



Research Division Report

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NATO in Libya: the Alliance between emergency help and nation building

NATO has taken the lead in enforcing UNSC Resolution 1973 concerning Libya by “all necessary measures” in order to prevent atrocities against civilians. This is the result of strenuous debates on whether or not the Alliance should continue what a coalition of the willing began by opposing Gaddafi’s violence against his own people. The mission as well as the considerations leading to NATO’s decision have ignited an intense debate in public and in policy making circles. The following remarks (in bullet point style) are the result of discussions among the analysts of the NATO Defense College in Rome.¹ They do not represent a NATO view or the positions of individual member states.

NATO Did Not Fail

Press reports in the recent weeks reported NATO as having “failed” and a new Alliance crisis being around the corner. Both are wrong.

- NATO has functioned as an Alliance of 28 sovereign members with different policies, histories, geographies. It has consulted intensively in the North Atlantic Council to bridge the different positions on a highly precarious issue and came up with a consensus in a single week. Throughout, NATO has acted deliberately and consultatively – just as it should.
- NATO has prepared itself for such an eventuality, so this comes as little surprise (perhaps the speed and rapidity is surprising but not the fact that NATO committed to another crisis management operation). The new NATO Strategic Concept, adopted in Nov 2010 at the Lisbon Summit, clearly defines crisis management and cooperative security as a core mission.
- There was certainly disagreement and probably disappointment on individual positions of individual allies. Still there was no break in the Alliance, across the Atlantic or between “Old” and “New” Europe. Different views still exist but there is no level of resentment comparable to previous severe crises in NATO. Furthermore, NATO’s action is based on the solid legal ground of a strong UNSC Resolution. More so, UNSCR 1970 decided that the International Criminal Court (ICC) should investigate the situation in Libya, thus implying that any of the three kinds of crimes falling under the jurisdiction of the

¹ Florence Gaub, Sandy Guptill, Richard D. Hooker, Karl-Heinz Kamp, Pierre Razoux, Rolf Schwarz.

ICC – genocide, crimes against humanity and war crimes – have likely occurred in Libya, thus giving rise to international action.

- Unlike Slobodan Milosevic or Saddam Hussein, who always had open (or hidden) support by at least a few international actors, Muammar Gaddafi and his family are almost completely isolated. This is a novelty in international conflict history and an additional source of legitimacy and cohesion for NATO and the anti-Gaddafi coalition.

NATO's Future Options

With UN SC Resolution 1973, NATO has received special prominence, since the resolution not only calls upon states to act but also “regional organizations or arrangements” (which addresses the debate of whether NATO is an international organization or a regional arrangement).

- For NATO, though not openly expressed, Gaddafi remaining in power is not a realistic option. Although UNSC Resolution 1973 does not define regime change in Libya as a goal, “protection of the civilian population” under the current regime is a contradiction. In practical terms, Alliance and coalition partners have effectively obliged themselves to topple the Libyan leader and his family.
- Whereas most members of the Gaddafi family - being corrupt - might be eager to accept a deal permitting them to leave the country for exile, Gaddafi himself appears geared to fight up to the last bullet. His removal by internal forces might therefore occur, bringing about a resolution without extended military operations. The possibility of applying smart power to isolate the regime inside the country (offers of clemency, financial support, and possible ICC actions against those who continue to support Gaddafi) should not be excluded. However, NATO cannot plan for this outcome.
- Should the Gaddafi regime manage to stay in power, the use of ground forces will likely be required to topple his regime. By far the best outcome is for Transitional National Council (TNC) forces to prevail, enabled by NATO air and logistical support. UNSC Resolution 1973 does not preclude this in principle, using the formula “...while excluding a *foreign occupation* force” (emphasis added). Any deployment of external ground forces, however, would require a third UNSC Resolution (after 1970 and 1973). Ground forces coming from outside Libya should be provided by countries from the region – though this too is problematic given the current domestic situation in many Arab countries, and the logistical demands required.

Implicit Dangers for NATO

Notwithstanding the consensus in the Alliance and firm legal basing of the military operation, NATO's engagement faces substantial dangers.

