



**Testimony before the House Committee on Foreign Affairs  
Subcommittee on the Middle East, North Africa and International Terrorism**

**“The Conflict in Libya”**

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Chairman Deutch, Ranking Member Wilson, and Members of the committee, thank you for the opportunity to testify on the conflict in Libya and implications for U.S. policy. I am grateful to the Subcommittee for giving this important issue the attention it deserves. After a brief analysis of the current humanitarian situation, my testimony will focus on recommendations for the international community and U.S. policymakers.

The deepening humanitarian crisis in Libya is entirely man-made. The civilian casualties and violations of international humanitarian law are eminently avoidable and require a political solution. Despite the alarming situation on the ground, there is a fragile, waning window of opportunity for the United States to prevent further deterioration, allow humanitarian aid to reach people in need, and push the warring parties to negotiate.

Since the overthrow of venal dictator Moammar Qadhafi in 2011, Libya has struggled with weak institutions, prolonged insecurity exploited by criminal and terrorist actors, and malign international meddling. As rival factions have clashed in violent bids for territory, resources, and international support, the Libyan people have endured a near decade of insecurity, economic dysfunction, declining public services, and the inability of successive transitional governments to deliver safety and improvements to their quality of life.

Before the recent outbreak of violence, Libya had made some modest recent recovery gains, including restarting oil production and preventing ISIS from establishing a new caliphate in Sirte in 2016. The escalating violence threatens to unravel these gains and destabilize Libya and the region. We have seen before that chaos in Libya does not stay within its borders: the choices we make in this crisis will reverberate throughout the region.

Khalifa Haftar and his self-proclaimed Libyan National Army (LNA), a loose confederation of tribal and city militias, ignited the current conflict when they attacked Tripoli and the civilian-led Government of National Accord (GNA) on April 4. The attack came days before a planned United Nations-led national dialogue conference to negotiate interim power-sharing agreements and a roadmap for elections.

In the past six weeks alone, fighting in Tripoli has killed more than 450, injured more than 2,000, and displaced more than 62,000 people.<sup>1</sup>

Here are the key consequences:

**Civilians are at risk.** Violent conflict, including airstrikes and rocket attacks in civilian neighborhoods, has injured 111 and killed 23 civilians.<sup>2</sup> Families are trapped in conflict zones and unable to flee to safety due to the risk of shelling and violence. There are more than one million people in urban Tripoli anxiously watching the frontlines inch closer to their homes.

**Mass displacement.** More than 62,000 people have fled their homes since the crisis began. The UN has reported a rise in lawlessness and criminal activity, including the looting of the homes of the displaced. Many of the displaced families are sheltering with relatives or in schools and other community buildings. These shelters often lack essential supplies such as blankets, sleeping mats, and cooking wares. The price of rental accommodations has tripled, leaving families with less money to afford food.

**Access to food and services is shrinking.** Six weeks of urban warfare have damaged power lines and water stations, leaving hospitals and homes without reliable access to electricity and water. A rapid assessment of conflict affected municipalities found dwindling access to cash, food, and essential household goods.<sup>3</sup> Schools are closed and often converted into makeshift hospitals or housing centers for displaced families.

**The health sector is collapsing.** The World Health Organization (WHO) reports that Tripoli's already fragile hospitals are "overwhelmed with injured people requiring surgery." In just three weeks WHO Emergency Medical Teams (EMT) performed almost 250 surgeries.<sup>4</sup> Hospitals are running out of blood, beds, medicine, and emergency supplies.

**Hospitals and health workers are being attacked in clear violation of international humanitarian law.** Two clinics had to be evacuated because of armed clashes, shelling, and airstrikes. Emergency responders have lost at least a dozen ambulances. On May 8, the Director of Tripoli's Ambulance and Emergency Medical Services lost both his legs when his ambulance was hit in an apparent direct attack.<sup>5</sup>

**Refugees and migrants are extremely vulnerable.** More than 3,100 refugees and migrants in detention centers in Tripoli and surrounding areas are at great risk of abuse, injury, and death.<sup>6</sup>

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<sup>1</sup> United Nations Office for the Coordination of Humanitarian Affairs (UN OCHA), Libya: Tripoli Clashes - Situation Report #23, May 10, 2019. These figures include only cases that could be individually verified, and so must be considered a minimum.

<sup>2</sup> Ibid.

<sup>3</sup> UNOCHA, Libya: Tripoli Clashes - Situation Report #21, May 5, 2019.

<sup>4</sup> World Health Organization, "[WHO Libya Teams Saving Lives on the Frontlines](#)," April 30, 2019.

<sup>5</sup> UN OCHA, "[Humanitarian Coordinator for Libya strongly condemns the direct attack of field ambulance team in Twaisha area](#)," May 9, 2019.

