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When Foreign Forces and Mercenaries Leave Libya: New Hope, Caution for the Continent

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Summary

The presence of external fighters has exacerbated the Libyan crisis and made it difficult for the North African nation to seek a peaceful solution to the conflict. The withdrawal of foreign forces,¹ fighters and mercenaries has been a part of the country's security agenda for a long time, yet very little has been done to achieve this. Now, initial signs of withdrawal could pave the way for a more lasting solution to the crisis that has bedevilled Libya for a decade. The proposed withdrawal should not, however, be construed as a panacea for the conflict in Libya, as numerous local armed groups are still competing for control and influence in any future government. The proposed withdrawal of foreign troops and mercenaries also has important implications for the rest of the continent – particularly in the Sahelo-Saharan and North Africa regions.

Introduction

Significant fault lines began to emerge in Libya's political landscape 10 years ago as local groups took different positions in the North Atlantic Treaty Organization-backed uprising that toppled former leader Muammar Gaddafi in 2011. An attempted democratic transition slid out of control as armed groups built local power bases and coalesced around rival political factions.

The influx of foreign terrorist fighters (FTF) into Libya has become the fourth largest mobilisation in jihadist history

Since then, successive administrations have failed to control the country's many militias, which wield the real power in Libya. The influx of foreign terrorist fighters (FTF) into Libya has become the fourth largest mobilisation in jihadist history, the top three being the war in Syria; the Afghan jihad in the 1980s; and the Iraq war in 2003. Despite an arms embargo imposed

by the United Nations Security Council, weapons proliferated in the aftermath of the rebellion.

Violence escalated in 2014 and, after disputed elections that year, the country became split between two administrations. The Tripoli-based Government of National Accord (GNA), led by Prime Minister *Fayez al-Sarraj*, was recognised by the United Nations (UN) and backed by a host of militias. The rival administration in the country's east the House of Representatives (HoR), on the other hand, was allied with General Khalifa Haftar, who commands the so-called Libyan National Army (LNA).

With Fayez al-Sarraj taking the helm of the internationally recognised GNA in the west in 2016, General *Khalifah Haftar* launched a prolonged military offensive that left him in control of large swaths of territory in the eastern part of Libya. The Islamic State terrorist group also briefly gained a foothold in the east and central parts of the country – particularly in what is known as the Oil Crescent – but was eventually defeated.

In April 2020, the forces loyal to General Haftar launched another major offensive to take control of Tripoli, which further escalated the conflict. Nine months on, the offensive has resulted in a volatile stalemate.

The involvement of foreign forces

More recently, the Libyan conflict has turned into a proxy war, with a number of foreign forces and mercenaries joining in to defend ideological and economic interests. In addition to being backed by the UN and major Western powers, including the US, the GNA administration mainly relied on Turkey, Qatar and Italy. General Haftar, on the other hand, enjoyed the support of some Gulf Arab states and others.

According to the 2017 UN Panel of Experts Final Report on Libya, the supporters of each side significantly aided their various factions with air support, advanced weapons, missiles and funds.

Mercenaries and foreign fighters from within and outside Africa, are also reportedly working in the east of Libya.

Meanwhile, Turkey deployed soldiers after the Turkish parliament approved a military mission in Libya in January 2020 as bilateral support to the Government based in Tripoli. The Turkish government has already provided Tripoli with equipment such as drones. Overall, in December 2020, the UN estimated the number of foreign fighters and mercenaries present in Libya at about 20 000.²

The increased presence of external powers and expanding control to the realm of recruitment in this domain, along with the intensification of military-

technical cooperation, has profoundly enhanced the role of the combat capability and readiness of the parties to the Libyan conflict. This has allowed the various belligerents to exert pressure on the LNA and GNA leadership by becoming the *de facto* power behind their forces – therefore influencing operations to the point of serving as spoilers of any peaceful resolution of the conflict.

The humanitarian effect has been huge. Since the beginning of the conflict, nearly 400 000 Libyans have been displaced and thousands more killed. The fighting has resulted in tens of billions of dollars in lost oil revenue, damaged infrastructure, and sharply reduced living standards.



