

British foreign policy and the 'Arab Spring': the transition to democracy

AS 18 REV

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EXECUTIVE SUMMARY

SPECIFIC ASSISTANCE THAT THE BRITISH GOVERNMENT CAN GIVE TO HELP LIBYA BUILD THE INSTITUTIONS OF DEMOCRACY AND CIVIL SOCIETY, AND REVIVE ITS ECONOMY

The Economy

- **The two primary sources of revenue for Libya's transitional government will be unfrozen assets and revenues from the oil industry. The most important role for the British Government and the international community in this sphere will be helping the Libyan authorities to develop the transparency and accountability mechanisms necessary to ensure that public finances in Libya are properly spent.**
- **Another priority going forwards will be the development of Libya's economy beyond its oil industry. In addition to generating employment, economic diversification is important for improving democratic accountability that comes when a government cannot draw solely on revenues from natural resources for its income, but must also rely on the enterprise of its citizens**

Security

- **Although the security situation in Libya remains uncertain it is improving. Rival militias continue to operate beyond the control of the National Transitional Council (NTC), including in the capital Tripoli. However, the inclusive nature of the new transitional cabinet has gone some way towards ameliorating the concerns of militia that their community/area be adequately represented at the decision-making table. The NTC's stated objective of incorporating militia into state security forces is also the right one, achieving as it does the twin objectives of providing militiamen with employment and bolstering the country's underdeveloped security capabilities.**
- **The potential role for the British Government and the international community in Libya's security arena is twofold. First, assisting in the equipping and training of Libyan security and police forces, although the NTC remains reticent to involve outsiders in its security affairs at present. Second, assisting the Libyan authorities to secure the large numbers of weapons, including chemical weapons, which remain unsecured at present.**

Political Reconciliation

- **In the absence of a properly functioning police and judiciary, several thousand prisoners accused of supporting Gaddafi during the revolution are currently detained**

with no access to due process. Many have been abused, in particular sub-Saharan Africans, accused of being mercenaries. Supporting the NTC to rectify this situation must be a priority, both in developing the mechanisms necessary to hold and try such individuals within the law, and also to prosecute those accused of engaging in mistreatment. A particular reconciliation failure in need of urgent attention relates to the plight of Libya's Tawerghan community.

Civil Society and the Democratic Process

· The EU has been given the lead responsibility for developing Libyan civil society, and the British Government has declared its intention to direct its efforts accordingly. Given the scale of the need, however, the Government should identify worthwhile non-governmental initiatives. Assistance is needed at both the practical and theoretical level. Explaining the concept of why a free press matters in a democratic society is as important as training journalists in effective news gathering.

WHAT WILL BE THE FUTURE ROLE OF ISLAMIST MOVEMENTS IN LIBYA, AND WHAT SHOULD BE THE BRITISH GOVERNMENT'S STANCE TOWARDS THEM?

Future Role of Islamist movements in Libya

· A greater role for Islam in Libya's public and political life is highly likely. However, the desire for democracy in Libya is genuine and very few Libyans wish to see the emergence of a theocratic state. Support for al-Qaeda and Wahabbist doctrine is limited.

· As a statement of intent, Libya's draft constitution offers an intriguing guide. On one level the document is avowedly Islamist, stipulating that Shari'a should be the primary source of Libyan law. However, it also stipulates that Libya should be a democratic state based on a multi-party system, and commits the country to upholding international human rights law. The aspiration, in other words, is a democracy wherein laws and social norms are based upon Islamic precepts.

The appropriate stance for the British Government to take towards Islamist movements in Libya

· If an Islamist government is elected in democratic elections next year, and a constitution specifying Islam as the principal source of jurisprudence is ratified in a referendum thereafter, then the British Government will be obliged to respect that.

· The British Government should be far less tolerant of Islamist groups that seek to achieve power outside of the democratic process, or who attempt to subvert and go beyond the parameters of the constitution having been elected.

