. Therefore, the Armed Groups did not accept the authority of the former officers and many officers pledged loyalty to Haftar in order to regain a sense of worth.

The current security structure suffers from the failure in state building after the Revolution. A permanent new constitution has yet to be approved. Meanwhile, much of the regulatory system of the Qaddafi era remains in place, making the Libyan state easily susceptible to stalling at any instance. The security sector, which depends on the overall state architecture, falls short in providing for the security needs of the public. The Armed Groups appear more powerful than the national government in their isolated regions since the state apparatus does not properly exist at the local level. Lack of efficient law enforcement and executive capacity, along with continued support to local militia at the expense of the state's authority, makes the state more symbolic than effective.

Qaddafi's legacy to have a nation incapable of challenging his regime has left not a system but many sub-systems in Libya leading to a divided state. This expressed itself in the form of the Armed Groups, with regionalized or ideological motivations, seeking to advance themselves over others. To that end, these groups have attempted to influence, threaten or coerce the political and administrative authorities. In such a quagmire, the Armed Groups are naturally inclined to engage in conflict with each other.

This inefficient state results in a strategic problem with a dysfunctional hierarchy where it is not clear who is linked to whom and who is authorized or responsible for what. There exist military units reporting directly to the Prime Minister, Armed Groups certified by the Minister of Defence and military units under the authority of the General Staff. The status of the Police is no different since the Police are linked to the municipalities, which weakens central control. Local armed groups assume the role of providing security at the local level to fight against crime. Despite the Ministry of Internal Affairs' increased efforts for unity, the scattered policing system is not adequately integrated to deter countrywide, armed criminal groups. Polarization in the security field and the incapacity of the formal security forces strengthen the perception that the Armed Groups are the only viable security providers. Once the Armed Groups are included in the state mechanism by the decree of a strategic decision-maker, they obtain a certain legitimacy but without the requisite institutionalization.

The mutual distrust of Armed Groups means that security pockets established by them throughout Libya encumber the freedom of movement that is essential for a state in order to maintain liberty, prosperity, and the sense of community. The interviewed individuals expressed their concern about the dangers of traveling from one city to another and argued that they could be either detained or killed simply on the grounds of coming from another locality. This threatens the viability and the trade necessary for a vibrant economy that can satisfy the basic needs of the Libyans.

Beyond the problems at the general, strategic level, there are serious challenges at the operational and tactical in terms of command and control, organization, equipment, personnel qualification, infrastructure and logistical support, funding, and regulation. These issues must be addressed as part of a strategic commitment to comprehensive reform. This is an obligation for a

safe and secure Libya. Command and control requires clear lines of authority and responsible commitments to build a hierarchy that is systematized and therefore accountable. Personnel reform is essential to build a qualified security sector and a united system based on loyalty to the state and constitution. Infrastructure and logistical support with an adequate level of funding will improve the credibility, capacity and capability of the security forces. Proper regulation will help transform the security sector into a transparent mechanism that will automatically function when a threat is at hand. A comprehensive program to achieve all this will also require the planning and implementation of a DDR process.



## CHAPTER 3

# WHAT DOES LIBYA NEED TO BUILD AN EFFECTIVE SECURITY ARCHITECTURE?

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## 1. ACTOR'S EXPECTATIONS AND OTHER COMPLICATIONS

In order to enact reforms that meet expectations, it is necessary to analyse the issues at the root of Libya's conflict-afflicted state. What do actors expect, what is their impact and what factors will influence state-building efforts, specifically security reform. Expectations can be classified under several categories depending on the relevant audiences. The SSR Team has investigated what the Libyan People, the Armed Groups, official security institutions, and the international community expect and how they affect the process.

### 1.1. WHAT DOES THE LIBYAN PUBLIC EXPECT?

The public's attitude towards security sector reform can be examined with regard to perceptions on identity, security, and what future prospects they have in mind. What goes beyond individual and parochial concerns to enlightened self-interest and common good of all? Libyan society seems ready for a national security architecture that ensures long term prosperity in a safe and secure environment. However, if such a system fails to meet public expectations, it will encourage citizens to think in narrow individualistic and communal ways.

Libyans would sacrifice their parochial benefits and protectionist attitudes if contemporary standards of statehood were established along with security architecture. It is vital to prove to citizens that there are laws and regulations above individual power brokers. The common anxiety of the Libyans consulted in this research is the fear of having another dictator. This can only be avoided by the rule of law. Almost a decade after the Revolution,

Libyans search for a prosperous, democratic life based on common good rather than individual gain. This requires a transparent and accountable governing body effective across the whole country.

State building efforts to address Libya's unique situation will naturally have to count on the general will of the public. The ideal security reform should fix the current deficits mentioned in the second chapter and comply with the requirements of Libya in terms of threats/risks, internal dynamics and lessons learned from the Qaddafi era. A mapping of possible solutions helps to illustrate how they might meet public expectations.

Libya's currently fragmented security architecture requires:

- A consolidated state security system founded on consistent political will,
- Clearly demarcated authority and lines of responsibility,
- Hierarchical structure of the security mechanism,
- Unification and reform of the security forces so that they serve the common good rather than challenging each other,
- Eradicating the power vacuum and corruption to build credible security architecture,
- Establishing democratic control of security forces instead of the Armed Groups controlling the decision makers, (NN, 2018)
- Disarmament, demobilization and reintegration of all Armed Groups by a phased program to augment security,
- Capable security forces with adequate capacities and assets,
- Professional security forces adapted for the variety of security concerns Libya faces,
- Mission-oriented rather than "self-seeking" actors.
- Action to prevent external interventions that undermine and divide the security forces.

These criteria, at least some of them, were also the starting point of previous reform attempts. For instance, General Yousef Mangoush was determined to start military reform in 2012. At the time, this was embraced by most of the Revolutionary Armed Groups. (BB1, 2018) Unfortunately, special interests intervened as power brokers sought to develop their own militias. A centrally controlled and commanded security architecture would have challenged their political agendas. In this sense, the Libyan Shield Forces were portrayed as the 'alternative' to the Haftar's militia rather than a legitimate state apparatus. (BB1, 2018) On the other hand, another interviewed individual confirms the hostility towards power sharing among political figures, whose identities are mostly defined by their home cities. As an example, a Chief of General Staff from Misrata and Defence Minister from Zintan, according to the interviewee, are destined to disagree since they are perceived to represent the interests of different cities and subordinate to different decision makers. They both had their own distinct resources to command with no demarcated lines of authority and responsibility between themselves. (DD, 2018) Security sector reform must incorporate all actors while also addressing the expectations of the Libyan public.

Libya desperately needs a disarmament, demobilization, and reintegration (DDR) process. Weapons were given to the Libyan public during the Qaddafi era under the 'Armed People' policy and the Revolution facilitated access to the military depots and ammunition. The Armed Groups, as well as the public, acquired valuable arms, military vehicles, and equipment. Their continued presence after the Revolution has continued to pose serious risks for the security environment. (DD, 2018) There was an initiative proposed to collect the weapons possessed by the public and the Armed Groups. However, the Ministry of Finance opposed paying for the collected weapons since they considered them as already the property of the State. (CC, 2018) Though disarmament still needs to be done in Libya, the lack of capacity in the security forces to execute such a

task makes enforcement unattainable. The Libyan public, in accordance with the general impression from the opinion makers interviewed, expects a phased and gradual DDR process in parallel with comprehensive security reform. A staged DDR programme could be achieved along with trust building, organizational and security transformation that prioritizes heavy weapon collection at the initial stage and light weapons afterwards within a licensing system.

Professionalization and specialization of the security forces is also generally expected. The current practice of tasking the Armed Groups as if they are assigned to police, military or protection units gives them a status above the regular state forces. Inadequate and generally non-existent vetting and qualification procedures hinders professionalism. Nonetheless, the domination of these Armed Groups without any control measures continues. The public expects disciplined and trained security institutions to deter crime efficient and accountable future.

Finally, external intervention in favour of regional power brokers with conflicting interests was a major complaint for the interviewees. This report will not delve into this issue except to note that a consistent and committed effort by international actors would make a positive contribution in ending Libya's internal conflicts. Moreover, any foreign 'negative' intervention would not be accepted by the Libyan public but would rather deteriorate the already worsening security environment.

Libya, as the gateway between Europe and Africa, is also in a key position to control the Mediterranean Sea and thus offers a geostrategic advantage to the one who controls her. The aspirations of foreign actors to dominate Libya, or any portion of it, would cause major problems endangering regional stability. The only way to stop foreign intervention or incursion is to have a united, prosperous Libya with capable governance and the healthy participation of the public in politics.

Public expectations will likely be the main driving force for security reform since the people will not accept a situation where their basic security needs are not met. The deficit of political will exhibited by certain actors will have to face these expectations. Otherwise, the Libyan Revolution of 2011 will continue to build a country with a chaotic security environment, sweeping current political actors along with intervening external ones. Consequently, the public will, which is superior to the political will, demands a functioning state for a safe life by addressing the following prerequisites:

- Strategic security architecture,
- Credible armed forces,
- Accountable internal security agencies,
- Intelligence organization,
- Terminating the problem of the Armed Groups.

The following table summarizes the attitudes of the interviewees regarding SSR in Libya. (Table-6) There is much that they agree on even though they come from different backgrounds, with conflicting interests and from competing cities or regions. They all agree that security sector reform is urgently required, and that political will is essential. They also stress the divided structure of the western actors and Khalifa Haftar's challenge to a united Libya. Regarding the posture of the Armed Groups, the common perception is that they are a challenge but also a 'must' to provide security if the attack of Haftar's force to Tripoli is concerned. In terms of their attitudes to Libyan politics, only two individuals favour the current political dynamics and one is hesitant to give an opinion. The remainder claim that the current way of doing politics must change in order to achieve a better Libya. Without any exception, all the interviewees share the idea that the capacity and capability of the current Libyan security forces are inadequate, as will be discussed in the next chapter in detail.

| TABLE-6 POLITICAL INCLINATIONS OF THE INFLUENTIAL LIBYANS INTERVIEWED |                              |                     |                              |                             |                        |                                     |                            |
|---|------------------------------|---------------------|------------------------------|-----------------------------|------------------------|-------------------------------------|----------------------------|
| Libya Political Agreement   | Political Will               | Revolutionaries     | Foreign intervention         | Challenges current politics | Perception of Security | Armed Groups                        | Intelligence               |
| AA Negative   | Non-existent. But necessary. | Lost their effect   | Complicates Libya, one-sided | Yes.                        | Needs to be reformed   | In Favour                           | -                          |
| BB Neutral  | No. But necessary            | Must be transformed | Must be prevented            | No.                         | Needs to be reformed   | Must be transformed and disciplined | No capacity                |
| CC Neutral  | No. But necessary            | Must be transformed | Must be prevented            | Yes.                        | Needs to be reformed   | Must be reformed                    | No capacity                |
| DD Neutral  | No. But necessary            | Must be transformed | Must be prevented            | Yes.                        | Needs to be reformed   | Must be reformed                    | -                          |
| EE Neutral  | No. But necessary            | Must be transformed | Must be prevented            | Yes.                        | Needs to be reformed   | Must be reformed                    | -                          |
| FF Negative   | No. But necessary            | Must be transformed | Must be prevented            | No.                         | Needs to be reformed   | Must be reformed                    | -                          |
| GG -  | No. But necessary            | Must be transformed | Must be prevented            | Yes.                        | Needs to be reformed   | Must be reformed                    | -                          |
| HH -  | No. But necessary            | Must be transformed | Must be prevented            | -                           | Needs to be reformed   | Must be reformed                    | -                          |
| KK -  | No. But necessary            | Must be transformed | Must be prevented            | Yes                         | Needs to be reformed   | Must be reformed                    | -                          |
| LL -  | No. But necessary            | Must be transformed | Must be prevented            | Yes                         | Needs to be reformed   | Must be reformed                    | -                          |
| MM Objective  | No. But necessary            | Must be transformed | Must be prevented            | Yes                         | Needs to be reformed   | Must be reformed                    | -                          |
| NN -  | No. But necessary            | Must be transformed | Must be prevented            | Yes                         | Needs to be reformed   | Must be reformed                    | -                          |
| PP -  | No. But necessary            | Must be transformed | Must be prevented            | Yes                         | Needs to be reformed   | Must be reformed                    | -                          |
| RR -  | No. But necessary            | Must be transformed | Must be prevented            | Yes                         | Needs to be reformed   | Must be reformed                    | -                          |
| SS -  | No. But necessary            | Must be transformed | Must be prevented            | Yes                         | Needs to be reformed   | Must be reformed                    | -                          |
| TT1 -   | No. But necessary            | Must be transformed | Must be prevented            | Yes                         | Needs to be reformed   | Must be reformed                    | -                          |
| TT2 -   | No. But necessary            | Must be transformed | Must be prevented            | Yes                         | Needs to be reformed   | Must be reformed                    | -                          |
| UU -  | No. But necessary            | Must be transformed | Must be prevented            | Yes                         | Needs to be reformed   | Must be reformed                    | -                          |
| WV -  | No. But necessary            | Must be transformed | Must be prevented            | Yes                         | Needs to be reformed   | Must be reformed                    | Exists, but not functional |
| YY -  | No. But necessary            | Must be transformed | Must be prevented            | Yes                         | Needs to be reformed   | Must be reformed                    | -                          |

## 2. STRATEGIC SECURITY STRUCTURE

### Features of the Strategic Security Structure

Three indispensable elements for Libyan SSR are defence, internal security and intelligence, along with their constituent functional fields. If political consciousness and military ethos are lacking, then they must be built from scratch. A new framework for security must address Libya's current insecurity by incorporating the principles and elements outlined above to ensure respect of civil and political rights. While the general dysfunction of the Libyan state is beyond the scope of this paper, a holistic approach would benefit not only security but also all the other areas of government.

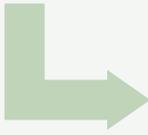
Based on our interviews with prominent Libyan opinion makers, we have developed a strategic needs analysis focussed on the following elements:

- Constitutional framework of the security sector,
- Internal and external challenges for the security of Libya,
- Command and control linkages,
- Scale of the security architecture,
- Interconnected reform and crisis management by the strategic leadership,
- Determination of the ideal security architecture outlining the responsibilities for senior cadre,
- Recognition of how the strategic security environment should shape the security structure,
- The balance of professionalism and political control to ensure efficient security institutions,
- Identify the best structure to fit the needs analysis,
- Outline the transition process from the current structure to a reformed one.

## CHART-1 A MODEL ON SECURITY OBJECTIVES, POLICY, AND STRATEGY FOR LIBYA

### Security Objective

- Safety and security of the Libyan state, public and individuals,
- Establish internal peace and stability,
- Protect Libya from foreign incursions of all types,
- Fight against low level threats eg. terrorism, radicalism,
- Prevent soft threats eg. illegal immigration, smuggling, disease prevention,
- Secure coast and borders as part of good neighbourly relations.



### Security Policy

- Regulate and insitutionalize security sector,
- Identify the limits of authority and responsibilities along with the constitutional chain of command,
- Draft guidance paper with political intentions and priorities.