A ray of hope for Libya: when foreign forces leave

After years of fighting and several failed attempts at reaching a truce, the conflict came to a halt in the summer of 2020. A formal ceasefire came into force in October. This was followed by the establishment of a new Government of National Unity, led by interim Prime Minister Abdul Hamid Mohammed Dbeibeh, while Mohamed Yunus al-Menfi was selected, on 5 February 2021, as the President of the Libyan Presidential Council at the Libyan Political Dialogue Forum. The ceasefire agreement demanded all foreign fighters leave Libya within 90 days and ordered the dismantling of militias and cessation of military operations. Although the core terms of the agreement were not met, it paved the way for general elections to be slated for December 2021. Subsequently, in April 2021, the UN Security Council (UNSC) passed resolution 2570 (2021) to monitor and support the October 2020 Ceasefire Agreement in Libya.

The ceasefire agreement demanded all foreign fighters leave Libya within 90 days and ordered the dismantling of militias and cessation of military operations.

The Ceasefire Agreement was in line with the first Berlin Conference on Libya, which was held in January 2020. During the second UN-sponsored Berlin Conference, which took place in June 2021, the matter of the withdrawal of foreign forces and mercenaries from Libya was further reiterated.

The ministerial meeting of Libya's neighboring countries¹ held in Algiers in August 2021, highlighted practical solutions to the challenges posed by external interference and the influx of foreign fighters and mercenaries. To this end, Libya's neighbors agreed to activate the security arrangements between them, including the strengthening of border management and surveillance mechanisms. Further, it is expected that the forthcoming international meeting on the Libyan Stabilization Initiative- to be held in Tripoli on 21 October 2021- and the French-hosted international conference on Libya on 12 November 2021 will support the strengthening of efforts to contribute to peace and stability in the country.

It is on record that Russia and Turkey reached a tentative plan to start withdrawing their mercenaries from Libya. The two countries reached an initial understanding to each pull out 300 of their Syrian mercenaries. Although the number is very small considering that some 20 000 foreign fighters and mercenaries are estimated to be present in Libya, it signals the start of a process in which all armed groups would eventually be brought under a joint Libyan military command.

¹ Egypt, Sudan, Tunisia, Niger, Chad, Republic of Congo, the League of Arab States (LAS), the African Union and the UN.



Implications of withdrawal for Libya's unity and security

The competing interests of foreign governments, and the deployment of foreign troops or facilitation of infiltration of mercenaries into the country, has played a role in prolonging the conflict.

The withdrawal of foreign forces/fighters and mercenaries has been on Libya's security agenda for a long time, yet very little has been done to achieve this. While the complete withdrawal of all foreign forces – be they troops of national armies or mercenaries – is not guaranteed at this stage, the initial signs of withdrawal could pave the way for renewed efforts to find lasting solution to the crisis that has now bedevilled the North African country for a decade.

The proposed withdrawal should not, however, be construed as a magic wand to end the conflict in Libya, as there are numerous local armed groups that will continue to compete for control and influence in any future government. It will serve little purpose to focus predominantly on the withdrawal of foreign forces, fighters and mercenaries without placing equal emphasis on the dismantling and disarmament of local militia, which had long operated before the arrival of foreign military intervention in Libya. That said, the withdrawal of foreign troops still offers a fresh opportunity for Libya to seek peace and consolidate national unity through the full implementation of the Ceasefire Agreement, with lesser external intervention and fewer destabilising elements on the ground.

The presence of external fighters has exacerbated the Libyan crisis and made it difficult for Libya to seek a peaceful solution to the conflict. The withdrawal of foreign troops and mercenaries will also help to consolidate stability and promote efforts for unified government, as well as success for the country's transitional process. It also presents a unique opportunity for Libyan authorities to work towards national reconciliation and dialogue.

The withdrawal of foreign fighters will also help in bringing repeated violations of the arms embargo on Libya under control, as the majority of these violations are committed by foreign fighters on the ground or Libyan factions allied to them. It is in this context that the withdrawal could propel the rebuild of various national institutions that had been destroyed or weakened during the conflict, especially a truly national army and security apparatus.

The insecurity in Libya had created a conducive environment for transnational organised crime (TOC) syndicates to operate unfettered. In removing foreign forces, fighters and mercenaries, these TOC groups could be left exposed and shift their area of operation elsewhere.

Implications for the rest of the continent – caution for Libya's neighbours

The proposed withdrawal of foreign troops and mercenaries will not only have implications for the Libyan state, but also the rest of the continent – particularly the countries in the Sahelo-Saharan and North Africa regions, starting with Libya's neighbouring countries.