· In such circumstances as an Islamist government is democratically elected and governs accordingly, the British Government should still be ready to promote its values in Libya wherever possible, but in a manner that respects Libyan sovereignty. The British Government should use its influence to encourage any future Libyan Government to adhere to international human rights statutes to which it is a signatory.

DO RECENT EVENTS IN THE MENA REGION CALL FOR A REAPPRAISAL OF THE UK'S FOREIGN POLICY?

- **The 'Arab Spring' revolutions have exposed the need for a fundamental reappraisal of British foreign policy. The belief that the UK can choose either to advance its values in the Arab world or protect its interests is a false dichotomy. Often, our interests lie in upholding our values.**
- **Clearly, however, finite resources demand prioritisation of effort. As important as what the UK chooses to do, however, must be what it chooses not to do. The UK should not be in the business of providing unconditional aid to undemocratic or oppressive regimes, for instance. The Government should also fundamentally recalibrate how and when it provides assistance to such regimes, whether material or intelligence.**
- **Support for undemocratic and oppressive regimes in the Muslim world has been a major recruiting sergeant for al-Qaeda and other militant Islamist movements in recent decades. The UK must recognise that though its short-term strategic interests may be served by propping up authoritarian governments, such regimes cannot be reliable strategic partners in the long-term.**

MAIN SUBMISSION

WHAT SPECIFIC ASSISTANCE CAN THE BRITISH GOVERNMENT GIVE TO HELP LIBYA BUILD THE INSTITUTIONS OF DEMOCRACY AND CIVIL SOCIETY, REVIVE ITS ECONOMY?

Improving the Economic Situation in Libya

1. After 42 years of Colonel Gaddafi's "Jamahiriya" philosophy of government the institutions of the Libyan state are inevitably underdeveloped and corrupt. The country ranked 168 of 182 in Transparency International's 2011 Corruption Perceptions Index, alongside Angola and the Democratic Republic of Congo, and specific support to build capacity and enhance transparency in the state's economic affairs must be considered a priority. [1]
2. On 16 December 2011, the United Nations (UN) Security Council responded to repeated calls by Libya's National Transition Council (NTC) to unfreeze frozen Gaddafi assets, valued at more than \$150 billion, by releasing the assets of the Central Bank of Libya and its subsidiary, the Libyan Foreign Bank. [2] Commenting on the decision, the British Foreign Secretary, William Hague, declared that *"Libya's government will now have significant funds needed to help rebuild the country, to underpin stability and to ensure that Libyans can make the transactions that are essential to everyday life"*. [3] He added that London would now free some £6.5 billion (\$10 billion) held in the United Kingdom (UK). [4]
3. On one level the decision is the right one. The NTC has been badly short of funds since taking charge of Libya four months ago, and ensuring that salaries can be paid and infrastructure rebuilt is a priority. However, it is worth recalling the warning issued by the NTC's former interim oil minister, Ali Tarhouni, back in November: *"We don't want this wholesale unblocking or unfreezing of assets. We cannot control and monitor these assets... So, what we want to do is to have a targeted type of unblocking based on the identified needs that we have."* [5]

4. A priority for the UK and others seeking to facilitate Libya's transition to democratic rule must therefore be to assist the NTC in developing the mechanisms needed to ensure that these assets, and public finances generally, are handled accountably.

5. The NTC has signalled its commitment to fiscal transparency and accountability through the establishment of an independent audit authority, in accordance with its Constitutional Declaration of 3 August 2011. [6] It is envisaged that this will serve as the main body responsible for addressing corruption and ensuring transparency in government. Encouragingly, officials of the audit authority have expressed an interest in international assistance in order to successfully execute its remit, and the UK, working together with both multilateral bodies such as the UN and the International Monetary Fund (IMF), as well as relevant private-sector service providers, should be responding to this call. The importance of international assistance in this field is underpinned by the comparative lack of experience suffered by many now serving in the Libyan authorities, combined with the underdeveloped state of Libyan institutions left by Muammar Gaddafi.