### Security Strategy

- Determine the code of conduct and rules of engagement for the security forces,
- Deliver the tasks to relevant security institutions,
- Define the limits of authority for the subordinates,
- Establish capacity and capabilities,
- Prevent security gaps.

### **Security Objectives, Policy, Strategy**

These criteria can be designed to form the security structure in accordance with Libya's desired security policy, strategy and institutions. Based on clearly defined objectives, the strategic leadership needs to develop a policy to build Libya's institutions in order to face existing risks and threats. Derived from policy and objectives, the security strategy will outline how security will be established. The model for such a structure can be as follows (Chart-1)

The proposed model outlines the basis for strategic level configuration along the continuum of security objectives, policy and strategy. As the vision outlined in Chapter 1 indicates, the overall security objective is to establish a safe and secure environment for the Libyan state, public and individuals. Dealing with the Armed Groups is an essential element of this reform process. The next objective is to protect Libya against foreign incursions of all types. This is linked to domestic security concerns in that both must be achieved concurrently. The third objective is to fight against "low" threats like terrorism, radicalism and secessionism. Some "soft" threats - such as illegal immigration, smuggling, disease prevention - are related to coastal and border security along with a good neighbourly policy. As a responsible state, Libya must take adequate measures since these threat/risk types have the potential to destabilize not only Libya itself but also other state actors or communities.

Libya requires a security policy in order to realize its security objectives. The policy needs to be announced to the public in order to be transparent as to how the state will respond to risks and threats. It will need to outline Libya's reformed security institutions and how they will be governed. Besides describing the constitutional chain of command, it will outline responsibilities and limits of authority. An essential early step is to create a code of conduct and rules of engagement for the security forces. The

strategy may define the tasks of relevant security in addition to outlining the limits of authority for subordinates. A well-thought out strategy is essential to establish the capacity and capabilities of the security forces and prevent gaps.

Libya needs to follow the continuum of security objective, policy and strategy to establish the challenges, needs and capacities before embarking on an SSR process. Given the security objectives, policy should offer priorities and guidelines to prevent internal turmoil and secessionist tendencies. The presence of accountable and professional security forces should allow the public to feel the existence of the Libyan state. It is up to the leadership to define official policy according to the rule of law. This includes fiscal rules so that funds are allocated according to defined priorities rather than to random, disjointed initiatives. Libyan strategy, on the other hand, is expected to define the initiative that security institutions will enjoy. Hence the Libyan public will be aware of how the Libyan state will treat any actor or factor as a threat or risk. In developing strategy, decision makers may identify exactly what type of capacity and capability building has to be committed to by the SSR process. Finally, the continuum of the three strategic security prerequisites will provide civilian control over the security and prevent another dictatorship.

### **Strategic Structure and the Draft Constitution**

Qaddafi's dictatorship traumatized most Libyans. None of those interviewed expressed his/her concern for another dictator to replace Qaddafi. The legacy of his convoluted structure of command and control helped create the current chaotic relationships between the military, police and Armed Groups. Clearer responsibilities and lines of authority among the senior leadership would hopefully ease tensions between services and lead to more disciplined and professional forces, thus diminishing the likelihood of another dictator coming to power.

Various models may be used for inspiration in deciding on how to divide strategic responsibilities. The draft Constitution<sup>19</sup>, is supposed to provide the outline for this, but it has to be ratified through a referendum. If it is not ratified, Libya will have to start to build the state from scratch and security sector reform will remain a secondary effort for a long time. This report takes the draft Constitution as a starting point to anticipate the “most agreed and therefore likely institutions”. (UU, 2018) In this sense, the draft Constitution identifies the President as the Supreme Commander of the Armed Forces (Article 106). The Council of Ministers is designated to implement general policy, including security, and maintain the safety of the country (Article 117/2). The Council also has the power to establish, dissolve and integrate institutions, which facilitates security reform by building new security formations and regulations (Article 117/6,7). The ratification of the Constitution would therefore specify the strategic echelons responsible for security and who is in charge of specific institutions.

Chapter Ten of the draft Constitution gives the state a monopoly over the Armed Forces and other security institutions. Individuals, parties, and groups shall be prohibited from forming military or paramilitary groups (Article 176). If the Constitution is approved by the public, the Armed Groups will have to be either transformed or demobilized (Article 177). The Armed Forces are described as “a national armed military force based on discipline and hierarchy”. The Armed Forces are obliged “to observe complete neutrality, and ... be subject to civilian authority” (Article 178), prohibited from interference in political life except for the personal voting rights of military staff. The duty of the Armed Forces are described as “defending the country and its independence, unity and territorial integrity with a strict prohibition on undermining

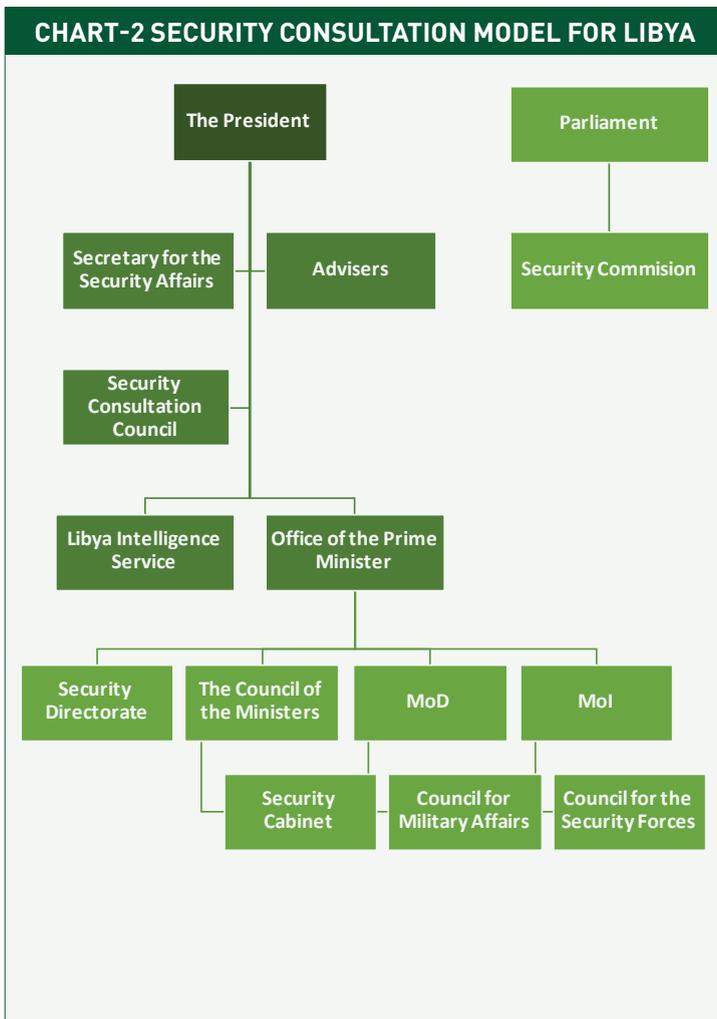
<sup>19</sup> The draft Constitution, dated 29 July 2017, is taken as the base of article numbers.

the constitutional system and State institutions or obstructing their activity or restricting the freedoms and rights of citizens” (Article 179). The Police is subjected to similar regulations and described as “a systematic, civilian, technical, disciplined, hierarchical professional and specialized body ... to combat crime, preserve public safety and peace, maintain order, respect the law, and protect the rights, freedoms, security and property of persons” (Article 180). The draft Constitution indicates that local administration, which are the Governorates and Municipalities, have no authority upon the military and security forces, but the state.

The draft articles, then, indicate the President as the supreme authority while tasking the Council of Ministers as the responsible state organ to establish, sustain, assign, observe or dissolve the military and security forces. In this context, the command chain of The President, The Prime Minister (as the coordinating post) and the Council of Ministers as a whole (due to collective responsibility) is clear in the drafted Constitution. While awaiting ratification of the draft Constitution, Law 11 of 2012 applies. The Ministers of Defence and Internal Affairs are supposed to be responsible for the defence and internal safety of the Libyan public, answering to the Council of Ministers and under the coordination of the Prime Minister. There is no article for the Intelligence organization, which makes an amendment to the existing regulation vital. The responsibility of the Council of Ministers to establish or dissolve institutions in Article 117 requires such an amendment.

A Security Advisory or Consultation Council appears to be absent in the drafted Constitution. The Supreme Commander, who is the President of the State, has the ultimate authority while the Council of the Ministers has the responsibility. The strategic security structure needs to have a consultation and analysis mechanism to assist the President and the Council of Ministers, mainly the Prime Minister’s Office. There may be various models to have

a consultation mechanism for Libya: advisers, permanent Security Secretary to assist the President, Consultation Council, Security Cabinet, Parliamentary Commission for Security, Expertized Councils for the military or Police. Such a wide security mechanism can be benefitted to determine affiliated issue fields, develop policies and observe the policy implementation. The Model can be depicted as follows by Chart-2.



The strategic security architecture, in accordance with the proposed structure, indicates decision makers (the President, the Prime Minister, the Council of Ministers), coordinating political body (The Security Cabinet), executive ministries (MoD and MoI), consultants (Advisers), participatory bodies for compromise of the internal actors (The Security Consultation Council) and councils for military and security forces. However, the ultimate decision makers for the security affairs, as mentioned in the drafted constitution, are the President and the Council of Ministers so that authorization and responsibilities are shared within democratic norms.

The Constitution and interviewed Libyan individuals perceive the institutionalized security structure by two different components, the defence and the security forces, ignoring the intelligence units. This research takes intelligence as the third component since the Intelligence Service is essential for the security of Libya. Intelligence can be typified under three subcategories, which are state level, military and police intelligence. This report takes the state level intelligence service as a strategic institution along with the defence and security forces. In this context, Libya may apply the commonly preferred security architecture as the Defence Forces under the authority of the Minister of Defence, Security Forces under Minister of Internal Affairs and Intelligence Service under the President, as mentioned in the Libya Intelligence Law no. 7 of 2012.

As a result, strategic security architecture needs to be a response to accountable, participatory and also centralized security planning and decision-making systems to have the executive security institutions be subject to civilian and democratic control. Consultative and participatory security structure will assist the decision-makers while balancing the internal dynamics of the Libyan community. The need at the strategic level is to prevent having any

position being in complete control of the whole system, which could lead to the creation of another Qaddafi. As expressed by the BB, the high echelon of security architecture is to identify the security objective, design the security policy and order the security strategy to the responsible state organs. (BB, 2018)

### 3. MINISTRY OF DEFENCE

The “Towards a Defence White Paper”, prepared as a baseline for rebuilding Libyan defence policy in 2012-2013, indicates the task as “to both deal with the special requirements of a post-conflict situation in Libya and to develop the [Libyan Armed Forces] so that it is constitutionally based, professional, appropriately sized, technologically smart, and respected by Libyans and the international community. To achieve this, the government should focus the LAF on the protection of Libya’s sovereignty, ensure that it is well-equipped for that mission, and give it the ability to support the country’s and the government’s interests internationally. At times of national or local emergency, the LAF should have a role in supporting the civil authorities.” (UNSMIL, 2013)

Interviewees were keen to emphasize the need to reform the defence structure of Libya. Although they all, without exception, felt that political will for the common good of the people is a pre-condition, they found it still lacking. Although many commented on the need for a hierarchical system with a strong leadership, their focus on personalities rather than a system indicates potential for disagreement. CC, a local leader, insists that there must be a system with reformed standards to get the soldiers back to their barracks. (CC, 2018) EE takes a similar line. He feels that political disputes have undermined the chain of command and polarized the troops into groups following different military leaders based in Tripoli and Benghazi. This competition for the loyalty of the soldiers is a grave threat to Libyan security. (EE, 2018)

The findings of the “Towards a Defence White Paper” and the missions it enumerates are still valid for the Ministry of Defence. The Ministry of Defence is expected to defend the country against external threats, provide border and coastal security and assist the Ministry of Internal Affairs, if requested, to establish security inside Libya. The Ministry of Defence needs to be organized to achieve these main tasks along with ones designated or implied in the Constitution and Law 11. The structure of the Ministry of Defence should be analysed with respect to command and control, organization and force structure, personnel policy, equipment and logistics, military intelligence, operational efficiency, geographical positioning of forces, regulative measures, and budgeting in order to achieve its mandated tasks.

#### **Command and Control:**

The structure of the Ministry of Defence and its connection to the General Staff was set out in Law 11 of 2012. Articles 4 and 5 clearly demarcate the authorities and responsibilities of the Minister and Chief of General Staff (CGS). In this context, the CGS is subordinate to the Minister of Defence and assumes the responsibility of commanding the different military services. The Minister has the political, legal and financial responsibility for the defence sector while CGS assumes the technical and military command.

If Law 11 outlined the respective responsibilities of the senior leadership, then why are there still problems? DD argues that the identities and personalities of the Minister and CGS caused tension between them after the Law was ratified. (DD, 2018) Hence it is not the Law, but its practice that is the point of concern, since the representation of conflicting interests based on regional or ideological identity posed a challenge to Law 11. On the other hand, Law 11 is not sufficient to resolve senior leadership relations because a full constitutional and legal framework

have yet to be established. Law 11 does not include the functional arrangements of the Armed Forces like codes of conduct for military intelligence, personnel, logistics, operations, planning or execution methodology. According to DD, the authority granted to the Minister of Defence allows him create units that answer directly to him rather than to the CGS. (DD, 2018), (EE, 2018) On the other hand, DD1 argues that practice of the Decree has been a point of controversy for the Prime Minister, and also the Minister of Defence, to define the limits of power (DD1, 2018), (FF, 2018) the way the Minister of Defence assumed direct command of the military zones was controversial and resulted in debates over the interpretation of Law 11. On the other hand, the ratification of the Constitution will deny such complicated practices because it requires new legislation in accordance with the drafted strategic security structure while the Constitution facilitates new amendments.

The role of the Minister, in probable new legislation, can be designed by reviewing different models. These models can be a point of political preference although goodwill in the practice will define the intents and outcomes for the designation of the Ministry of Defence. In this sense, the models can be reviewed for Libya's military structure, as is mentioned in Chart-3.