The withdrawal will take place during the French reconfiguration of its "Operation Berkhan" in the Sahel. This might incite foreign fighters in Libya to migrate to the Sahel countries, exacerbating the precarious and fragile security situation. This scenario further complicates the stability of the entire North Africa, Lake Chad Basin and Central Africa, as well as the Horn of Africa.

Furthermore, the withdrawal of mercenaries – particularly those coming from African countries – will pose a new threat to the countries in the region: most probably to the nearby Sahel region, or their home countries. Returning fighters may also be absorbed into

organised crime gangs dealing with the illicit trafficking of arms, people and drugs.

These foreign fighters and mercenaries are well trained, and unlikely to suddenly give up fighting when they relocate to their home countries or third states. With mercenaries said to come from neighbouring countries, the return of such fighters to their countries of origin may well aggravate or generate local conflicts in those countries. African Union (AU) member states such as Chad, Niger and Sudan are particularly vulnerable to an uncontrollable influx of soldiers of fortune from Libya.

Moreover, the resulting security vacuum will highly likely be exploited by many of the rebel groups already operating in the region. This includes Chadian and Sudanese rebel groups, who might use Libyan territory and absence of full state authority to hatch and launch attacks against their respective governments.

For Chad in particular, the withdrawal of Chadian mercenaries – including the Libyan-based rebel group, the Front for Change and Concord in Chad (FACT) – will negatively affect the security situation in not only Chad, but the entire Sahel region. It may be recalled that the FACT in April 2021 launched an attack from its base in Libya towards Chad, which led to the subsequent demise of President *Idris Déby Itno*.

Similarly, the prospect of the withdrawal of Sudanese mercenaries based in Libya also poses a security dilemma. Their return to Sudan or any country in North or West Africa could undermine security in those countries.

Another significant implication of the withdrawal of foreign forces and mercenaries in Libya will be the movement of Syrian mercenaries who were aligned with the Turkish forces that supported the GNA. These fighters may scatter to join other conflict hotspots across the continent, including the Sahel, the Lake Chad Basin or even further afield in Somalia, Mozambique and the Democratic Republic of Congo.

Thus, the AU in its entirety should be more alert to the southward dispersal of these foreign fighters and mercenaries and respond swiftly to counter

such movements. Obviously, the withdrawal of all foreign fighters/militias from Libya, as demanded by the AU Peace and Security Council (AU PSC), UN Security Council and the Berlin Conference II, remains a challenge.

In its most recent communiqué on Libya, the AU PSC reiterated its call for an immediate halt to external interference in Libya.³ The AU PSC also reaffirmed its readiness to name and shame those who continue to fuel the conflict.

The Council further called on the UN and the AU to work in concert, and in close cooperation with neighbouring countries, to develop and implement the withdrawal plan of foreign forces and mercenaries in a manner that does not undermine regional stability. It also underlined the important work done by the Committee of Intelligence and Security Services (CISSA) and the African Union Mechanism for Police Cooperation (AFRIPOL) in establishing a database of foreign fighters, mercenaries and militant groups active in Africa.

The political will of the international community to enforce its decision, and thereby halt the expected southward movement of the foreign fighters and mercenaries to easily diffuse into local militias, is yet to be fully demonstrated.