6. Nowhere will transparency and accountability mechanisms be more needed than in the real driving force of the Libyan economy, its oil industry. Hitherto the largest in all Africa, Libya's oil industry was shut down and badly damaged by the conflict, leaving a major gap in the NTC's finances, hence the urgency of their calls for the international community to unfreeze assets in the interim. Under Gaddafi, Libya's oil industry accounted for some 95% of export earnings, 25% of GDP, and 80% of government revenue. [7] Since the fall of Tripoli in August 2011, output has been recovering fairly rapidly and is expected to reach 800,000 barrels per day (bpd) by the end of this year. It is forecast that oil output will reach full pre-war levels of 1.6m bpd by the end of 2012. [8]

7. Although this recovery is to be welcomed, two obvious concerns will be first that the tendering process for new contracts is open and transparent, and second that revenues are used for the benefit of Libyan society as a whole and not just its elites. The independent audit authority will exercise oversight of the former, and the British Government should offer support through that avenue. With regards to the latter problem, that of ensuring that oil revenues are equitably spent, the key to success will be the overall success of Libya's transition to democracy. On that measure, the UK needs to recognise that a successful recovery of Libya's oil industry, if not matched by development of the broader economy, could be as much of a hindrance as a help.

8. Past experience in both Libya and elsewhere has demonstrated that where a government does not need to rely on the enterprise of its citizens for its income, but can instead draw on natural resources that it controls, accountability and good governance can be dramatically reduced. To that end, the British Government should certainly be supporting efforts to develop Libya's private sector. A strong private sector in Libya will not only be to the benefit of the Libyan people in terms of greater employment and prosperity, but also in terms of necessitating greater government accountability.

9. The potential for a strong and successful Libyan private sector certainly exists. Libyan society is comparatively well educated, and many Libyans possess skills in sectors such as engineering, shipping and construction. Literacy amongst men exceeds 92%, and in women stands at 72%. [9] Under Gaddafi, more than 60% of the workforce was employed by the state [10] and 30% of Libyans were estimated to be unemployed. [11] There is consequently significant capacity within the Libyan economy for an expansion of the private sector from

which Libyans would benefit. There is only so much that governments can do to expand private sector growth; by far the most effective vehicle being the free market. The British Government could seek a role by advising the NTC on business regulations and educational initiatives, but such endeavours must be accompanied by concomitant efforts to help restore security and law and order.

Improving the Security Situation

10. By most accounts, the security situation in Libya is improving. Although an unspecified number of independent militias, or "brigades", still operate, the majority of militias have now come together under the umbrellas of various Military Councils, established city by city. For instance, there is a Tripoli Military Council, comprising the bulk of hitherto-independent militias operating in and around Tripoli; a Benghazi Military Council and so forth. In an effort to unify these military councils, and to bring them in line with the NTC, each council is now supposed to send representatives to a Supreme Military Council, although the precise nature or extent of its constitution currently remains unclear.

11. Although many of these militias have declared their allegiance to the NTC, they are not, for the most part, controlled by them. Militias from the towns of Misurata and Zintan continue to prove particularly problematic for the NTC. Both retain an armed presence inside Tripoli, and control various key assets, including, in the case of Zintan, the airport. Power struggles continue, and occasionally manifest themselves in open, albeit limited conflict. On 11 December, the convoy of Libya's army chief, Khalifa Haftar, came under fire when it failed to stop at a checkpoint controlled by non-Tripoli militia. [12]

12. Tripoli's authorities are making concerted efforts to get the situation in the capital under control, and on 6 December, the Tripoli city council issued an ultimatum to these brigades, insisting that they had until 20 December to leave. A source inside the country confirmed that such an ultimatum had indeed been issued, in conjunction with the Tripoli Military Council, adding that the city's streets would be locked down if the external militias had not complied by then. On 8 December, the NTC's interim prime minister, Abdurrahim El-Keib, contradicted the councils, insisting that confrontation was not the right way forwards. [13] On the same day, however, El Keib announced that a major group of "freedom fighters" from outside Tripoli had agreed to leave the city, although he declined to reveal the identity of the group. [14] Most recently, Libya's interim defence minister, Osama al-Juwali, said he believed the militias could be persuaded to disarm or leave the capital "within a month and a half, approximately", although he insisted this was not a concrete deadline. [15]

13. Whether or not the situation is resolved within that period, the nature of negotiations taking place between the NTC and the militias nonetheless underlines the fact that outright confrontation with the Libyan government is not on the latter's agenda at present. The vast majority of militiamen took up arms for the purpose of supporting the revolution and deposing Gaddafi, and do not seek to perpetuate conflict in this post-Gaddafi environment. There is also significant social pressure amongst Libyans across the country to see this revolution succeed, and the influence of such pressure on would-be maverick militias should not be underestimated.