- NATO and its members engaged in Libya face the dilemma of being criticized either for taking action or for remaining passive. Military operations against the Gaddafi regime try to avoid civilian casualties at almost all cost. Still, Libyan propaganda will present wounded civilians or destroyed buildings (stem-

ming from NATO bombings or not) to influence public opinion. Not acting against Gaddafi's cruelties against his own people would produce the same pictures of casualties in those cities controlled by the rebels.

- NATO still has a negative image in the Arab World, due to the US engagement in Iraq but also due to the long history of perceived Western misbehaviour in the region. Moreover, NATO's operations in Afghanistan as well as previous policies of NATO members vis-à-vis Arab regimes prior to the unrest contribute to these negative perceptions.
- NATO has in a sense "taken sides" by opposing Gaddafi's attacks on the rebels. If successful, the TNC will take power in Libya, but much remains unknown about its capacity, its composition, ideology or future intentions. The possibility that a successor regime will prove unstable should be carefully considered, even as NATO pursues the course already taken.
- Ongoing military operations in Libya must be seen as a partnership between NATO and Libya's neighbours, not as a NATO-only effort. An "Arab face" is critically important, and all strategic communications should emphasize this partnership aspect. An Arab deputy commander (or co-commander) is one possible option to emphasize this dimension. An Arab Task Force in charge of humanitarian relief would be another.
- History suggests that the longer the operation continues, the greater the chance that internal pressures will work against NATO and the coalition. The sooner the resolution, the greater the chance for a successful outcome.
- Unintended effects in the region should also be considered. NATO military operations in Libya could discourage unstable Arab regimes from using force against their populations. On the other hand, hardliners might be encouraged by how painful it was for Western countries to agree on military action and to gain UN support.

Immediate Steps to Be Taken

Since most NATO members have taken sides in what amounts to a civil war, the NATO-led coalition (respectively individual NATO member states) must support the rebellion now with air power, intelligence sharing, training and logistical support (including weapons and ammunition). Military operations should focus on support for anti-Gaddafi forces and the need to avoid civilian casualties as far as possible.

- NATO should engage with as many direct neighbours of Libya and other North African and Middle Eastern States as possible. The regionalization/"arabization" of the conflict solution and crisis management is key to support for NATO inside and outside the Alliance. Above all, Egypt, Morocco, Algeria, Tunisia or Mauritania have a vested interest in not letting Libya slide into chaos. They should particularly support NATO's current mission according to their means and options - primarily politically.
- Countries and organizations engaged in the mission in Libya together with other institutions should try to prevent by all means the infiltration of Al

Qaeda fighters into Libya (by intelligence sharing, monitoring, covert action at the Libyan borders).

- NATO should immediately open a Liaison Office of the Arab League in Brussels and Cairo (an idea the Arab League brought forward last year) in order to share information and policies transparently.
- Talks on the future of Libya after Gaddafi should immediately begin with all countries and international organizations involved.
- The EU can play an important role in providing humanitarian support for the civilian population in rebel controlled zones, and in supporting refugees from the conflict.

Exit Strategies

NATO became engaged in Libya under very particular circumstances. As leaving Gaddafi in power and returning to the status quo ante is not a feasible option, a commitment to success – sooner rather than later – is key.

- The best option is maintain pressure on the regime until Gaddafi leaves or is removed. This in effect means a robust international and regional effort to support the TNC on the ground.
- However, NATO's engagement cannot be unconditional. Should NATO fail in engaging Libya's neighbours and should lose the support of North African countries, NATO should end the mission and withdraw.

Libya After Gaddafi

Even after a fall of the current regime and a takeover by rebel groups, Libya is likely to require an international nation-building effort. Because of the decade long dictatorship through the Gaddafi clan, the country is lacking structures and institutions for governance. Leaving the country without support in building these elements of statehood and governance could lead to chaos and anarchy.

- Actors in this effort should be primarily regional neighbours, respectively the North African countries, supported by the UN, the African Union and the Arab League. Qatar and the United Arab Emirates are already playing a leading role. Still, Libya is in close geographical distance to Europe. The EU will have a key role to play here.