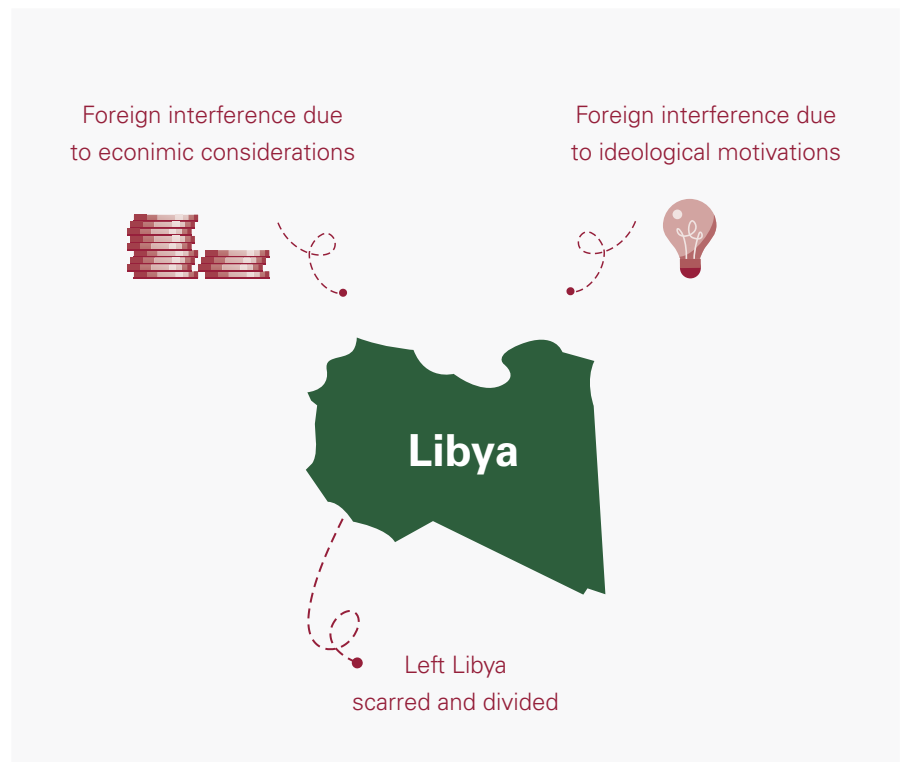
The withdrawal of foreign mercenaries could contribute to consolidating stability in Libya, promoting efforts towards unified government and amplifying successes of the country's transitional process under the auspices of the Libyan Political Dialogue Forum (LPDF). It will also allow key regional mechanisms, such as the AU, to redirect efforts to other conflict zones, including counterterrorism efforts in the Sahel particularly, Mali, Niger and Burkina Faso as well as the Lake Chad Basin, Somalia and Mozambique.

Finally, the withdrawal of foreign forces – particularly those from outside the continent – will signal that Africa is neither willing nor ready to again be used as a proxy playing field for ideological and geo-political conflicts. This will invariably lead to a critical assessment of the presence of foreign troops on the continent in order to properly understand their effect on the security situation in countries where they are deployed.

Recommendations and the way forward

In general, the withdrawal of foreign forces may not have an adverse impact on the security situation across the rest of the continent. However, African countries neighbouring Libya are at a greater risk. As has been evident from incidents in Chad in April 2021, these neighbours could be subjected to vicious attacks after aligning particularly with local violent groups. Be that as it may, the ideological differences and political competition between the Gulf Arab countries and Turkey, with respect to the Muslim Brotherhood and its role in Middle Eastern and North African politics, could be another factor to accentuate the fragile security situation beyond Libya.

In addition to the ideological motivations, foreign interference in Libya is also driven by economic considerations, which have left Libya scarred and divided. The withdrawal of foreign fighters and mercenaries will also impact the macro-economic stability of Libya. Therefore, African countries need to guard against the tendency of external powers to impose military forces on the continent to promote and protect their economic interests.



A more perilous prospect, however, concerns the mercenaries who are mostly from elsewhere on the continent. The countries neighbouring Libya should be extra vigilant in protecting their borders to ensure that all returning fighters are taken through an appropriate process to reduce the threat they may pose to domestic peace and stability. The imperative is for the international community to ensure a well-coordinated and orderly withdrawal of forces from Libya.

Where possible, neighbouring countries and the AU need to liaise with Libyan factions and international partners to obtain a list and profiles of foreign mercenaries under their respective control for the benefit of the receiving states. Those returning to their home countries or third states must be disarmed and taken through a process of rehabilitation to prevent them from engaging in armed conflict and creating instability. The African Union Commission (AUC) should assist Libya in putting in place a Disarmament, Demobilisation and Reintegration (DDR) programme

and reintegrating nationals into the Libya defence and security forces under a single authority.

Attention should also be focused on the urgent need to strengthen regional cooperation. This is particularly relevant to Libya's neighbouring countries in the context of information exchange, but also extends, among others, to the revitalisation of regional security mechanisms between these countries.

Emphasis should also be placed on the condemnation of foreign interference in Libya, a key driver of both the conflict in the country as well as the deterioration of its border security. The latter is evidenced by the routing of several foreign mercenaries, and by the proliferation of criminal networks. Foreign interference has made Libya a main supply area for terrorist groups as well as transnational criminal networks operating in the region, and a transit country for almost all illegal immigrants wishing to reach Europe.