14. There appear to be three primary motivations for militiamen retaining their arms at present. First, a desire to ensure that their community/area is adequately represented at the

decision-making table; second, a desire to find jobs for themselves; and third, genuine security concerns.

15. The NTC appears to be seized of all these concerns and is acting accordingly. When announcing his cabinet on 22 November, El-Keib made a point of insisting that members had been appointed on the basis of competence and experience, not politics, but he also insisted that all regions of Libya would be represented. [16]

16. Technocrats such as the new deputy prime minister Dr Mustafa Abushagur, a founding president of the US international college RIT Dubai, and oil minister Abdulrahman Ben Yezza, previously an executive at Italian oil firm Eni, sit alongside significant regional appointees such as defence minister al-Juwali and minister of the interior Fawzi Abdelali. Immediately prior to his appointment al-Juwali was leading the Zintan Brigade responsible for the capture of Saif Gaddafi, whilst Abdelali hails from Misurata, also a major regional powerbase.

17. The composition of the cabinet has certainly gone some way towards assuaging regional concerns about exclusion from power in post-Gaddafi Libya, although localised protests have been seen, for instance by the country's Berber minority, who complained of not being represented in the cabinet. The NTC has responded by pointing out that a Berber has been selected as the country's top judge. [17]

18. What has been particularly notable about the cabinet's makeup, however, has been its comparatively secular character. Prior to its creation, a number of observers had predicted that the country's most prominent Islamist leader, Abdul Hakim Belhadj, who heads the Tripoli Military Council, would be given a prominent place in the cabinet, most likely as minister of defence. Belhadj, however, insisted he was not interested in a position in the cabinet, although he has declared his full support for Prime Minister El-Keib and his efforts to form a strong cabinet. "I want to serve my nation with all the power and ability I can offer", he said in an interview in mid-November, "but to choose where and how. It is too early to talk about this now." [18] Given that members of the transitional cabinet are excluded from standing in the general elections taking place next year, many predict that Islamists such as Belhadj are biding their time until then.

19. Although the majority of major power-brokers appear to be satisfied by the NTC's diplomatic manoeuvrings for now, meeting the needs and aspirations of rank-and-file militiamen is also a priority. On 24 October, NTC Chairman Mustafa Abdel Jalil announced plans for the establishment of a commission charged with reintegrating fighters, providing support to the wounded and the families of martyrs, and collecting weapons. The commission was established by decree on 29 October. [19] Ensuring that wounded fighters and the families of those killed during the revolution have access to proper support is widely agreed as being amongst the most urgent priorities for the NTC to get right.

20. In terms of finding employment for militiamen that will bring them inside the state's ambit, the NTC is primarily focusing on their integration into state security forces at present. The objective here is to kill two birds with one stone; at once providing militiamen with a regular source of employment whilst bolstering the country's security forces, which by most accounts are weak bordering on ineffective. On 1st December, Interior Minister Abdelali announced plans to integrate 50,000 fighters into the defence and interior ministries' security

forces, although no time-frame was given. Ultimately, the NTC plans to integrate 200,000 fighters into the security forces. [20]

21. Just how effective this process will be remains to be seen. In the meantime, the NTC has resorted to paying militias to provide security in order to exert at least some influence over them. The key to the success of this strategy, and the key to the strategy of integrating them into the security forces beyond that, will be ensuring that these fighters get paid, and paid on time. Libya cannot afford a repeat of what happened in October when the NTC, either for administrative reasons or lack of funds, failed to pay the TMC. In addition to the obvious problems such a failure generates, it also sends a very negative image to the Libyan people about the NTC's competence during this critical transitional phase.