<sup>6</sup> UN OCHA, [Humanitarian Key Figures and Response](#), May 10, 2019. There are an estimated 670,000 migrants and refugees in Libya. Approximately 6,000 are detained in formal and informal facilities throughout the country.

Even before the current clashes, migrants detained in official and informal facilities faced grave human rights abuses, including forced labor, rape, and torture.<sup>7</sup> As the conflict continues, refugees and migrants who are intercepted fleeing to Europe are returned to detention centers that are unsafe and running out of food. The United Nations has called for the immediate release, evacuation, and protection of refugees and migrants detained in conflict zones.<sup>8</sup>

Refugees and migrants outside detention centers do not have access to the same shelters or services as Libyan citizens.<sup>9</sup> The current lawlessness makes it even harder to protect these vulnerable men, women, and children. The insecurity also increases the likelihood that people will attempt to flee to Europe. Just last week almost 70 people drowned trying to cross the Mediterranean.<sup>10</sup>

**Humanitarian responders are limited by growing access constraints.** Ongoing shelling as well as newly planted explosive devices on key roads are preventing the Red Crescent and frontline aid workers from accessing families trapped amidst the fighting. Shifting frontlines, armed checkpoints, and various militias holding different neighborhoods will continue to pose challenges to humanitarian responders seeking to secure unobstructed, safe, and consistent aid delivery routes.

The current avoidable crisis occurs against the broader backdrop of Libya's struggle to recover from eight years of instability. Even before the latest escalation in violence, the United Nations estimated that 823,000 people, including 248,000 children were in need of humanitarian assistance. Efforts to rehabilitate the Libyan oil sector had increased production and revenues in the last two years, but not yet translated into broader economic recovery for the Libyan people. After years of runaway inflation and a severe liquidity crisis, the central authorities were only starting to make progress in improving living standards. The U.S.-facilitated Economic Dialogue played an important role in that process.

Fifty-eight percent of Libya's municipalities – relative bright spots of functionality at the local level amid national institutional dysfunction – were relying on water trucking to ensure access to drinking water for their communities. Only 41 percent of hospitals and 10 percent of primary health care facilities reported access to essential medicines.<sup>11</sup>

The United Nations and humanitarian partners are responding to the current crisis to the best of their ability, deploying emergency medical teams and distributing food and essential supplies to displaced families. The UN launched a Tripoli Flash Appeal requesting \$10.2 million to help 100,000 highly vulnerable people in Tripoli and surrounding areas.<sup>12</sup> To date the UN has allocated \$2 million of the Central Emergency Response Fund (CERF) and the UK's Department

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At the start of the current conflict, approximately 3,600 refugees and migrants were detained in facilities in Tripoli. UNHCR has been able to evacuate some from the frontlines, but the majority remain in detention.

<sup>7</sup> [UN OCHA Humanitarian Needs Overview 2019](#).

<sup>8</sup> UNHCR, "[UNHCR issues urgent appeal for release and evacuation of detained refugees caught in Libyan crossfire](#)," April 12, 2019.

<sup>9</sup> Reuters, "[Migrant Women, Children Denied Access to Shelter in Libya's Battleground](#)," May 10, 2019.

<sup>10</sup> Reuters, "[Dozens of Migrants Drown off Tunisian Coast After Leaving Libya](#)," May 10, 2019.

<sup>11</sup> [UN OCHA Humanitarian Needs Overview 2019](#).

<sup>12</sup> UN OCHA, [Libya Flash Funding Appeal](#), April 18, 2019

for International Development (DFID) have pledged £1 million toward the response. The United States has current humanitarian assistance programs through the U.S. Agency for International Development (USAID) and the Department of State, and is currently supporting the International Organization for Migration (IOM) and other actors to support conflict affected communities.

There is no military solution to this conflict - neither side can win a decisive military victory and Haftar - perhaps emboldened by perceived support from the U.S. and more tangible military support from his many foreign backers - has not heeded UN calls for a ceasefire.

Further conflict will only result in more death, destruction, and suffering for the Libyan people. Both sides have the capacity to cut off supply lines for food, water, fuel, and medicine. Prolonged conflict will cost more lives and damage hospitals, schools, roads, and other vital civilian infrastructure.

This conflict threatens the people caught in the crossfire, but also a range of U.S. interests. In 2016 we saw how quickly and devastatingly ISIS took advantage of chaos in Libya and established itself in Sirte. The U.S. responded with air cover and support to GNA-aligned Libyans who rooted out ISIS' new foothold.

We have also seen before, during the 2011 revolution and successive waves of turmoil since then, how fighting in Libya threatens the oil infrastructure and stability in other countries, including Tunisia and Mali. Terrorists will continue to exploit Libya's porous land borders and proximity to Europe. With political transitions underway in Algeria and Sudan, the United States cannot afford more chaos in the region. We also cannot afford to make the mistake of assuming that instability in Libya will stop at its borders.