Key recommendations



Full implementation of the Libya
Ceasefire Agreement



Honour the tenets and provisions of the Libya
Ceasefire Agreement



Rally behind the recently formed Interim
Government



Recall the member states' obligations as set
out in the relevant AU instruments



Strengthen cooperation



Implement integrated border management



Enhance good governance



Secure border regions



Strengthen national legislation



Design and implement pragmatic solutions



Invest in capacity building

In addition to the above, it is crucial that the AUC ensures that the different protagonists, including foreign and neighbouring countries:

- Strive towards the full implementation of the Libya Ceasefire Agreement to give peace a realistic chance, which was realized under the auspices of the Libyan Political Dialogue Forum.
- Continue to lobby the international community to facilitate the honouring of the tenets and provisions of the Libya Ceasefire Agreement in order to abate the political and security crises.
- Rally behind the recently formed Interim Government, which has led to elections being slated for December 2021, to effectively contribute towards eliminating terrorism and TOC in Libya, across its borders, and in the region.
- To recall the member states' obligations as set out in the relevant AU instruments, including the AU Non-Aggression and Common Defence Act,⁴ and the 1977 OAU Convention on the Elimination of Mercenarism in Africa.⁵
- Strengthen cooperation between Libya and its neighbours through existing mechanisms including the Nouakchott Process.
- Implement integrated border management, which incorporates border communities in the respective National Security Architecture, and empowering them to augment the central authorities' comprehensive efforts to fight terrorism and TOC – especially in ungoverned spaces between border posts.
- Enhance good governance that translates into the formulation and implementation of inclusive socio-economic development programmes which empower citizens. This can contribute to stemming the influx of illegal immigrants to and through Libya.

- Work towards securing border regions to deny terrorists and TOC groups space for operational sustenance.
- Strengthen national legislation and policies for the prevention and combating of terrorism and TOC.
- Design and implement pragmatic solutions through bilateral and multi-lateral platforms, joint operations, real-time information exchange, database interconnectivity, an inclusive policing approach that incorporates border communities, enhanced resource synergies and capacity building.
- Invest in the capacity building of security forces, law enforcement agencies, the judiciary and other stakeholders to holistically tame the threat terrorism and TOC.

In conclusion, the departure of foreign forces and mercenaries from Libya should signal new hope for the North African nation, but cautious optimism for the continent.

Notes

- 1 Reference to foreign forces, foreign troops and foreign armies are used interchangeably in this brief.
- 2 United Nations Support Mission in Libya, May 2021. UN chief: Foreign fighters in Libya are violating cease-fire, AP, 15/05/21 <https://apnews.com/article/united-nations-libya-africa-middle-east-f3a758d5ab63f21e71a50ee1c95b9a8c>
- 3 Communiqué adopted by the AU Peace and Security Council at its 1035th ministerial meeting, held on 30 September 2021.
- 4 In this case the prohibition of the use of their territory for the stationing, transit, withdrawal or incursions of irregular armed groups, mercenaries and terrorist organisations operating in the territory of another Member State.
- 5 In addition, the 1977 Convention clearly indicates that mercenaries shall not enjoy the status of combatants and shall not be entitled to the prisoners of war status.

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Acknowledgements

Editorial Board

Editor in Chief:

Ambassador Bankole Adeoye, Commissioner, Political Affairs, Peace and Security (PAPS) Department, AUC

Editor:

Olla Hassan, Senior Political Officer/Focal Point for Knowledge Management, PAPS Department, AUC

Editorial Advisor:

Dr. Linda Darkwa, Coordinator, Training for Peace Secretariat

Contributors:

Idriss Mounir Lallali, Acting Director, African Centre for the Study and Research on Terrorism (ACSRT)

Mauna Ntwaetsile, Acting Head of Alert and Prevention Unit, ACSRT

Inusah Ziblim, Senior Analyst, Alert and Prevention Unit, ACSRT

Mohamed Bensoltane, Senior Analyst, Alert and Prevention Unit, ACSRT

Dr. Tidjani Hadj Adem, Senior Analyst, Alert and Prevention Unit, ACSRT

Technical Review and Publication Team:

Jacqueline Cochrane, *Stylistic Editing*

Elné Potgieter, *Layout Design*



African Union Commission

P O Box 3243, Roosevelt Street, Addis Ababa, Ethiopia

Tel: +251 115 513 822

Fax: +251 115 519 321

E-mail situationroom@africa-union.org

Website: www.au.int

Twitter: @AU_PSD



**African Centre for the Study and Research on Terrorism
(ACSRT/CAERT)**

B.P 141 Bureau Poste El-Mohammadia Alger, Algérie

Tel/Fax:+213 21 52 01 10/03 78

Website: www.caert.org.dz

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