22. The two primary sources of funding for these salaries at present will be unfrozen assets and oil revenues. As mentioned, both oil production and oil exports are increasing at a healthy rate, and the unfreezing of assets should happen at a rate consistent with the NTC's capacity to ensure that they are not misappropriated. The role the British Government can play in facilitating both of these areas has been addressed in the previous section.

23. If the NTC can ensure that militias' salaries are regularly paid, and this is combined with a consolidation of its early progress in reconciling regional divides, as well as secular-Islamist divides, then the prospects for further improvements in Libya's security environment look positive. This in turn should set in motion a self-reinforcing cycle that will ameliorate the third reason for militias failing to disband, namely genuine security concerns. In practical terms, there is little that the British Government can do to constructively influence such developments, beyond offering advice or mediation if called for.

24. This is not, however, the end of the story. Also important must be enhancing the competence of Libya's security forces, and ensuring that their actions fall squarely within the rule of law. Here, in theory at least, the British Government could have a much more positive role to play. For understandable reasons, however, the NTC is reticent about publicly accepting international assistance in this particular area of responsibility. During the uprising against Colonel Gaddafi, the NTC repeatedly ruled-out hiring Private Military Companies (PMCs), although there is evidence to suggest that PMCs were in fact active at this time, though to what extent precisely remains unclear. [21] The provision of armed mercenary personnel by any state was prohibited by UN Security Council Resolution 1970. [22]

25. In this transitional phase, however, Libya's security forces will need external assistance, which the British Government is in a position to help provide. In terms of both training and properly equipping Libya's underdeveloped security forces for the many diverse responsibilities they will now be expected to undertake, the experience of UK training missions and support teams garnered in theatres from Afghanistan, to Bosnia, to Iraq, to Northern Ireland could certainly be brought to bear in Libya now.

26. One further area in which the British Government could be of use in improving the security situation in Libya would be through helping to secure the large number of arms and related materials that remain beyond the NTC's control, and to manage stockpiles effectively. In addition to small arms, a significant concern at present is existing and newly-discovered stockpiles of chemical weapons and man-portable surface-to-air missiles. [23] United Nations Security Council Resolution 2017 has reiterated this concern, and the International Atomic

Energy Agency (IAEA) has begun work to secure known stockpiles of chemical weapons. The British Government should stand ready to assist these efforts as required, but also to offer its assistance in securing non-chemical weapons stocks, which arguably pose a more imminent threat to the security situation inside Libya.

Reconciliation Efforts

27. From the very early days of the revolution in Libya, it was clear that success against Gaddafi would not be brought about through force of arms, but through facilitating the collapse of the regime from within. NATO airstrikes, combined with covert Western and Qatari operations, were invaluable in neutralising regime communications and weapons systems, but they alone did not bring about the fall of regime-controlled towns and cities. The strategy adopted by the NTC was the right one, and involved quietly recruiting members of the Gaddafi regime to the rebel cause, as well as encouraging uprisings in towns and cities as rebel forces approached. [24] Recognising both the need of their services in any post-Gaddafi environment, and the near-impossibility of rebel success in open conflict against regime forces, both the NTC and the UK were absolutely right in assuring pro-regime forces and officials that they would be afforded a place in any post-Gaddafi Libya. The success of this strategy was demonstrated by the speed in which a number of major towns and cities fell to rebel forces in August, not least Tripoli itself, with very few shots fired.

28. The limited capabilities of rebel forces when confronted with determined resistance was demonstrated during an assault on an oil refinery in Zawiya in mid-August, when a single regime sniper was able to hold up the entire rebel advance for more than a day. A still clearer example of this was the slow, indiscriminate and extremely destructive assault on Gaddafi's hometown of Sirte, which did not fall until mid-October precisely because the occupants had little to no confidence that their future would be secure in a post-Gaddafi Libya.