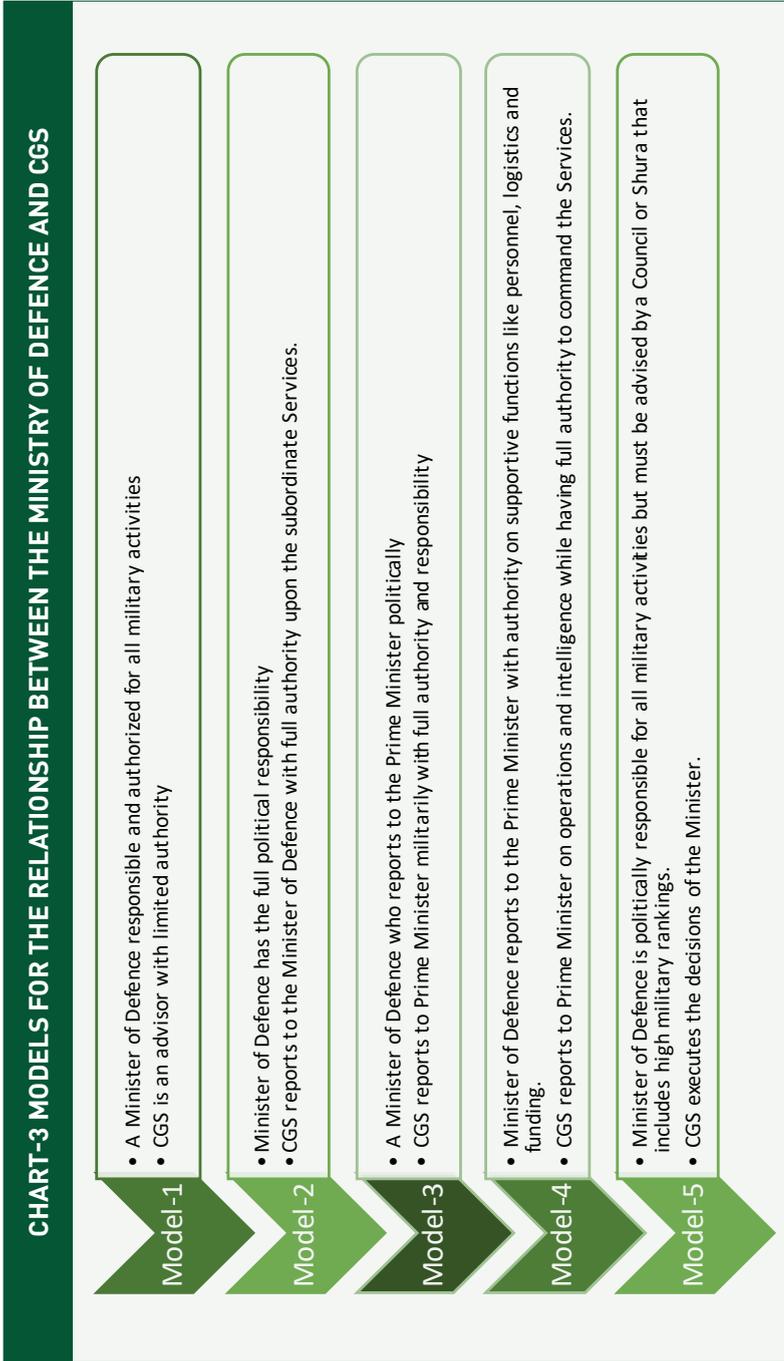


Table 7-A (below) compares these models based on the criteria and concerns we examined above. Each line is measured by factors weighing from: 1) un-favoured, 2) partially favoured, and 3) favoured. The model with the highest total should theoretically be the most appropriate for Libya. However, this weighing is just an analysis. Political preferences and priorities may indicate a different course.

| <b>TABLE-7-A MODEL ON THE STRUCTURE OF THE MINISTRY OF DEFENCE</b> |   |   |  |  |  |
|--|---|---|--|--|--|
| Criteria   | Model 1   | Model 2                                 | Model 3  | Model 4  | Model 5  |
| Dictatorship prevention  | No, the minister can be a dictator. (1)               | Minister and CGS balance each other (2) | PM may be a dictator and challenge the President (1) | PM may be a dictator and challenge the President (1)               | Yes (3)  |
| The efficiency of the Armed Forces                                 | Partially dependent on the skills of the Minister (2) | Yes (3)                                 | No, double leadership challenging each other (1)     | Yes, but still double leadership impeding the executive forces (1) | Council may hinder the decision-making process (1) |
| Regional Competition and Concerns                                  | Exists (1)  | Exists (1)                              | Exists (1)   | Exists (1)   | Partially exists (2)                               |
| Weighing   | 4   | 6*                                      | 3  | 3  | 6*   |

1 – un-favoured, 2 – partially favoured, 3 – favoured

The matrix in Table-7 indicates that the two models that best fit the criteria are the second and fifth options. In the second model, the Minister of Defence has full political responsibility. The CGS has full authority over the different services but reports to the Minister of Defence. As most state prefer, this model is hierarchically concise and simple to arrange. In the fifth model, the Minister of Defence is politically responsible for all military ac-

tivities but will be advised by a Council that includes high-ranking officers. The CGS executes the decisions of the Minister. The Minister becomes the decision-making authority for every military issue under the “guidance” of a council while CGS is limited by responsibility to execute the minister’s decision. High-ranking officers may influence the decision and influence the Minister even though they are only there to advise. Among these, the second model is more determined and hierarchical while the fifth model allows the Minister to be free of the responsibility for deciding, with the Council as an excuse. The fifth option may be applicable during the initial phase of the SSR in order to help bring the disparate forces, regions and tribes together while the second one could be efficient after the SSR is concluded, still with a council in place to discuss the defence affiliated issues, but not with a binding nature.

Two other local leaders have suggested another option for the command and control structure that needs to be mentioned. One prefers not having a CGS, but rather a council with a secretariat to command the Armed Forces. (RR, 2018) RR’s proposal is that every region send a representative to the Council in accordance with determined criteria, vote for a General Secretary and be subject to the oversight of the Ministry of Defence. (RR, 2018) EE argues that even a battalion cannot be formed under the current security structure since the agreement of too many Armed Groups is required. Only a common decision mechanism can forge the common will to agree on such decisions. That makes such a council essential as a platform. (EE, 2018) The proposal is worth examining even though the danger is that the Council may not agree on defence-related issues and unity of command may be endangered. Another prominent Libyan opposes the idea for exactly that reason and claims that a hierarchy is therefore necessary. (FF, 2018)

### Organization and Force Structure

The Presidential Council of Libya established seven military zones in Libya by Decree 31 of 2017, which are designated as Tripoli, Benghazi, Tobruk, Sebha, Kufra, and the Central and Western regions. (Monitor, 2017) This geographical division was created to align with internal security concerns and the incapacity of the security forces to respond. However, its implementation has been a matter of dispute since only three commanders of the seven military zones have been appointed and report directly to the Prime Minister, who is also his own Defence Minister and Chairman of the Presidential Council.

A current needs analysis shows that Libya requires a strong internal security structure with effective policing as well as a deterrent defence posture for external threats. Law 11 assigns the CGS to “execution of plans related to all military business and army operations both within Libya and abroad”, emphasizing assuming responsibility in and out of Libya. (INTC, 2012) Libya’s defence architecture, particularly its operational units, should be organized to respond to the perceived threats, both internal and external, and be positioned to respond to them. Dealing with Libya’s internal threats may be a useful basis to determine the military’s territorial divisions.

Libya’s military organization, command system, order of battle and probable deployment options must therefore be organized around three critical factors: mission and tasks the attitudes of Libyan actors and the capacity to execute plans. The current arrangements in Law 11 of 2012 respond to these factors, but additional assessment and analysis may indicate the need for further options as the security situation evolves. Some potential options are listed in Table-8.

| TABLE-8 MILITARY ORGANIZATION AND FORCE STRUCTURE |  |
|---|--|
|   | Military Organization and Force Structure  |
| Option 1  | Military Zones – Existing military zones for internal security concerns adaptable to deployment for external threats but under CGS (DD1, 2018).                                      |
| Option 2  | Traditional Armed Forces – Army-Corps-Division/Brigade Type regular military formations specifically deployed for external threats, and in the meantime to assist internal security. |
| Option 3  | Traditional armed forces with transitional and regional responsibilities.  |
| Option 4  | Joint military force structure for both internal and external threats.   |
| Option 5  | Regular Armed Forces structure to respond to both internal and external threats and joint military force structure after security has been established.                              |

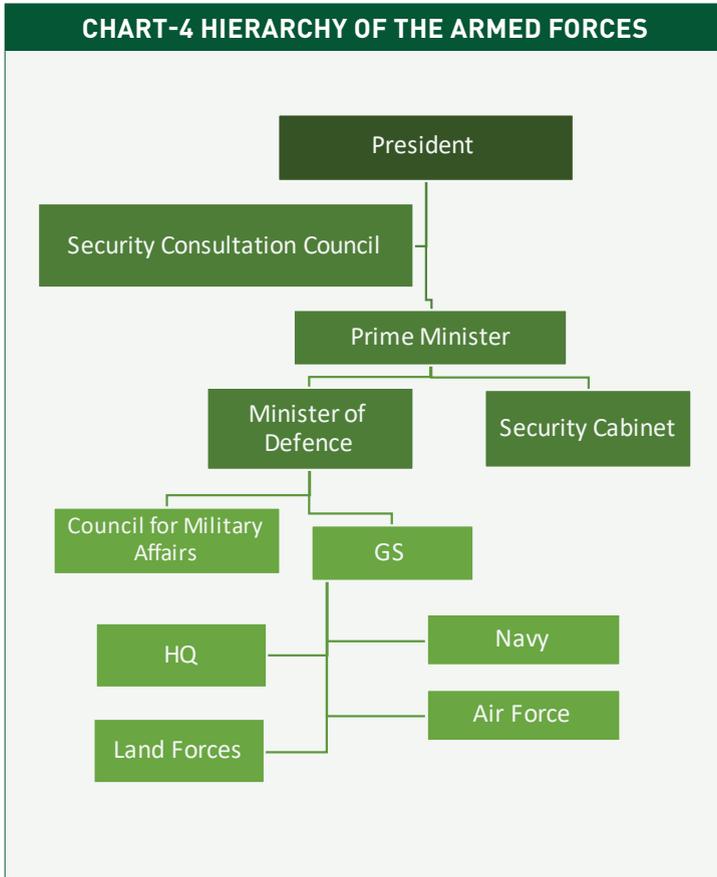
These options can be analysed on the basis of threat perceptions, geographical positioning of the perceived threats and tasks as shown in Table-9.

| TABLE-9 WEIGHTED FORCED STRUCTURE OPTIONS |                                |                              |                           |  |                     |                                     |
|---|--------------------------------|------------------------------|---------------------------|--|---------------------|-------------------------------------|
|   |                                | Option 1<br>(Military Zones) | Option 2<br>(Traditional) | Option 3<br>(Traditional and Regional) | Option 4<br>(joint) | Option 5<br>(Traditional and Joint) |
| Current Security Environment              |                                | 2                            | 1                         | 3                                      | 1                   | 3                                   |
| Tasks<br>(x2)                             | Internal Threat                | 4                            | 2                         | 6                                      | 2                   | 6                                   |
|   | External Threat                | 2                            | 6                         | 4                                      | 4                   | 6                                   |
|   | International Responsibilities | 2                            | 4                         | 4                                      | 6                   | 4                                   |
| Attitudes of Libyan Actors                | Libyan Public                  | 1                            | 3                         | 2                                      | 3                   | 2                                   |
|   | Current Military               | 1                            | 3                         | 2                                      | 2                   | 2                                   |
|   | Power brokers                  | 2                            | 1                         | 1                                      | 1                   | 1                                   |
| Materialization capacity                  |                                | 1                            | 3                         | 3                                      | 1                   | 1                                   |
| Weighing                                  |                                | 13                           | 23*                       | 24*                                    | 20                  | 25*                                 |

1 – un-favoured, 2 – partially favoured, 3 – favoured (Tasks are multiplied by two for efficiency)

The criteria can be enlarged, and weighting can vary depending on the interests and agendas of the actors although an impartial assessment on the force structure requires phased transition of the Armed Forces from the current military zones to a traditional one, and a joint force structure if common sense is obtained. For this transformation to succeed, the missions and organization must be clearly articulated as part of the SSR process. As internal security threats diminish, the Armed Forces must be transformed to address external threats and international responsibilities. Simultaneously, the Ministry of Interior can take progressively more responsibility for ensuring peace inside Libya's borders.

Military zones were established after the Revolution as a consequence of the security situation, internal power dynamics and the weak state of the security sector. Each zone is normally set up and run by local leaders of Armed Groups. There is often tension as different groups seek to challenge each other. The system of military zones needs to be re-assessed since it may impede the reunification of the Libyan security sector. There is a risk that Libyan military districts may demand autonomy from the chain of command. Currently established military zones provide a practical example for drawing lessons learned. With time and a solid SSR effort, a more traditional army with citizens from different backgrounds commanded by officers chosen on merit will hopefully gain the confidence of the population, who will no longer feel the need for the Armed Groups. Hopefully, the increased capacity of this new, improved armed forces will deter the Armed Groups from challenging the state and compel them to obey the requirements of the Constitution. A model for the Armed Forces is depicted in Chart-4.



NOTE: Air Defence, which was previously its own service, is proposed instead as an integrated function of the other Services in accordance with the required capabilities. Strategic air defence may be a task for the Libyan Air Force.

The depicted model is consistent with the draft Constitution in terms of strategic democratic control. In this context, the President is the ultimate supreme Commander and Prime Minister has authority upon the Minister of Defence. The Minister has political responsibility, as mentioned in Law 11 of 2012, and the CGS answers to him. The CGS commands the Armed Forces and is responsible for the mandated tasks. The different service chiefs will in turn all answer to the CGS. There will thus be a strict hi-

erarchy where all authorized decision makers respect the rights of the subordinates, responsible to the higher echelons, regardless of their ethnicity, region or any other feature, as CC recommends. (CC, 2018)

The composition of the Armed Forces is dependent on the resources needed to respond to threats. The transformation of the current Armed Groups and the required structure of forces to establish a stable Libya appears to be two intervening factors. It will be important to transform the Armed Groups into units that are properly trained, equipped and under government control. The Armed Forces, mainly the Land Forces, need to be composed fairly so as not to be suspected of being dominated by any particular region or group. In this sense, corps, brigades, battalions and equivalent type military formations depend on the densely populated urban areas and the structure and composition of forces will depend on the threats. Doctrinally, the military organizations, their staffing and equipment need to be standardized so that no ethnic or regional group is suspicious of the reform. For BB, the different services need to have the minimum number of personnel in their headquarters to achieve their tasks but have the maximum of people on the ground with sufficient resources – even in the remote, harsh regions. Modern technology can augment the efficiency and effectiveness of these troops, but this will require qualified personnel. (BB, 2018)

The disposition of the Armed Forces may be sensitive as some localities may be more or less interested in having troops in their neighbourhood, depending on how they perceive the risks and benefits. The order of battle has to be conceived according to the situation, threats and missions, taking into account such things as communications lines, logistical availability, hosting capacity of the region, infrastructure and welfare opportunities for the assigned soldiers. The Navy and Air Force are currently

largely exempt from such concerns since their bases are already established. The deployment of the Land Forces, however, has to be re-arranged because what remains of the old bases from the Qaddafi era does not necessarily correspond to the demands of the current security situation. Land Forces may be organized as Army/Corps level units responsible for specific regions, until security is built up inside Libya. An assessment will be needed to determine which existing bases are still relevant, what renovations need to be done, and whether any new ones need to be built.

### **The Disarmament, Demobilization and Reintegration [DDR] Process**

Libya's academic community has studied ways to support DDR. The Libyan Programme for Reintegration and Development<sup>20</sup> (LPRD) started a research project on how to deal with Libya's growing problem of expanding militias and the spread of a large number of weapons. It came up with a programme based on six axes: disarmament, economic integration, civic empowerment, social reintegration, education and integration into the security sector. Disarmament was to be done by the ministries of Defence and Interior. The other steps involved four phases:

- Registration, verification and creation of database;
- Personal interviews and data entry;
- Awareness and orientation; and,
- Re-integration and follow up.