## **RECOMMENDATIONS**

The alarming situation on the ground can either get far worse if the parties continue to fight each other for an unwinnable military victory – or the Libyan leadership can be compelled back to the table to fight out their differences through negotiations. The United States, as a trusted actor, has the ability to engage – in relatively small, low risk but effective ways – to help reduce violence, allow humanitarian aid to reach people in need, help align the international community, and push the warring parties to negotiate a durable peace agreement.

The United States - and the U.S. Congress specifically - should encourage and support a ceasefire, call for unimpeded humanitarian access, reaffirm support for the U.N.-led political talks, and engage in high-level diplomatic pressure to encourage all sides and their foreign backers to commit to and abide by a civilian-led transition process.

***Immediately call for a ceasefire and a return to a political process.*** Civilians caught in the crossfire need safe passage from conflict zones and access to medical treatment. The U.S. should work with our partners, including through the United Nations Security Council, to support a resolution calling for an immediate ceasefire. A ceasefire can also create political space and momentum for parties to de-escalate and commit to talks.

***Pressure all parties to the conflict to ensure reliable, continuous humanitarian access, including access to refugees and migrant populations.*** Humanitarian responders are struggling to access people in need. Refugees and migrants should have access to the same humanitarian protections as Libyan civilians. The U.S. should leverage diplomatic relations with parties on both sides to guarantee constant, reliable humanitarian access by frontline providers. The U.S. should also warn those who impede or threaten humanitarian providers that they may face sanctions. Finally, the international community should ensure robust funding for the humanitarian response to meet the rising needs.

***Publicly and privately reaffirm support for the U.N.-led political process.*** The U.S. and the international community need to support a negotiated political solution that addresses power-sharing among the various factions and lays out a sustainable civilian-led transition process. Given the varying agendas of foreign actors in Libya, the U.N. process led by Special Representative of the Secretary General Ghassan Salame is still the best avenue towards a political solution. It needs U.S. leadership and support. Absent unambiguous high-level U.S. support and pressure for a political process, warring parties on both sides will continue to fight, confident that they can do so with impunity.

***Work with the UN to investigate and report on violations of the UN arms embargo.*** UN Security Council Resolution 1973 (2011) established an arms embargo that was extended in 2017 to allow for maritime inspections and enforcement. Despite the existence of this arms embargo, many militias are reportedly receiving shipments of weapons and other support. The U.S. should work with the United Nations to empower the Panel of Experts (PoE) to investigate, publicize, and take action on violations of the arms embargo.

***Ensure security partnerships advance U.S. interests and respect international humanitarian law.*** ISIS and other violent extremist organizations will continue to exploit Libya's lawlessness and insecurity. Due to the complex security landscape, mitigating terrorist threats emanating from Libya requires an array of partnerships. The U.S. should avoid partnering with actors who violate human rights or undermine Libya's stability. The U.S. should also investigate allegations of war crimes and human rights abuses by armed actors.

***Strengthen prospects for longer-term recovery.*** While a near-term commitment to a political process is essential to provide an alternative to violence, it would be naive to assume that a return to political talks will conclusively resolve Libya's many complex challenges. Prior negotiations have been largely elite-led and divorced from security realities on the ground, including the hundreds of self-interested militias competing for territory and resources. We should learn from the lessons of 2012 and 2014 in which the UN and the international community did not adequately manage public expectations, address the institutional capacity challenges of the resulting bodies, build buy-in among key tribes and other informal powerbrokers, or address the electoral security and inclusion challenges that prevented many Libyans from voting. Instead of looking to elections or conferences as a panacea, the U.N. should broker interim rules of the game among political leaders, tribal powerbrokers, and security actors. Doing so would both broaden buy-in and create space for local-level reconciliation and broader government formation talks to take place. The challenge, of course, will remain holding spoilers accountable for violating the negotiated rules of the game.

*Continue support to the Libyan people.* The U.S. has provided valuable humanitarian and stabilization assistance since 2011, helping build the capacities of local governments, supporting civil society, equipping communities with conflict mitigation skills, and providing technical advice to the ministries of justice and interior. These investments have produced modest, but important, returns - strengthening border security and increasing municipal government capacity to deliver services, for example. In the longer-term, the U.S. can best address the drivers of instability by continuing these investments to help Libya recover and also contribute to longer-term governance.

A stable Libya will benefit the United States and our partners. Libya will continue to struggle with violence, weak governance, zero-sum politics, unaccountable militias, destabilizing foreign actors, and terrorist threats. The political and security challenges inside Libya are complex and daunting. Nevertheless, small investments and diplomatic leadership from the U.S. now can save lives in the near-term, limit further degradation, and lay the groundwork for longer-term recovery.

Thank you for the opportunity to testify today.