29. Since the end of hostilities, the NTC has successfully integrated a number of former regime civil servants and security personnel, consistent with the "Blueprint" drawn-up by the NTC during the conflict. That this process both continues and deepens is absolutely vital if Libya is to succeed in making the transition from conflict to lasting stability.

30. In spite of these positive developments, however, very significant concerns exist with regards to the capacity of the NTC to handle several thousand detainees accused of committing crimes as part of pro-Gaddafi forces during the revolution. According to the UN, "whilst political prisoners held by the Gaddafi regime have been released, an estimated 7,000 detainees are currently held in prisons and makeshift detention centres, most of which are under the control of revolutionary brigades, with no access to due process in the absence of a functioning police and judiciary". [25] There have been reports of torture and ill-treatment of some of these detainees, a large number of whom are of sub-Saharan African origin, accused of being foreign mercenaries and allegedly targeted on account of the colour of their skin. [26]

31. It is to be hoped that as NTC control across Libya replaces that of the militias, and the structures of the state continue to be rebuilt, that situations of this nature will reduce in both scope and severity. In the interim, the NTC must be relentless in exercising what levers of influence it does possess over the militias holding detainees to either hand them over to the NTC, or to take tangible steps to ameliorate the conditions of their confinement. At the very least, mistreatment and torture must stop immediately, with the threat that those accused and found guilty of such behaviour will be held accountable.

32. *The efforts to which the NTC went to assure the world that Saif Gaddafi would be afforded a fair trial inside Libya, signalling their readiness to work with the International Criminal Court (ICC) to that end, demonstrates how conscious Libya's new rulers are of their international reputation. They should be aware that the UN Secretary General's report documenting the detention of the 7,000 detainees was written up on more than 10,000 news sites in the English speaking world alone.*

33. *In order to demonstrate its commitment to resolving this situation, the NTC should announce the establishment of an investigative committee, comprised of both Libyan and international specialists, to investigate and document the condition of former Gaddafi loyalists and mercenaries now held in custody. The British Government, working together with the UN and other concerned states if possible, should be forthcoming on this point.*

34. *More broadly, the lack of a functioning judiciary and police in Libya only re-emphasises the urgent need for international assistance in developing these institutions, both through direct training and assistance to low-level personnel, and through "training the trainers".*

35. *Perhaps the biggest cause for concern in terms of reconciliation failures, however, is the plight of the Tawerghan community. Tawergha is a town situated approximately 25 miles south of Misurata, whose inhabitants were primarily descended from black African slaves. Prior to this year's revolution, Tawerghans were allegedly treated as second-class citizens by native Libyans, and relations with nearby Misurata were poor. During the revolution, Gaddafi played on this resentment, arming the Tawerghans and encouraging them to join the assault on Misurata, which remained besieged by Gaddafi forces from the outset of the revolution in February to the middle of May. During this period, Tawerghans are accused of committing a series of crimes against Misuratans, including rape, looting and indiscriminate killing.*

36. *With the conflict over, Misuratans have allegedly been merciless in their retaliation. According to Human Rights Watch, there have been credible accounts of Misuratans shooting unarmed Tawerghans, and of arbitrary arrests and beatings of Tawerghan detainees. By the end of October, the entire town of 30,000 people had been abandoned, and it remains deserted. [27] According to one informed source inside the country, the mood amongst Misuratans is that Tawerghans should be driven into the Libyan desert and not come back.*

37. *Both for moral and reputational reasons, the NTC must consider a resolution of this crisis an urgent priority. The best placed figure to effect a reconciliation is the NTC's Chairman Mustafa Jalil. As the recognised leader of the Libyan revolution from almost the very outset, Jalil commands enormous respect amongst Libyans across all divides. He is the only senior revolutionary leader who has commanded the respect of every Libyan the author of this paper has spoken to over the past six months. Public admonitions of Misuratan behaviour are likely to achieve little, however. Instead, Jalil must sit down in private with the key power-brokers in Misurata, not least his new minister of the interior, the Misuratan Fawzi Abdelali, to broker a settlement. The conditions of that settlement must be down to the Libyans themselves, but all sides must be aware, as they surely are, of the repercussions that this situation will have if not resolved, both internally and in terms of Libya's international standing.*