This programme can be thought of as a foundation to start the DDR, which would also require complementary programmes, such as those elaborated on in the academic study of Mustafa Sagezli, former Revolutionary and General Manager of the LPRD.

<sup>20</sup> Formerly known as the Warriors Affairs Commission (WAC).

(Sagezli, 2018) As Sagezli has shown in his research and his DDR programs including things like business development projects can be used to help combatants move out of armed groups.

Despite these academic and practical efforts, DDR has always been problematic in Libya since conflicting parties with different interests usually do not want to deprive themselves of their existing capabilities. Most conflict afflicted countries are easy ground for the illegal weapons trade. For instance, EE argues that some civilians possess a personal hoard of heavy armament in their homes that were looted from military installations, including armoured vehicles and tanks. (EE, 2018) Besides different proposals to eliminate the problem of civilian armament, the GNC passed Law 2 of 2014, which specifically made possession and trade in illicit weapons illegal. In this sense, “From Conflict to State Building: LPRD Progress Report 2011 to 2015” emphasizes the courses to start and sustain DDR in Libya, based on a concrete philosophy, planning and execution of the process.<sup>21</sup> However, implementing DDR is dependent on trust towards the established state structure. Given the lack of such trust in Libya, Law No. 2 did not have much effect. Once the Libyan state achieves enough strength through common consent and political will, the DDR process may start. To this end, three essential signs of progress need to be realized for Libya. Initial legislation is required, to enforce civilians and the Armed Groups to hand over their weapons and equipment to the Ministry of Defence. The methodology of this process is subject to the agreement of Parliament after the Constitutional referendum. A gradual and phased process with an effective reward and punishment system, such as receiving payment from the Central Bank, would encourage and enforce DDR.

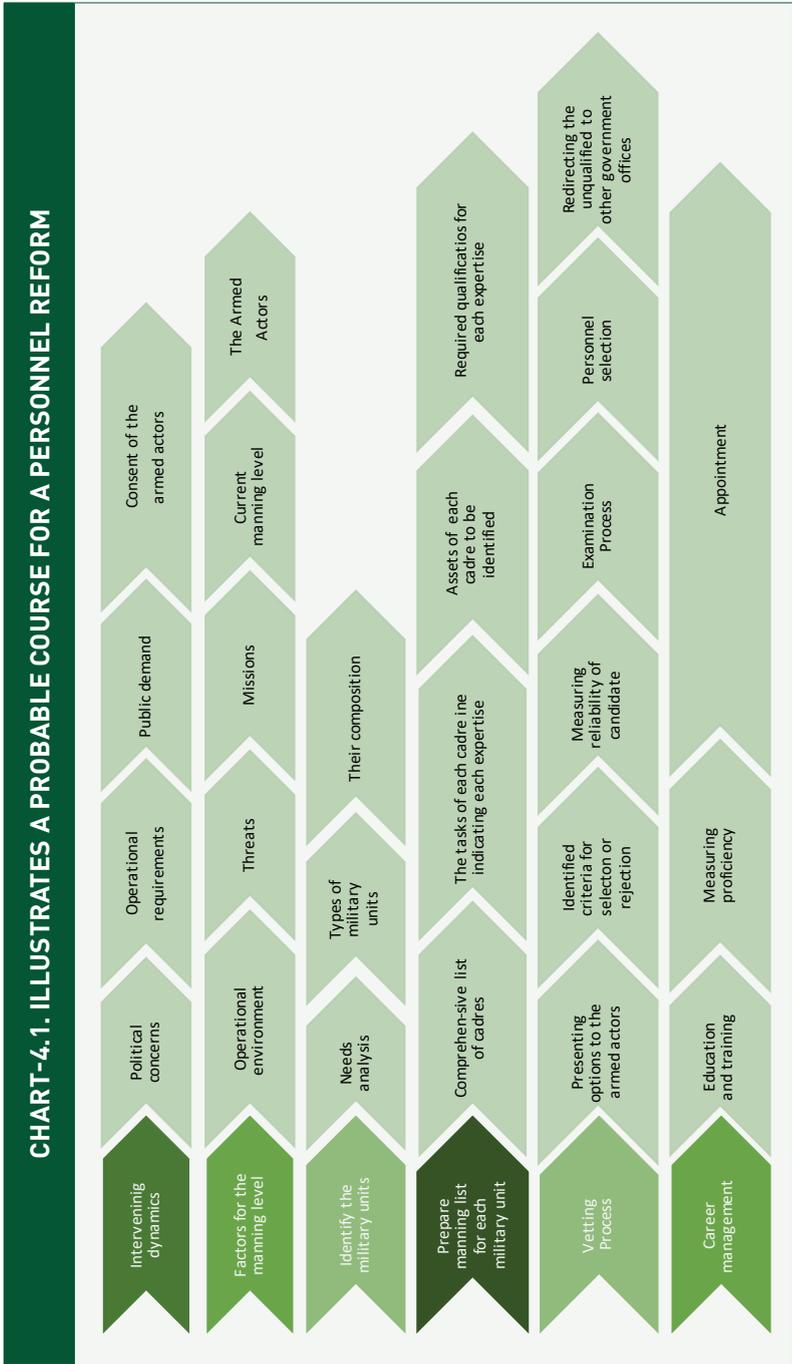
<sup>21</sup> The report is available in the following link. <http://www.libya-businessnews.com/wp-content/uploads/2015/07/LPRD-Progress-Report-2011-2015-English.pdf>, accessed on November 12, 2018.

Achieving effective management of personnel, weapons, equipment, and other assets are other complementary SSR efforts that, combined with state-wide reform attempts, will help to realize comprehensive DDR.

### **Personnel Reform**

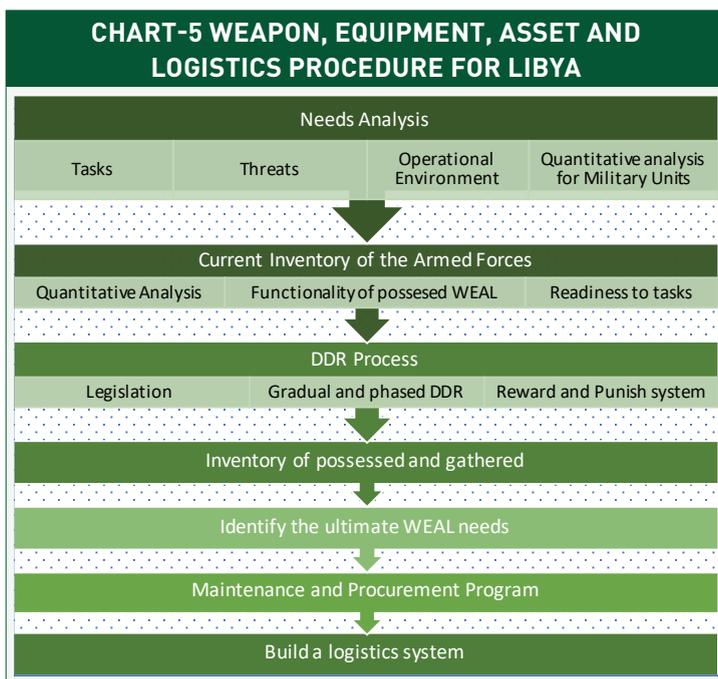
Personnel reform is a vital and challenging aspect of SSR. It is vital because personnel of the new Armed Forces must go through a proper qualification process and be vetted properly to avoid a malfunctioning security system. It is challenging because members of the current Armed Groups along with unqualified military personnel may resist SSR to hold onto their benefits. For this purpose, the Libyan Ministry of Defence is expected to start a project to identify recruitment needs going forward based on the operational environment, threats, missions, and current staffing. The Libyan MoD and Armed Forces need to start a comprehensive personnel reform process taking into account political concerns, operational requirements, public demand and the consent of all the armed actors [both formal and less formal]. A comprehensive project requires the identification of every military unit in the Armed Forces to prepare a staffing list into which every individual officer or enlisted personnel could be placed. Following a vetting process, personnel can be selected for different occupations and units, transferred to other government departments, retrained or provided with assistance to join the private sector. Moreover, a retirement system should be designed to urge the aged and unqualified officers to retire with full pension. Those who remain will require career management services to make sure that they get the training and development they need as well as the salary and benefits they deserve.

Chart-4.1. illustrates a probable course for a personnel reform.



### Weapons, Equipment, Assets and Logistics System (WEAL)

Besides personnel reform, SSR requires structural transformation from irregular formations to regular ones in terms of weapons, equipment and assets. The current logistics system of the MoD will need to be updated to serve the new order of battle. In order to start a transformation, the crucial issue is the DDR process, which may be an impediment to the speed of reform but is also a necessity for a stable Libya. This section will investigate the ideal and necessary capability of the Libyan Armed Forces. Capacity building for an efficient Libyan Armed Forces requires up-to-date armament resources for a cost-efficient deterrence. WEAL begins with an initial ‘needs’ analysis and a comparison to what the Libyan Armed Forces already possesses. As the DDR process disarms civilians, useable weapons can be donated to the Armed Forces and the Police. The anticipated WEAL procedure is depicted in Chart-5.



Needs analysis for the Armed Forces is dependent on the expected tasks in accordance with planned mobilizations and the current security environment and potential future threats. Threats are the essential input. The operational environment is an independent variable. WEAL has to align the capabilities to the expected terrain, weather, demography and other intervening variables. In order to meet the requirements produced by the 'needs' analysis, three DDR activities should be pre-emptively started. The initial step is to have the full inventory of the current armed forces to see what the Libyan Armed Forces have in terms of resources, a functional assessment as to what is required to realize the mission, and their readiness for use.

The Libyan Ministry of Defence will need to update the inventory after the DDR process to see how the revised stocks conform to actual and anticipated needs. The procurement and maintenance program should be evaluated and updated as necessary to have the possessed weapons, equipment and the assets functional and ready for the delivered tasks. The Maintenance Centres and Depots must be renovated and/or created in certain cities to manage supplies for the combat and combat support units.

### **Military Intelligence**

Military intelligence is an indispensable capacity in Libya due to the size of the sovereign land, sea and air space. The Ministry of Defence does have a military intelligence department although its capacity is a point of concern in terms of doctrine, multi-disciplinary structure and required expertise. Therefore, an efficient military intelligence architecture needs to be built across all of Libya based on force structure and required military intelligence assets.

Law 11 states that the Ministry of Defence is responsible for the defence policy, but CGS is responsible for the implementation of the policy on the ground. Military intelligence can be main-

tained under the CGS, rather than the Ministry of Defence, as a function of identifying and observing the threats, analysing the probable operational environment and the other dynamics of the potential conflicts. Moreover, every subordinate Service may have their military intelligence capacity and capability subject to required needs analysis.

Establishing a military intelligence system in Libya is not only relevant to the strategic level, but also to battlefield operating systems. Otherwise, military intelligence will be confined to the headquarters in Tripoli and the reading of open sources. Assets can be identified based on the needs of the Services as well as assigned tasks. For example, the Land Forces may benefit from military intelligence to update plans, after the collation and evaluation of the information for war plans, along with observing and providing early warnings of border infringements and violations.

Military intelligence is not state level intelligence, which is the responsibility of the LIS and the GIS nor does it usually deal with anti-crime matters, which come under the police. It should be directed to legitimate military activities, gathering and processing information for the preparation of defence plans. It should not be used against the Libyan public. Hence, an oversight system is mandatory to direct military intelligence efforts to the appropriate tasks and ensure that information is shared in the correct way. Parliament, the Presidency and the Ministry may control the activities and limit the military intelligence in case there are concerns about the way these assets are used.

### **Regulative Measures for the Armed Forces**

Each country needs laws and regulations for its security system and this is particularly true for a fragile, conflict-afflicted country like Libya. Libya needs to design a system of military law based on common law to develop regulations and directives for all aspects of

military work. The legal hierarchy should begin with Parliament updating the relevant laws and then updating and creating new regulations as needed. It is up to the Council of Ministers and the Ministry of Defence to issue Regulations and Directives. The CGS has direct responsibility for implementing the policy of the Minister of Defence and issuing the necessary directives and orders that ensue. This hierarchy has to be established to prevent ambiguity. To begin with, Libya will need a law on military SSR that respects the national security structure and charts the course for reform. It will also need an updated Military Service Law, that includes tasks, authorities, responsibilities, duties and rights. A Military Penal Code and Military Personnel Law appear to be urgent regulative legislation to have the current legislation, like Law No. (37) of 1991 on military penal code, to align with the reform. It is very important that the current mix of laws and regulations inherited from the Qaddafi era and ones decreed during the extraordinary transition period be revised and re-codified in order to institutionalize the security reform.

### **Training, Education, and Doctrine**

Libya lacks an adequate level of military education, training facilities and programmes. Currently, there is a very old, Soviet-type military doctrine not applicable to current conflict types. The interviewees, without exception, underlined the need to have military and police educated with appropriate qualifications, but there are a limited number of training facilities and military schools, with inadequate programs. (CC, 2018)

Libyan defence needs can initially be consolidated by renovating and if necessary, establishing military academies and training centres. Required assistance for War Colleges, Training Centres and Vocational Schools can be obtained from a selected country or international organization. Limited numbers of cadets may be sent to other countries although this should be limited to meeting

the urgent needs of the Ministry of Defence. More importantly military schools and Education Centres need to be activated to support security reform by direct input to qualification procedures of the trainees. (CC, 2018)

### **Budgeting**

In the course of the interviews for this research, the requirement for financing became a major issue. Current Armed Groups, who are enrolled by any decree of a sympathetic decision maker, or embed themselves within another Armed Group, are paid by the Central Bank. Additionally, any Libyan security organization can be hindered by its funding being cancelled should a decision maker be dissatisfied by its activities. Rather than institutional commitment and oversight, established state mechanisms are always in danger of being stymied by cuts in the budget simply on the basis of personal whims. What Libya needs is a law for financing the Armed Forces and for how the budget will be realized that will shield the system from obstructionist external intervention.

An important element of security reform is sorting out military salaries and other compensation, as was discussed in previous chapters. One reason for Libya's current polarization is that the incentives provided to the Armed Groups have often been greater than those of the regular employees of the Libyan Government. Personnel reform must include an improvement to the benefits of the military so that they remain loyal only to state and the Constitution and not to some other power broker. This would also encourage those members of the Armed Groups who are serious about a career in security to identify formal government service as their first option. The Central Bank is expected to hand over the responsibility of paying the governmental employees to the Ministry of Finance. Otherwise, as RR argues (RR, 2018), getting one's name on the payroll will be subject to potential extortion.

### 3. BORDER AND COASTAL SECURITY

Libya has eight neighbouring states with a land border of 4500 km. Frontiers were demarcated towards the end of the Qaddafi era though; they remain vague in most areas. Cross-border links of kinship and tribal affinity along the borders makes them meaningless in the eyes of many Libyans, especially in the south. Meanwhile, smuggling activities are an essential source of income for many local populations.

Protection of the frontiers is under the responsibility of the Libyan Army, but security is maintained by the local Armed Groups at the border gates or entry points while the actual borderline is not currently secured or observed. Besides, there is no consciousness among the local public as to where the exact borderline extends since the nature of the geography, 98 per cent desert, does not suit the positioning of border security units. Hence all types of smuggling flows into Libya en route to the Mediterranean Sea. (BB1, 2018)

Coastal security is under the responsibility of the Libyan Navy. Libya received the pledges of the European Union, mainly Italy, to help establish maritime security. The main effort is to prevent illegal human trafficking, ensure the security of oil fields in the North and control the coastal areas of Libya. In the absence of a Libyan navy, a Coast Guard has been formed using the coast guard cutters given by Italy and previously by France.

The question is whether Libya should renew its border and coastal security arrangements or keep the existing structure to respond to the current incursions and illegal activities. The current border and coastal security system are unique in that both land and coast are protected by the subordinate units of the Ministry of Defence. However, the land borders are only under the domination of the armed groups due to the non-existence of the units of Land Forces responsible for border security. Bor-

der gates, on the other hand, are controlled by the local Armed Groups which inevitably facilitates corruption. Coastal security, which is encouraged by the EU countries to eliminate illegal human trafficking and by the Tripoli government to secure the oil fields, is much more functional in comparison to the land border units.

A model can be used to display the probable courses to build a border and coastal security system, but an initial question is who will be in charge and responsible for the security of the Libyan borders and coast in terms of command and control, as shown in the Table-10.

The options should initially be evaluated with regard to urgent needs. The main problem at the borders is usually illegal activities. All borders must be secured against any type of infiltration. For this purpose, building a new organization or redirecting the border and coastal security to a new organization will be a time-consuming engagement. In accordance with the phased reform, the Ministry of Defence may assume responsibility for borders and coasts in the initial stages. However, either option of having the Ministry of Internal affairs completely run border control or building a specialized border protection unit could be chosen, depending on political preferences. On the other hand, border gates and ports must be run by the Ministry of Internal Affairs and the Customs Department of the Ministry of Finance. Other than identifying the responsible institutions, Libya's long border and coastal line requires electronic surveillance and patrolling systems to prevent corruption and identify the infiltrating individuals.

**TABLE-10 THE COMMAND AND CONTROL OPTIONS FOR BORDER AND COASTAL SECURITY**

| Organization                                 | Advantage   | Disadvantage   |
|--|---|--|
| Ministry of Defence                          | <ul style="list-style-type: none"> <li>- Current structure supports</li> <li>- Cost-effective</li> <li>- Circulation of personnel for limited corruption</li> <li>- Current Capabilities facilitates</li> </ul>   | <ul style="list-style-type: none"> <li>- Military from different cities may be unacceptable for the locals</li> <li>- Military expected to be security forces against smuggling</li> <li>- May be less familiar with the terrain, the communities and the threats in the region</li> <li>- May be more expensive to train &amp; equip if part of army</li> <li>- May have more difficulty coordinating with civilian agencies</li> <li>- May struggle with the law enforcement aspects of border control, like: processing illegal migrants, confiscating contraband, making arrests, etc.</li> <li>- May have more difficulty integrating women into activities where their presence is essential like dealing with female migrants, local communities, children, etc.</li> </ul> |
| Ministry of Internal Affairs                 | <ul style="list-style-type: none"> <li>- Security Forces have authority against illegal activities</li> <li>- Better suited to investigate and arrest</li> <li>- Possibly easy to coordinate with civilian agencies</li> <li>- Perhaps better suited for some integration of women, which are necessary for dealing with female illegal migrants, traders, etc. and also children</li> <li>- The inclusion of local enlisted individuals for posts</li> <li>- May be less expensive to train and equip</li> </ul> | <ul style="list-style-type: none"> <li>- Currently no readiness [not really different from the military in that sense]</li> <li>- Needs extra capacity and capability [not really different from the military in that sense]</li> <li>- If not recruited locally and/or rotated, may not be familiar with terrain and situation</li> <li>- Less linked to the military during this current period of militarization and coordination may be more difficult</li> </ul>  |
| Independent Organization under the PM Office | <ul style="list-style-type: none"> <li>- Professionalism can be achieved</li> <li>- The inclusion of local conscripted individuals for posts</li> <li>- Perhaps as easy to achieve some integration of women, which are necessary for dealing with female illegal migrants, traders, etc. and also children</li> </ul>  | <ul style="list-style-type: none"> <li>- Building an institution from scratch</li> <li>- Long years in service that could facilitate corruption</li> <li>- Possibly less coordinated with both the MoI, other civilian agencies and the MoD</li> <li>- Possibly more difficult to integrate into training with either MoI or MoD</li> </ul>  |

#### 4. INTERNAL SECURITY

The Police structure is currently very scattered with weak enforcement capability. (DD, 2018) Although the Police were neutral during the Revolution, the policing system was marginalized after the Revolution. (DD, 2018) With staff currently limiting themselves to paperwork, the force is failing to prevent crime and establish order. As a former high-level Libyan politician argues, comprehensive reform is therefore needed for the Ministry of Interior. (FE, 2018)

To reform the Ministry of Internal Affairs, it is necessary to have adequate data on the demography, urban characteristics, criminal networks and deficits in the internal security structure. Normally, such a survey requires several years of studying society with concrete research methodology. (SS, 2018) However, the urgent need of establishing order means that reform efforts must start by using the current legislation.

According to the draft Constitution, the main body responsible for establishing order is the Council of Ministers under the leadership of the President and the coordination authority of the Prime Minister. In this respect, the Minister of Internal Affairs has the authority and responsibility to establish a secure Libya reporting to these bodies in accordance with the decree 492 of 1970 (Revolutionary Command Council's Decree on Organising the Security Services of the Ministry of Interior) and post Revolution Decrees, such as the Decree 145 of 2012. The establishment by the Ministry of Interior, after the Revolution, of institutions such as Anti-illegal Migration Agency<sup>22</sup> Cabinet Decree 386 of 2014 or the Force to Protect the Cabinet Headquarters<sup>23</sup> indicate an intent to do so.

The problem in Libya is not the status of the Ministry of Interior, but the lack of an updated law to organize the overall internal

<sup>22</sup> Cabinet Decree 386 of 2014, available at <https://security-legislation.ly/node/34978>, accessed on 22 April 2019.

<sup>23</sup> Acting Minister of Interior Decree No. (146) of 2016 on Forming a Force to Protect and Secure the Cabinet Headquarters, available at <https://security-legislation.ly/node/34550>, accessed on 22 April 2019.

security structure, including the relationship between the centre and the regions. Libya does not currently have a General Director of Police, who oversees the overall Police for a centralized police structure.<sup>24</sup> Meanwhile, a divided body of police units exists, which is not well coordinated and does not function efficiently. Directors in the Ministry of Interior are appointed by the approval of the Prime Minister in accordance with the proposal of the Minister, which allows the Minister to employ only the personnel he wants to work with. Besides these issues, provincial police has been budgeted not from the Ministry but via the regional financing, thus diminishing central control. (SS, 2018)

The police in the Provinces are subject to the command and control of the Municipalities while the Armed Groups are certified to deploy police missions in most cities. The absence of a General Director, along with a lack of integration ensures a partitioned police structure, which does not investigate crime, share a common database, or offer a standard service except issuing passports. Structural shortfalls result in problems of standardization and discipline.

The immediate response is to have the Minister completely responsible for internal security, taking all ‘armed’ security forces under his authority. There may be disputes at the higher echelons of state about Justice, Police and the Armed Groups but hopefully these can be resolved through dialogue. In accordance with the draft Constitution, the Minister of Interior may assume the responsibility of reforming the policing structure. To achieve this, the duties of the Libyan Police have to be clarified in order to determine the required structures.

The mission of the police, as mentioned above, is to establish and preserve order to ensure the safety of Libyan individuals and

<sup>24</sup> As per cabinet Decree no. (145) of 2012, article 6, there are supposed to be many directorates, not all of which would necessarily fall under “policing” and therefore fit the same model as for the military. For example, there are supposed to be civil defence (responsible for firefighting and natural disasters), border security, illegal immigration, coast guard, vital installations guards. It seems that some of these still either do not exist or remain under the control of the MoD and/or the armed groups. As mentioned above, under articles 6 and 7, there is supposed to be a general directorate for policing that would in theory coordinate mainstream policing operations

the public by enforcing morality. (Das, 2003) The tasks derive from Law 10 of 1992 other than the Cabinet Degree 145 of 2012. The law underlines the mission of the police as mentioned in Chart-6.

#### **CHART-6 THE MISSION OF LIBYAN POLICE IN LAW 10 OF 1992**

The Police Force is a statutory civil agency subordinate to the General People's Committee for Justice. It shall implement the plans relating to People's Security Programs, maintain the security of the Jamahiriya and public order and protect lives, dignity and property.

The police agency shall be responsible for preventing, detecting and pursuing crimes. It shall also control traffic, reform and rehabilitation affairs, civil defence work as well as passport, personal identification cards, and foreigners' affairs, in addition to any other competencies stipulated by the legislation in force.

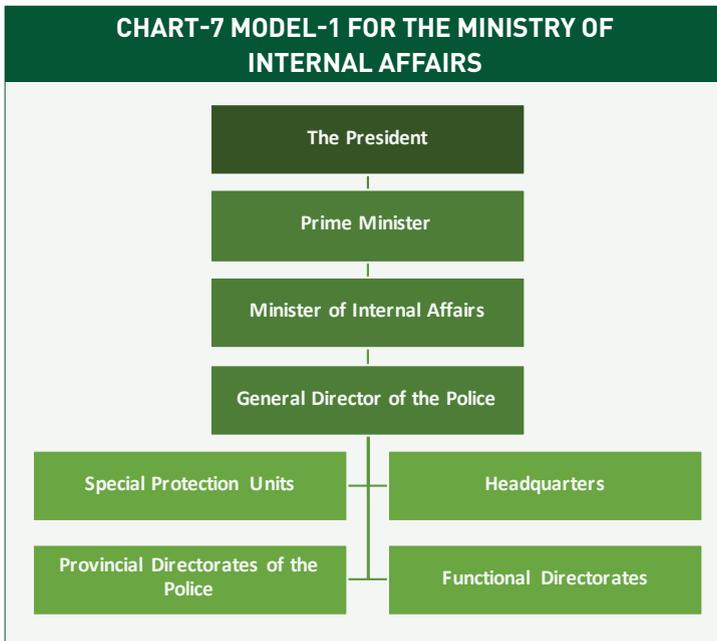
The Law explains the Police's basic mission. Although the Law conveys the ideological motivation of the Qaddafi era (for instance, spearheading the part-time armed volunteers' security agency) it does not clearly indicate how this system will be run. The authority over the Police was also declared as the General Committee of Justice, rather than Ministry of Interior. The current law, which is a legacy of Qaddafi's philosophy, needs to be updated to build an effective and deterrent policing system in accordance with the reformation process.

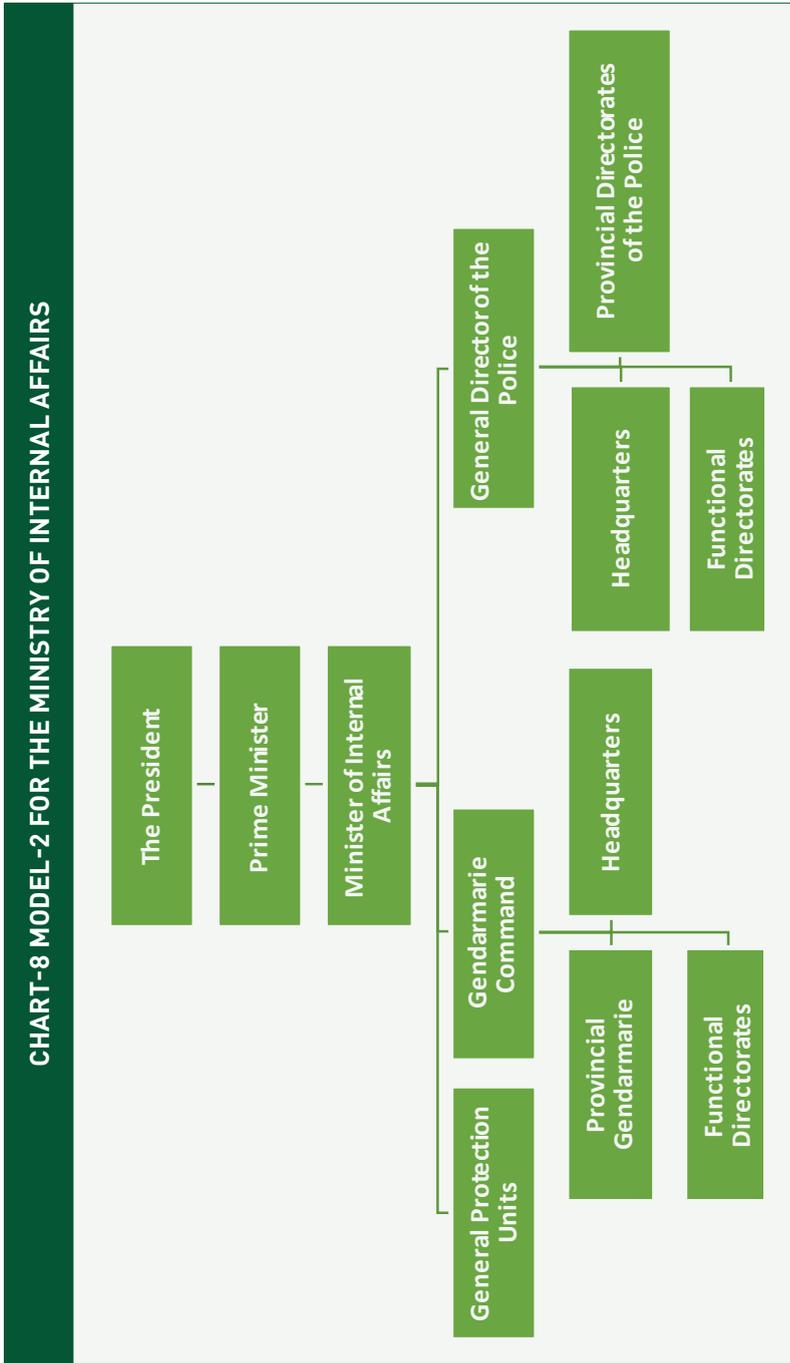
In order to create an efficient structure, the starting point may be to identify the strategic decision-making mechanism of the Police. As an executive and enforcement security agency, the Police Force reports to the Ministry of Internal Affairs, though it also has task-based reporting lines at the local level to judicial authorities to implement their decisions as well as to Governors and, de facto, local councils and municipalities. The proposed police structure is expected to be a state agency operating at both a strategic and local level. Identified administrative and judicial organs may assign the Police to specific tasks according to legislation. Hence, a model needs to be created, central at the higher echelons, while layered

and linked to varying governmental agencies at the bottom. The model must therefore be centralized at the higher echelons while also responding to local authorities.