Fostering Democracy and Developing Libyan Civil Society

38. *Unless they contravene agreed international standards, or prove demonstrably unable or unwilling to act in the best interests of their citizens, it is not the place of the international community to try and hold sovereign national governments to account. By far the most effective and appropriate vehicle through which such influence can and should be exercised is an empowered citizenry.*

39. *Generally, citizens are most empowered when they are both educated and prosperous. Generating the conditions in which a free market can flourish is the key to the latter, whilst the former depends upon good schools and an effective civil society. Inevitably, the two are themselves closely interlinked. After 42 years of Jamahiriya, Libya's civil society remains extremely underdeveloped. Although a number of NGOs have been established in recent months, for the most part these are under-resourced, ill-coordinated and primarily focused on communal issues. Several hundred newspapers have also been established, but they too lack expertise and resources.*

40. *In helping to develop Libyan civil society, the international community, especially countries such as the UK with very effective civil societies, have a pivotal role to play. To date, however, very little has been achieved by the international community in this area, although there are aspirations to that end. At the governmental/multilateral level, the EU has been given the lead in helping to develop Libyan civil society. Beyond that, however, non-governmental efforts are also being undertaken. The US Agency for International Development (USAID) recently awarded a multimillion dollar contract to the development consultancy Chemonics International, although it remains unclear how far efforts have come since that time, or what precisely those efforts are.*

41. *The British Government's current stance is to support the development of civil society in Libya, but preferably through official channels, in this case the EU. Given the scale of the need, however, the British Government should also be ready to support credible non-governmental initiatives to develop Libyan civil society and help foster the institutions of democracy. In terms of specific kinds of assistance, these can be broken down by area. The Libyan media, for instance, requires training in basic areas such as the principles of effective news gathering; how to structure a news story; and in the case of editors, how to run a commercial media outlet. Aspiring politicians and political activists require assistance in everything from how to establish a political party; how to write a press-release; how to campaign effectively; and the importance of not wearing sun-glasses on camera. This form of training can be provided either on the ground in the relevant areas, or else through workshops specifically designed for the purpose.*

42. *Finally, the UK should not underestimate the importance of theoretical, as well as practical knowledge. With very little prior experience of democracy, many Libyans need to better understand some of the basic principles of democracy and the democratic process. Issues such as "What are political parties?"; "Why a free press matters"; "Why free markets matter"; and "the Rule of Law"; are concepts that many Libyans will only be encountering for the first time in their lives. Perhaps the most effective way to disseminate this kind of knowledge will be through workshops, on a 'train the trainer' basis, as well as the dissemination of relevant materials, both in hard form and online.*

Criticisms of the UK Government's current approach

43. *It may also be helpful to identify some of the things the British Government already is doing, but could arguably be doing better. According to well-placed sources inside Libya, one serious criticism of the Foreign & Commonwealth Office (FCO) both during the conflict and post-Gaddafi has been its comparative lack of proactivity. Although there are clearly very legitimate concerns with regards to respecting Libyan sovereignty and ownership of development efforts, an over-reliance on meetings and assessments over more proactive engagement efforts has potentially limited the FCO's overall impact in Libya.*

44. *This is particularly unfortunate given the high-levels of goodwill that exist across a broad cross-section of Libyan society precisely on account of the British Government's forward approach in confronting Colonel Gaddafi both in the run-up to UNSCR 1973 and beyond. In the words of one source, "In Libya, if you don't ask, you don't get. The FCO needs to get out of the Mehari Hotel and onto the ground more".*

45. *This same criticism has also been applied to the Department for International Development (DFID)'s modus operandi. DFID has declared its intention to follow the UN's lead when it comes to redevelopment efforts, and whilst it is obviously necessary to involve duplication of effort and to coordinate resources as effectively as possible, the bureaucratic impediments constraining DFID's approach have represented a cause for concern. Other development agencies such as USAID and Mercy Corps have perhaps been engaging more effectively on awareness and capacity building at the local level, although even this has been largely focused on elites.*

46. *All this being said, the British Government is right to be mindful of past experience, which has demonstrated that reserves of goodwill in a host country can be depleted quickly if international actors do not conduct themselves in an intelligent and considered manner.*

WHAT WILL BE THE FUTURE ROLE OF ISLAMIST MOVEMENTS IN LIBYA, AND WHAT SHOULD BE THE BRITISH GOVERNMENT'S STANCE TOWARDS THEM?