Given the requirement for different assets and expertise, it may be necessary to distinguish between urban areas and rural ones that require gendarmerie type forces. However, Libya’s wide and featureless desert means that urban areas are concentrated within habitable regions that make the cities more compact. Gendarmerie forces may also be perceived as a tool to support the urban police forces in case of mass disturbances. From a geographical point of view, Libya does not need a gendarmerie, though depending on political preferences, it may be an option to build a force separate from the Police. As BB argues, in any case, security forces of the Ministry of Interior should be organized with regard to administrative structure in accordance with legislation.

In accordance with the aforementioned discussion, alternative models can be built in Libya as observed in Charts 7 and 8.





Prosecutor-mandated tasks

If the two models are compared with the existing structure of the Ministry of Internal Affairs, along with intervening factors, the advantages and disadvantages of both models need to be identified and contrasted. Table-11 presents a comparison of both models.

| <b>TABLE-11 COMPARISON OF MINISTRY OF INTERNAL AFFAIRS MODEL 1 AND 2</b> |  |                           |
|--|--|---------------------------|
|  | <b>Model-1</b>   | <b>Model-2</b>            |
| Urban Security   | By the Police  | By the Police             |
| Rural Security   | By the Police  | By the Gendarmerie        |
| Unity of Command   | Centralized  | Centralized               |
| Conflict Prevention  | Effective  | Very effective            |
| Personnel Training   | One schooling system   | Two schooling systems     |
| Logistics  | One logistics system   | Two logistics systems     |
| Regulative Amendments  | One body of Regulation   | Two bodies of regulations |
| Protection of critical facilities in rural areas                         | Limited only by the Police, needs additional security architecture | Facilitates               |

As can be seen from the table, two different systems of internal security will not be sustainable in the long term, especially if the urban and rural characteristics are concerned. Libya's desert type terrain and urban disposition requires two different security systems, based on the Gendarmerie and the Police. A two-fold internal security architecture may provide a balance among the security forces so that the whole security system is not dependent on

one agency. Critical infrastructure (energy transfer lines, oil fields, strategic projects, roads and water resources) need to be protected in the rural areas by adequately equipped Gendarmerie, using high-tech surveillance and reconnaissance assets. Therefore, Libya needs a centralized, but two-pronged internal security structure under democratic governance and designed for the public's expectations. Model-2, appears to be the most cost-effective and realistic option for Libya, as agreed by BB. (BB, 2018) On the other hand, as SS argues, Gendarmerie forces are currently non-existent and need additional effort to be established. (SS, 2018) As a result, the characteristics of a desired Gendarmerie policing structure also need to be reviewed to establish an ideal structure. Similar criteria that we applied to the Ministry of Defence can also be applied to the Ministry of Internal Affairs to identify what arrangements could be drafted, as follows.

### **Command and Control**

The Ministry of Internal Affairs is the authority that should centralize and coordinate the internal security institutions. Libya's internal dynamics have caused the political leadership to build security formations for specific purposes. Currently, Armed Groups are providing security in whichever way they choose by putting pressure on decision makers. As discussed in the previous chapter, the co-opting of the responsibility for public order by the Armed Groups has made making the police inefficient in their duties. The draft Constitution designates the President as the ultimate authority responsible for security. The Minister of Internal Affairs, who reports to the Prime Minister, is the authority responsible for commanding and controlling the internal security infrastructure. Security can be centralized by having the Minister of Internal Affairs as the sole decision-maker under the observation of the Prime Minister. (SS, 2018)

The Police, currently, does not have a general directorate with a centralised headquarters enabling it to be institutionalized. This allows for a partitioned structure based on local entities to persist to the detriment of an effective and efficient security force. Leadership and a clearly identified command structure will make policing more accountable. The General Directorate can design and coordinate the police force with the provincial leadership directing activities in their areas of responsibility. Working conditions of the Police, including appointments, would be controlled by the General Directorate. Some tasks may be given by the Governors in accordance with their responsibilities under Article 8 of Law 59 (2012).

Another function of the Police is to conduct criminal investigations and report to the judicial authorities. In this case, the Prosecutor has the authority to direct the Police to start an investigation or review and conclude the report of the Police investigation. Although the Prosecutor can provide tasks for the Police, he is not authorized to direct the Police structure in the Province. The Judicial Police of The Ministry of Justice, whose role is to observe the Prisons and serve the courts, needs to be reviewed as to whether or not it is a necessity.<sup>25</sup> A unified police structure, rather than a partitioned one, is required in terms of central control. An alternative security structure in courts and prisons may lead to alternative power centres that could challenge each other in their areas of responsibility.

Finally, the Police of Libya is not divided and politicized at the lower levels, but partitioned due to the political competition of the regional commanders. (RR, 2018) This will help to unify it under one command structure.

<sup>25</sup> Minister of Justice Decree No. (1960) of 2013 on Adopting the Organisational Structure and Competencies of the Judicial Police Department, available at <https://security-legislation.ly/node/33320>, accessed on 24 April 2019.

Likewise, the Gendarmerie Command needs to be organized by similar arrangements under the authority of the Ministry of Internal Affairs.

### **Organization and Force Structure**

The central structure needs to have a headquarters that facilitates central control and serves as a repository for expertise on criminal investigations. (RR, 2018) Two or three more regions may be selected to establish regional headquarters in order to have expert units serve the Provincial Police. Such an organization presents two kinds of organizational structure. The central authority may build regional Police Headquarters to command specific Directorates or all Directorates may report directly to the General Directorate. These options are a matter of political preference though; the linkage of the Provinces directly to the General Directorate would be welcomed by the communities in those cities. Hence, as BB argues, there may be as many Police Directorates as provinces. Municipalities, on the other hand, are responsible for providing services to the public, not security, so that makes them ineligible to command police structures, as mentioned in the Article 9 of Law 59 (2012).

Moreover, already established general directorates under the Ministry of Interior, like the Police for border posts, may be preserved for further specializations. (SS, 2018)

### **Personnel Policy**

The personnel of the Police, similar to the military of Libya, must earn a reputation to be an effective deterrent. A reputation for a more professional treatment of the public can be obtained by discipline and education. Therefore, the Libyan police need an explicit vetting process. They must receive sufficient benefits to prevent temptation by criminals and serve the Libyan public as a whole rather than particular individuals.

The manning needs to be designed to have the Police on duty within shifts and not to have any other occupation. The work force must therefore be balanced according to population and needs. Like with the Ministry of Defence, staffing lists should be established according to identified tasks, specializations, statistical data on the criminal history of the neighbourhood and any other relevant factors.

The manning level is a point of dispute for the Police. The actual number of the Police organization is approximately 120,000 of which 20,000 are civil servants, 10,000 are administrative and 90,000 are police officers, working on shifts. The shifts are designed to have one day work and three days off which makes the actual number 22,500 on duty in a day. If you divide a day in to three sections, almost 7,500 police officers will be on duty at one time. (SS, 2018) Therefore, a reform should also focus on the working rhythm of the Police. The proposal for this issue is to have police officers work 12 hours per day while offering them personal benefits as compensation in terms of higher wages. In this situation, the actual number of police officers on duty in a day may rise to approximately 45,000 which would make them committed to their tasks.

Tripoli is a test case for the staffing level of police. The number of police officers is estimated at around 14,000, which makes one police officer for every eight citizens. The Tripoli Police Force has trained an unknown number of police officers, who are either high school or vocational school graduates. However, training police officers for the last seven years has increased the staffing level to such a degree that it has become a cause for under-employment. The problem is that the Tripoli police have not implemented any retirement schemes during the same period, leading to an inflation of personnel in the city. (RR, 2018) Any reform should therefore focus on improving the level of qualifications while retiring officers at the end of their careers on a full pension.

Police training centres and specialization courses are a priority. In addition, police officers may be sent abroad to be trained and return to teach in Libya. Two police training centres were inaugurated in Tripoli in order to offer a 45-day training program. Such schools may expand in terms of their numbers as well as curricula. Moreover, current Armed Groups may be a source of human resources for the Police if they are eligible and qualified in the education centres. A former Libyan police commander argues that the current militia will not oppose such an idea if their leadership is persuaded.

### **Weapons, Equipment, Assets and Logistics System**

Besides personnel, Police must also be equipped with weapons, assets and technology to detect and prevent criminality and to counter violent unrest and crowd control. For this purpose, the police have provided for them: capable vehicles with tracking systems, modern and effective means of communications, light weapons and resources to enable criminology investigations.

### **Private Security Companies**

Armed private security companies are not allowed in Libya other than exceptions like those for the Embassies. (SS, 2018) The fragile security environment may convert private security organizations into criminal networks given that there is no inspection mechanism in place. Moreover, these companies may legitimize the Armed Groups, further hampering reform attempts.

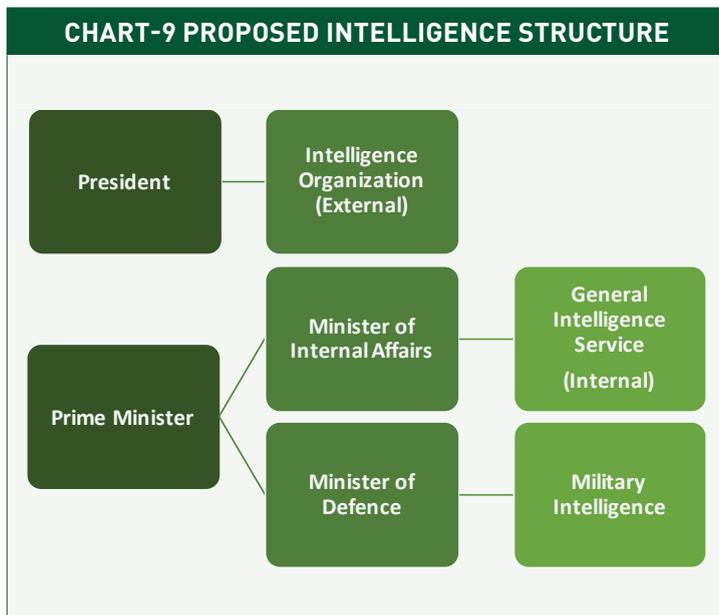
### **Police Anti-Crime Intelligence**

The General Investigation Service [GIS], reporting to the Prime Minister, is responsible for internal intelligence in accordance with the Cabinet Decree No. (325) of 2013. The Ministry of Internal Affairs lost its intelligence capability as its assets were

transferred to the new agency. (SS, 2018) The Federal Bureau of Investigation [FBI] in the United States of America handles both internal security threats and criminality. Libya's Ministry of Interior requires a similar intelligence capacity to identify and track criminals although it already exists to a certain extent, at least in principle, under Cabinet Decree No. (145) of 2012 (Article (13) and Article (22)). Such capacities could potentially be abused to gather information on opposition figures. Therefore, a system of oversight has to be set in place in order to ensure that they are only used in accordance with the law and with proper judicial oversight. This might be done via specific laws and regulations.

## 5. INTELLIGENCE

The three intelligence organizations, examined in the previous chapter, form the overall intelligence structure of Libya with the President at the top. If Libyan political leadership prefers to build an intelligence system, based on expertise on internal and external intelligence, for the security of the Libyan state, linkage of the overall intelligence organizations to the President is acceptable. However, such an arrangement is acceptable, but it is essential that a system that wishes to bring together internal and external intelligence effectively and efficiently needs to create structures that facilitate cooperation. A functional division of intelligence should cover internal, external and military risks. Strategic level intelligence can be consolidated by authorizing the LIS to coordinate all intelligence activities as can be depicted in Chart-9.



As was shown in the second chapter, intelligence requires assets in order to collect, collate and analyse the gathered information. The architecture for this requires a comprehensive reform package. Evidence of current foreign interventions in Libya demonstrates the urgency.

## 6. THE ARMED GROUPS

For KK, the security of Libya is based on three essential elements: defence, borders and internal security. None of the Armed Groups in Libya, for him, are capable of managing such a complicated mission, but can only push for their irrational objectives. (KK, 2018) On the other hand EE, an armed group leader, argues that the Armed groups are not ‘bad’ at all. (EE, 2018) These two contradicting views about the Armed Groups regularly appeared during the interviews. Those coming from the Armed Groups favour them, while those with no connection recommend their

urgent transformation using incentives or enforcement. It does not matter what motivates the various interest groups, a reform process must transform the Armed Groups if a united and secure Libya is to be achieved.

As outlined in the second chapter, the Armed Groups have partitioned the country and continue to vie with each other for possible territorial gains. So to begin, they must agree to compromise and move into the formal state security architecture. The issue is how to achieve this target.

EE argues that it is the leadership, more than the lower echelons, that is crucial for the desired reform. (EE, 2018), (BB1, 2018) Security reform, connected to other state building efforts, requires a normalized political life, erected upon the Constitution and a properly functioning government. The process has to be multi-faceted and take into account the public, the fighters at street level and group leaders when addressing the problem. Public will is the starting point of reform. The issue will need to be publicized to attract the support of the people and increase their loyalty to their state.

The second target audience is the members of the Armed Groups. A general amnesty, with the exception of 'criminal acts against individuals', could be a starting point to overcome the perception that they are being treated like criminals after the reform. (KK, 2018), (BB1, 2018) The advantage for the Libyan state is that these Armed Groups are already paid by the government. Many individuals joined them, not due to their revolutionary past, but to have an income. Security transformation and improved personal benefits may encourage individuals to become a member of the formal security forces. Recent experience, however, showed the resistance of the group leaders to sacrificing the power and profits that they have been personally enjoying. Hence, the leaders of the Armed Groups need to be encouraged to compromise and become

part of the state mechanism. (BB, 2018) If the rank and file receive greater incentives from the state, Armed Group leaders will be challenged by their own members. However, having the leaders on board will ease the transition process.

The Libyan public believes that some of these individuals are corrupt and must be vetted before further integration in to the security system. (MM, 2018) A vetting process aims to eliminate criminals from the future cadre of the Army and the Police and pave the way for competence and merit. This will promote the reliability of the reformed security forces in the eyes of the Libyan public. Options may also be presented to those individuals averse to vetting (for whatever reason) so as not to alienate them. (MM, 2018)

The following are some important elements to keep in mind to ensure a successful transformation:

- **Persuasion:** Persuasion is having the parties to any agreement comply with the offered courses by their own will. This report assesses that the Armed Groups can be urged to integrate into the designed security architecture if three conditions are observed. The first one is that the incentives are sufficient for the fighters to feel secure and prosperous in comparison with their treatment as part of the Armed Groups. The second is transparency of process and a brief roadmap outlining how to be eligible for a position in the security architecture or governmental position. In other words, employment or pensioned retirement must be guaranteed to eradicate the ambiguity regarding their future. The third is respect for the identity and motivation of the fighters so that they trust in the Libyan state's ability to uphold justice. For instance, any member of the security forces, and citizens as well,

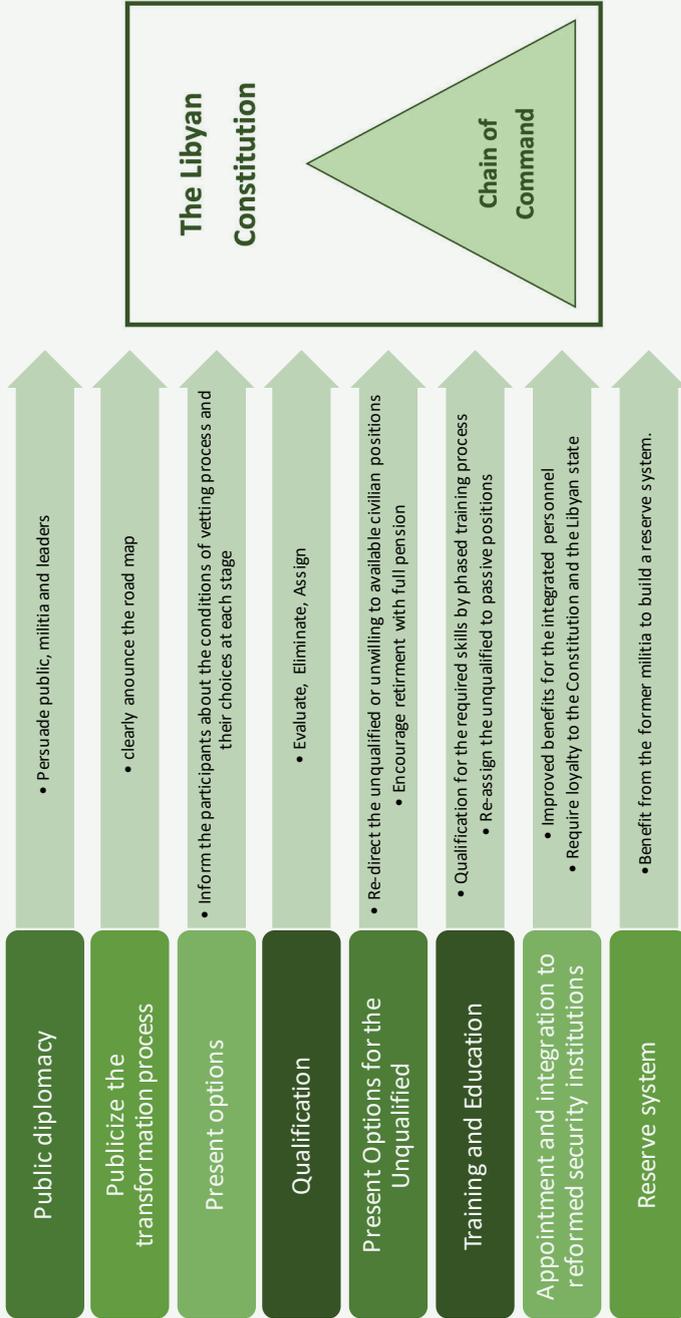
should be able to travel freely across the country for duty or travel. Such trust will be earned by results and delivering on promises.

- No deprivation for the militias: there should be options, of choosing to be a civilian with a full pension or a member of security forces, so that they do not perceive any threat to their livelihoods from the reform process.
- Arranged and Improved Financial Benefits: The benefits of integrating into the security forces must be more than being a member of the Armed Group. If the Libyan Central Bank is paying the wages, those fighters who are not consistent with the Constitution and pose a challenge to the reform security architecture should not be paid.
- Consent of the Armed Groups' Leaders: The leaders may be encouraged to be involved in politics or offered a position in the cadres of the Security Forces if they are appropriately qualified. The rule for the military of not getting involved in politics or profit-making activity must be respected. On the other hand, it is a fact that the unofficial leaders will get stronger if there is a power vacuum. Libya's security reform must therefore rapidly produce a force structure, which is stronger than the irregular armed groups.
- Vetting Process by Merit and Qualification: The qualification criteria should be clearly and comprehensively drafted and announced. The job requirements and necessary abilities to fulfil them are the source of the criteria. Libya's security needs in accordance with the threats can be reviewed to identify the criteria for each position.

- **Training and Educative Measures:** Respect and reliability derive from the professionalism that only education and training can promote. The Armed Groups are the ones who started the Revolution or joined afterwards. Hence, they may not necessarily have the all the technical knowledge on how to deploy in the conventional way.
- **Discipline and Penal Code:** Discipline is an outcome of the training process. Security reform's fundamental success comes from disciplined individuals and units. It is also necessary to apply the military and penal codes justly. The penal codes for the military and the Police may be amended to ensure the reform's sustainability.
- **Phased Transition and Verification of Results:** Reform cannot be achieved instantly. It requires a phased transition in order to avoid vulnerabilities. For this purpose, a roadmap and calendar should be announced in order to prevent rumours.
- **Institutionalization:** Reform aims to build systems that are independent from the individuals or interest groups. In this respect, security forces must be institutionalized with clearly defined norms that are easily understood by all.
- **International Consistency and Pressure:** External actors should not provide support to any armed group to favour their interests. This problem already exists in Libya. The UN Security Council or another responsible international organization may issue a binding resolution to stop third parties from intervening in Libya's affairs, unless they are impartial and authorized to do so.

In accordance with these elements, the following steps can be taken, as detailed in Chart-10.

## CHART-10 A MODEL FOR THE INTEGRATION OF THE ARMED GROUPS





## CHAPTER 4

# A PROGRAM AND ACTION PLAN FOR LIBYAN SSR

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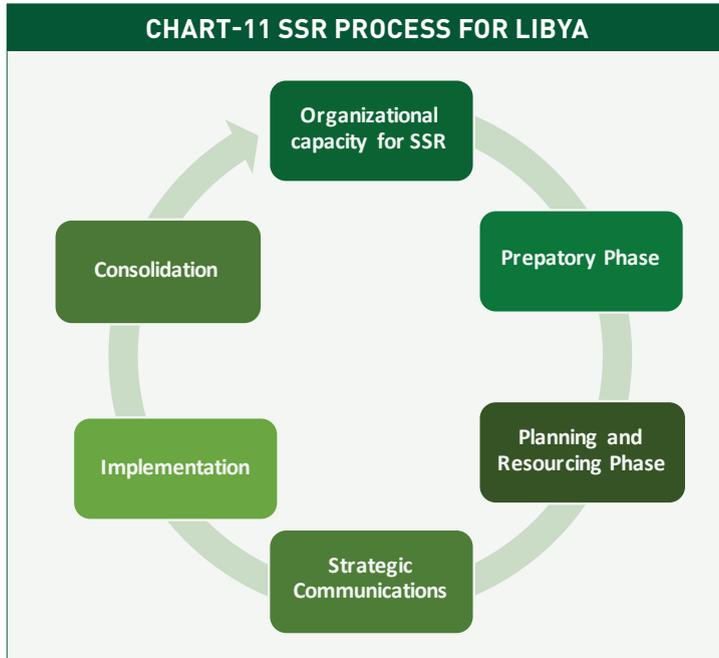


## 1. LIBYA'S PATH TO SSR

SSR in Libya may be approached from two angles. The first one is to sensitize the public on the need for SSR, leading to pressure on the local leadership to sacrifice their current positions and power. The second approach is to start SSR from the top downwards to renew the institutions. Political leadership will be critical in matching capacity to needs. Initial work will involve creating an adequate database of current capacities and capabilities. Libya cannot succeed in any reform without having accurate facts and figures of the organizational, personnel and armament structure. Reform is not just about issuing decrees and laws. It is also a process that requires preparation, planning, execution and feedback for adjustments.

The SSR concept, as mentioned in the first chapter, can be divided into three phases: preparation, implementation and consolidation. This report argues that Libya's SSR needs to be broader and more comprehensive than that. First, Libya needs to create the organizational capacity for reform by building an institution to plan and manage the process. With this in place, it may then start the preparatory phase of gathering information and drafting a plan with adequate resources. Resource management will be crucial to make sure the plan is achievable. The plan cannot be absorbed by society without good public relations and diplomacy. Hence, strategic communications should be present from the onset. If the Libyan public and interested parties are persuaded to start the Reform, a gradual implementation from higher to lower echelons can begin. Observation, feedback, and re-adjustment of the program

will eventually lead to the last phase of consolidation. Chart-11 illustrates the whole reform process for Libya.

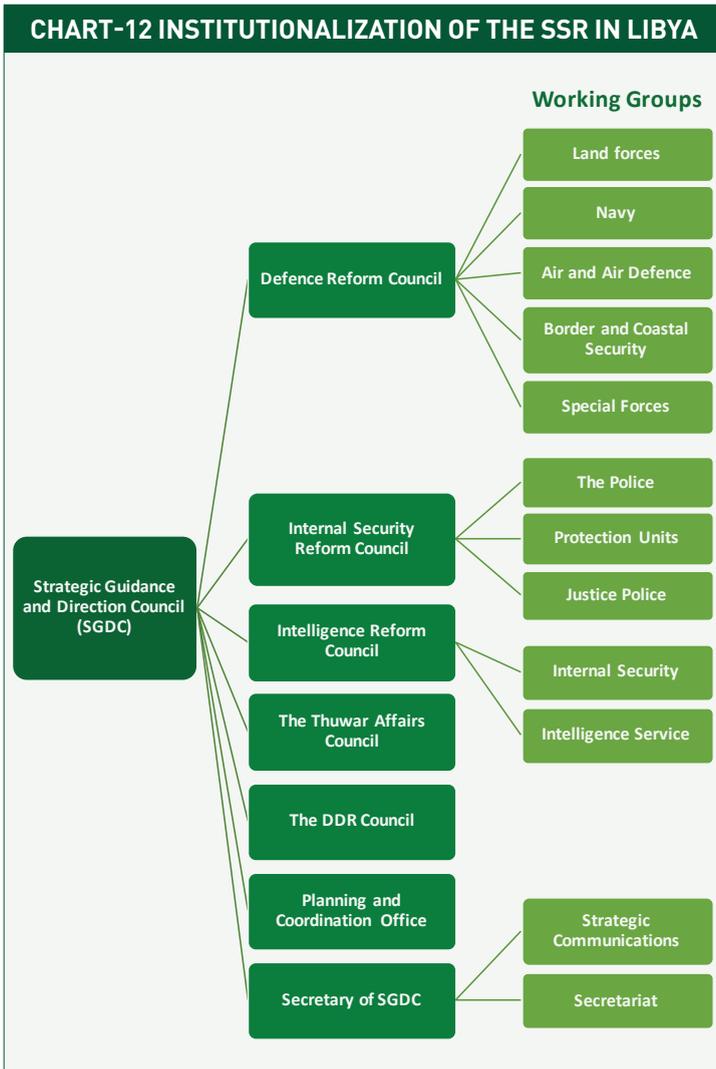


## 2. ORGANIZATIONAL CAPACITY FOR SSR

SSR can only be sustainable if an integrated and comprehensive SSR policy and strategy are designed. Institutionalization of SSR is essential for long-term security reform, which is also connected to other functions of the Libyan state. Security is relevant not only to security-related organizations, but also to finance, education, justice and so forth. Therefore, a SSR Institution needs to be established to plan and execute the SSR process. The public outreach part of the SSR program may conduct surveys, make the process more transparent and act as a point of reference, coordination, and compromise.

The SSR Institution may have a layered structure. A Strategic Guidance and Direction Council, under the leadership of the Pres-

ident and with the participation of the relevant ministries and local leaders, has to agree on strategic policy and general rules for implementation. Subject to the essential security bodies, Councils can be formed to assume the reforming process of the security institutions. Working groups under these Councils may be experts on the individual security organizations. The model is depicted in Chart-12.



### 3. TIMELINE AND ROADMAP OF THE SSR

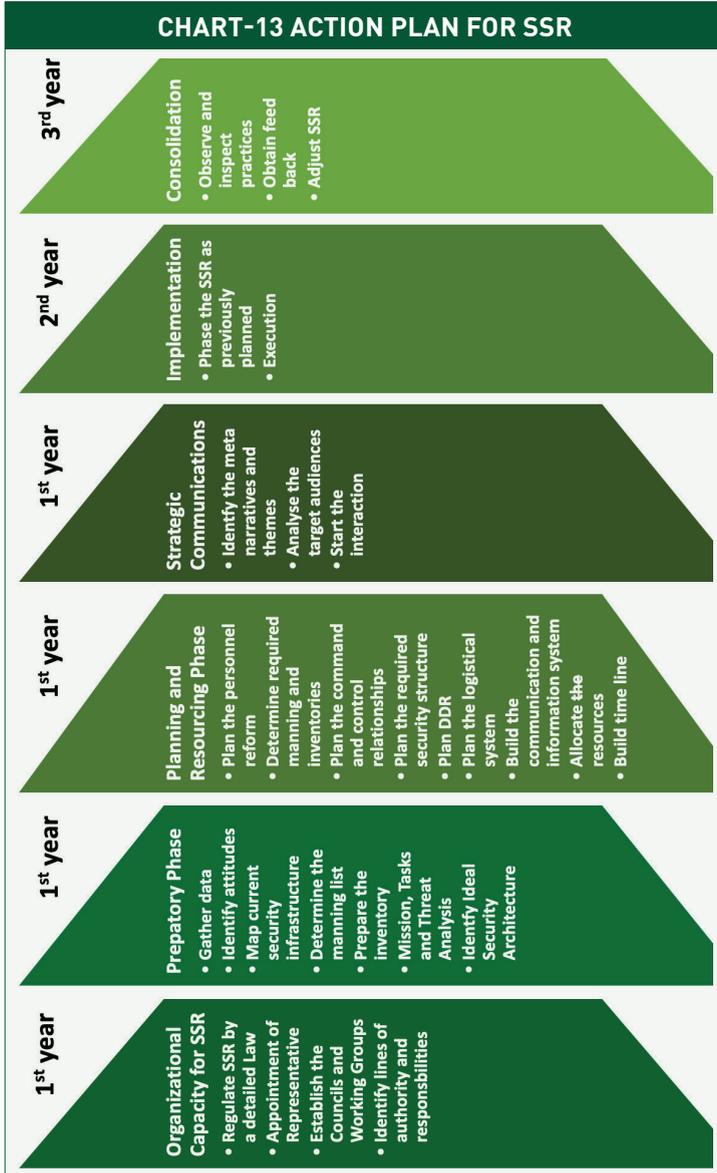
It is difficult to fix a timeline for SSR given the capacity of Libya's power brokers to complicate things. Yet there must be a starting point. The referendum to be held for the drafted Constitution appears to be a major turning point for SSR. Once strategic institutionalization of the Libyan state and its government is achieved, SSR becomes a matter of political will. Besides the referendum, Parliamentary elections should also lessen the influence of the power brokers and allow the popular will to prevail. There are three possible starting points for SSR:

- Begin before the elections to ensure their safety and reliability notably ensuring that there is no interference in the political campaigns,
- Commence after the Constitutional referendum by establishing an organizational structure and start planning, preparations, and strategic communications. Implementation and consolidation may start after the elections assuming the vote gives enough of a mandate to do so.
- Leave SSR completely until after the elections in order to have a new government with legitimacy and authority.

This paper argues for starting SSR as soon as possible since security is an urgent need of the Libyan public. In the meantime, political progress and determined will can help move things forward. Moreover, security reform needs a long process of data collection and analysis. Hence, the second course, which requires institutionalization, preparation, planning and strategic communications may begin before the elections while implementation and consolidation can start after a political mandate is obtained.

## 4. ACTION PLAN FOR SSR IN LIBYA

SSR can be achieved if a comprehensive plan is devised, implemented and re-adjusted as necessary. A model may help to design the road map and identify the ‘tasks’ discussed above.



### Organizational Capacity:

- **Regulating SSR with a Law:** Libya does need legislation for SSR to have a foundation and a justification. Providing a legislative framework will give legitimacy to the SSR process, making it difficult for any armed group to oppose it. Regulating SSR will also help to clarify the authorities and responsibilities.
- **Appointment of a Representative:** The Presidential Council may select and authorize a Representative that all Armed Groups and current security structure can agree on. The Representative can begin consultations to receive inputs and identify needs in order to try and reach a common ground. A respectful and respected Representative may also persuade the public of the need for SSR.
- **Establish the Councils and Working Groups:** SSR institutionalization can be commenced by the Councils and working groups, as discussed above. The selection of the personnel for these councils and working groups should represent not only the currently existing institutions but also the various segments of Libyan society as well as the Armed Groups. The working arrangements need to be functional and probably start with proposals already developed by the Libyan military and police.
- **Identify the Lines of Authority and Responsibilities:** Representatives and experts in the Councils and Working Groups should have the requisite flexibility to do their work as long as it is carried out according to the directions and criteria set by of the Supreme Council.

### Preparatory Phase:

- **Gathering Data:** Libya currently lacks the requisite statistics to map the existing personnel, inventory, and Armed Groups amongst other things. Constructing a database to analyse the current situation will enable a much better understanding. (YY, 2018) Meanwhile, statistical facts will help counteract false narratives.
- **Identify the Attitudes:** Assumptions are often made about Libyan attitudes towards state-building efforts such as SSR. A detailed opinion survey and analysis, broken down to the local level into different groups and sub-groups should help to confirm perceptions and identify challenges.
- **Map the Security Structure:** The current security structure is complicated, given the chaotic Qaddafi legacy, the division of the country into two warring parts and the many decrees legitimizing the Armed Groups. There are many shifting alliances and conflicts of interest. The motivations of current security structures and individual Armed Groups, along with their capacities and capabilities, should be reviewed and analysed to identify their potential postures and contributions to security reform.
- **Confirm the Staffing List:** Every individual currently being paid by the Central Bank must be listed to determine the actual number of security forces and the Armed Groups for the future vetting process. In addition, their skills and background need to be identified in order to benefit from their talents and identify future training needs. Personnel past

the age of retirement<sup>26</sup> should be encouraged to retire, with exceptions granted only temporarily in order to cover gaps in the transition period as new cadre are built up.

- **Prepare Inventory:** Despite the destruction and looting that occurred during the Revolution, the formal security forces possess a fair amount of assets as do the Armed Groups, most of whom claim to be part of the state, albeit with an autonomous or semi-autonomous status. It is necessary to confirm the amount and state of their equipment, munitions and infrastructure. A future DDR process should theoretically bring everything under one system, permitting a more effective needs analysis followed by a procurement programme.
- **Mission, Tasks and Threat Analysis:** As the previous undertakings are being realized, a detailed mission and task analysis can be carried out to identify the required types and levels of security forces. As previously indicated, this begins with a threat and risk assessment.

<sup>26</sup> Unless revised or replaced, it should still be Law No. (40) of 1974 [Acc. 26 Apr 2019 at <https://security-legislation.ly/node/31348>] on service in the Armed Forces that technically applies. Retirement ages can be found at Article (65).

“Retirement Age

1- Officers shall retire when they reach the following age:

- A) Second lieutenant 40 years.
- B) Lieutenant 42 years.
- C) Captain 44 years.
- D) Major 48 years.
- E) Lieutenant Colonel 50 years.
- F) Colonel 55 years.
- G) Brigadier General 56 years.
- H) Major-General 57 years.
- I) Lieutenant General 58 years.
- J) General 60 years.
- K) Marshal 64 years.

Ages mentioned in (a, b, c, d, e) shall be replaced with fifty-two years for honorary officers.

2- Non-commissioned officers and soldiers are to retire at the age of 50.”

- **Identify Ideal Security Architecture:** Based on missions and tasks, a Libyan force structure can be shaped. The ideal security structure will help to inform the actual needs and transformation requirements.

#### Planning and Resourcing Phase:

- **Plan the Required Security Structure:** Starting from the ideal, a security structure can be derived based on the data collected and mission analysis. This structure will be the basis for future composition of units across Libya and their personnel, weapons and assets.
- **Determine Required Manning and Inventory:** In accordance with the desired force structure and political guidance, a manning list and asset inventory should be drafted to prepare for the vetting process.
- **Plan the Command and Control Relationships:** Libyan security forces of all types must be part of a higher echelon, as laid out in the legislation and directives.
- **Plan the Personnel Reform:** Personnel Reform, as discussed in the previous chapter, is a sensitive, but vital aspect of SSR. A working group specifically designed for personnel reform is expected to delve into the detail, potential ways forward and possible reactions.
- **Plan DDR:** DDR rests on the consent of the Libyan public and the Armed Groups. This process is usually painful since individuals possessing arms and their leaders are often resistant. Consent and enforcement are complementary for the DDR.
- **Plan the Logistical System:** The logistical system is critical to the sustainability of the security forces. The geography

of Libya requires a functioning logistical system based on a well-established supply and maintenance chain.

- **Build Communication and Information System:** Libyan security systems can be integrated only by an effective communication and information system. The establishment of such a system is costly but necessary as Libya's harsh geography, with deserts, obliges it.
- **Allocating the Resources:** Resources need to be matched with requirements. Long-term planning based on priorities, should provide for adequate resources to satisfy identified needs in a timely way.
- **Constructing a Timeline:** A timeline is needed in order to plan the execution of the activities.

#### Strategic Communications:

The SSR Representative, assisted by the Strategic Communications Department of the Secretariat, should identify the meta-narratives that will shape messaging and identify appropriate wording. This requires a thorough analysis of the different target audiences of Libya's different groups and regions. The purpose is not to make every segment happy but to be observable and transparent. It will be critical that this be a two-way communication rather than a one-way messaging – for both groups in the security sector and the public at large.

#### Implementation:

SSR is expected to be employed gradually so as not to disturb Libya's delicate security balance even more than it already is. A phased reform process aims to improve the security sector's performance so that citizens will rely on the state rather than weapons.

**Consolidation:**

As SSR progresses, there will be pauses, setbacks and side-tracks. The situation will evolve as time goes on. Re-evaluations and adjustments will be necessary. Some programmes and institutions will need to be expanded while others may need to be abandoned or re-tooled. The process will take several years, probably decades.



## CONCLUSION



Libya is in deep need of SSR with an acceptable model to build a new and functional security architecture. This research indicates that the reform must be systematic, holistic, integrative and be embraced by all segments of the Libyan public.

The ultimate outcome of this research can be summarized briefly by concise sentiments in accordance with the interviews with prominent Libyan individuals who can be considered as opinion makers:

- Democratic and civilian control upon the security forces is the main pillar of any reformation in Libya to avoid coming under the control of another tyrant.
- There must be reform in the security system of Libya, but it must be authorized and framed by law and relevant regulation.
- Trust is essential to start any reform and security reformation.
- Lack of political 'will and commitment' is the source of current deadlock and it is essential to take a course to achieve it.
- Institutionalization of the security sector based on Libyan identity is a precondition of the reform.
- Security reform should be holistic so that it covers all security functions.
- External intervention is an impediment to achieving reformation.

- Libya is able to finance security reform with its existent resources.
- Key leader engagement should start and conclude the reformation.
- The leadership of Armed Groups are perceived as the ones who could possibly oppose the reformation although the lower echelons will consent if they do not lose their benefits.
- Official security forces must be attractive and credible for the Libyan public as well as superior in terms of benefits, capacity and capability.
- DDR is an urgent issue to be dealt with by a comprehensive and determined program, which is erected upon persuasion, appealing pledges and if required, enforcement. DDR must be performed in parallel with the SSR and under the regulations, agreed by the legislative body of Libya.
- Internal security and border/coastal security are the priorities as far as the existing threats and risks are concerned. A security architecture needs to respond to these priorities.
- Security sector should be conceptualized, institutionalized and be subjected to capacity/capability building.

In accordance with the shared perception, the research has delved into the current (in)security structure, performed a needs analysis, presented courses and conceptualized a SSR process specific for Libya, although the model can be applied elsewhere. The roadmap and action plan are drafted to point out the steps to be taken, but timing needs to be identified by the Libyan authorities pending to political preferences.

The concrete outcome of this research is that every single individual demands a change in their lives and expects the first step from the political figures. Once this step is taken, the most essential input, trust, can be built for a prosperous and united Libya. Security reformation is of the utmost importance that cannot be left to personal gain but must be encouraged for the common good of Libyans. Otherwise, popular demand may become another popular rebellion to force the leadership to step back.



## REFERENCES

- AA. (2018, August 17). Current Security Situation in Libya. (SSR Team)
- BB. (2018, July 16). Current Security Structure in Libya. (SSR Team)
- BB1. (2018, August 31). Security Structure of Libya . (SSR Team)
- BB2. (2018, October 26). What Type of Reform in Libya. (SSR Team)
- BBA. (2018, July 16). A Historic Look to the Security Structure of Libya. (SSR Team)
- Cawthra, G., & Luckham, R. (2003). Democratic Control and the Security Sector: The Scope for Transformation and Its Limits. G. Cawthra, & R. Luckham içinde, *Governing Insecurity: Democratic Control of Military and Security Establishments in Trnasitional Democracies* (s. 308). London: Zed Books.
- CC. (2018, September 05). Security Sector Reform in Libya. (T. S. Team)
- Chanaa, J. (2002). *Security Sector Reform: Issues, Challenges and Prospects*. New York: Oxford University Press.
- D'Angelo, G. (2012). *Vision - Your Pathway to Victory: Sharing a Direction to a Better Future*. New York: Morgan James Publishing.
- Das, V. (2003). *Police Mission: Challenges and Responses*. Maryland: Scarecrow Press, Inch.
- DD. (2018, September 09). Promoting Security in Libya. (SSR Team)
- DD1. (2018, September 13). What should be done for a SSR in Libya? (SSR Team)
- Desch, M. C. (1999). *Civilian Control of the Military: The Changing Security Environment*. Baltimore: The Johns Hopkins University Press.
- DFID, U. K. (2000). *Security Sector Reformand the Management of Military Expeniture: Hgih Risks for Donors, High Returns forDeve-lopment*. Report on an Intrnational Symposium (s. 3). London: DFID.
- EE. (2018, September 09). Security Sector Reform: A Historical Process. (SSR Team)

- EUNAVFOR. (2019, January 27). Mission (Operation Sophia). EUNAVFOR Operation Sophia: <https://www.operationsophia.eu/about-us/> adresinden alındı
- FF. (2018, September 18). Dynamics of a Probable SSR. (SSR Team)
- Fraihat, I. (2018, December 24). Security in Libya. (SSR Team)
- GG. (2018, October 10). How did the Revolution Evolved? (SSR Team)
- Gindarshah, L. (2015). Security Sector Reform: A Literature Review. Oslo: Norsk Utenrikspolitisk Institutt.
- Hanngi, H. (2004). Conceptualizing Security Sector Reform and Reconstruction. [https://www.files.ethz.ch/isn/96909/bm\\_YB2004.pdf](https://www.files.ethz.ch/isn/96909/bm_YB2004.pdf) adresinden alındı
- HH. (2018, October 08). Revolution and Thuwwar. (SSR Team)
- INTC, I. N. (2012, February 13). Libyan Security Sector Legislation. DCAF: <https://security-legislation.ly/node/31681> adresinden alındı
- JJ. (2018, October 18). Third Parties in Libya: The Other State actors. (SSR Team)
- Karkoszka, A. (2003). The Concept of Security Sector Reform. T. DCAF içinde, Security Sector Reform: Its Relevance for Conflict Prevention, Peace Building, and Development (s. 9-15). Geneva: DCAF.
- KK. (2018, October 12). Reforming Security Sector of Libya. (SSR Team)
- LL. (2018, October 13). Security Sector Reform for Libya. (SSR Team )
- McFate, S. (2010). The Link Between DDR and SSR in Conflict Affected Countries. Washington D.C.: ISIP.
- MM. (2018, October 18). Perspective of youth on the SSR. (SSR Team)
- Monitor, T. M. (2017, June 02). Libya to Divided into 7 Military Zones. <https://www.middleeastmonitor.com/20170602-libya-to-be-divided-into-7-military-zones/>. adresinden alındı
- NN. (2018, October 09). SSR in Libya. (SSR Team)
- PP1. (2018, October 26). Libyan Air Force: Capacity and Shortfalls. (SSR Team)
- PP2. (2018, October 26). Libyan Police: Capacity and Deficits. (SSR Team)

- PP3. (2018, October 26). Moral Values of Libyan Army: Education. (SSR Team)
- PP4. (2018, October 26). The Capacity of Libyan Navy. (SSR Team)
- RR. (2018, December 01). Security Reform in Libya. (SSR Team)
- Sagezli, Mustafa, The Stabilizing Role of Small and Medium Enterprises (SME's) Programs In Conflict Affected States (The Libyan Case), Unpublished Master's Thesis, University of New York Tirana, Tirana (June 2018).
- Sedra, M. (2010). Introduction: the Future of Security Sector Reform. M. Sedra içinde, The Future of Security Sector Reform (s. 16). Ontario: CIGI.
- Short, C. (1998, May 13). Security, Development and Conflict Prevention. Speech. Royal College of Defence Studies, London, The UK.
- SS. (2018, December 28). MoI and Police. (SSR Team)
- Sundh, L., & Samuelson, J. S. (2006). Stockholm Initiative on Disarmament, Demobilization and Reintegration (SIDDR): Final Report. Stockholm: Swedish Ministry of Foreign Affairs.
- The UN, T. R. (2008, January 23). Securing Peace and Development: The Role of the United Nations in Supporting Security Sector Reform. The UN: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/2008/39](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2008/39) adresinden alındı
- TT1. (2019, January 03). THUWWAR: WAY AHEAD. (SSR Team)
- TT2. (2018, January 03). THUWWAR: THE WAY AHEAD. (SSR Team)
- UNDP. (2003). Security Sector Transformation and Transitional Justice: a Crisis Post-Conflict Programmatic Approach. New York: UNDP.
- UNSMIL, U. N. (2003). Towards a Defence White Paper. Tripoli: UNSMIL.
- UU. (2018, January 14). Required Regulation for SSR in Libya. (SSR Team)
- von Dycke, C. (2016). DDR and SSR in war to Peace Transition. Geneva: DCAF.
- VV. (2018, January 16). Southern Libya: Third Dimension of SSR. (SSR Team)

- Wulf, H. (2004). Security Sector Reform in developing and Transitional Countries. C. McCartney içinde, Security Sector Reform in Developing and Transitional Countries: Potential and Challenges for Conflict Transformation (s. 10). Berlin: Berghof Research Center for Constructive Conflict Management.
- Xinhua. (2018, August 09). Italy agrees to provide Libya with 12 patrol boats. The News times: <https://www.newtimes.co.rw/africa/italy-libya-patrol-boats> adresinden alındı
- YY. (2018, January 18). Information and Technology in Libya's Security Sector. (SSR Team)