The future role of Islamist movements in Libya

47. *Like its neighbours in Egypt and Tunisia, Libya finds itself in uncharted waters where the future is extremely difficult to predict. Neither Libya nor its two North African neighbours has ever had a chance at transitioning towards democracy before now, and how each country will manage that transition, and what sort of society will ultimately emerge, remains uncertain. What is certain is that Libya is a deeply conservative country, in which religious observance remains high. Some 97% of Libyans are officially categorised as Sunni Muslim, with the remaining 3% being classified as adhering to other faiths or none. [28] What is also clear is that Colonel Gaddafi, like President Ben Ali in Tunisia, and President Mubarak in Egypt, were brutal, but they were also relatively secular. Having been afforded the opportunity to exercise greater religious freedom, therefore, it is highly likely that Libyans will seek a greater role for Islam in public and political life.*

48. *What remains to be seen is how Libya's new rulers will balance this aspiration with the more secular aspirations for democracy and universal human rights that also underpinned this year's revolution against Gaddafi. The evidence of the past few months suggests that the NTC is seeking to lay the groundwork of a state that can deliver on these latter aspirations, although whether the resulting edifice will be stable and secure remains to be seen.*

49. The NTC's 'Draft Constitutional Charter for the Transitional Stage' is, superficially, an avowedly Islamist document. Article 1 states unequivocally that "Islam is the Religion of the State and the principal source of legislation is Islamic Jurisprudence (Shari'a)". [29] However, Article 4 asserts that, "The State shall seek to establish a political democratic regime to be based upon the political multitude and multi party system in a view of achieving peaceful and democratic circulation of power". [30] Article 6 asserts that all Libyans "shall be equal before the law... shall enjoy equal civil and political rights [and] shall have the same opportunities", whilst Article 7 commits Libya to joining "international and regional declarations and charters which protect such rights and freedoms."

50. What is envisaged by the draft constitution, in other words, is a democracy wherein laws and social norms are based upon Islamic precepts. What is not envisaged is the outright subversion of the democratic structures of the state and their replacement with a government based solely upon clerical interpretation of the Quran. Quite if, and indeed how, such a democracy can be sustainably established remains to be seen. However, if the permanent constitution reflects the content and tone of this draft constitution, and if that constitution is subsequently ratified by popular referendum, as it is due to be in 2012, then that will represent a significant statement of aspiration and intent by both the Libyan government and its citizens.

51. By most accounts, very few Libyans wish to see their country transformed into a theocratic state. Sources inside the country report that overt support for al-Qaeda and Wahabbist doctrine is extremely limited. The desire for democracy is genuine. Although there is always the possibility that support for democracy amongst Islamists is merely a means to an undemocratic end, it would be premature to arrive at that conclusion without further evidence.

52. In terms of assessing the balance of power between Libyan Islamists and secularists, this too is fraught with difficulties. Analysts of the Islamist situation in Libya must also be wary of the tendency of competing groups to brand one another by certain labels in order to wield influence and achieve power. For instance, Libyan secularists such as Aref Nayed, Ambassador to the UAE, and Mahmoud Jibril, the NTC's former interim Prime Minister, have criticised the Islamist Abdul Belhaj for taking weapons from Sudan (where Belhaj's father-in-law has influence) during the revolution, whilst Ali Sellabi, another leading Islamist, has been frequently criticised for being too closely supported by Qatar.

53. This being said, the role of influential Islamists such as Belhaj in Libya's future is likely to be prominent. As mentioned earlier in this report, the comparatively secular nature of the NTC's interim cabinet should not belie the fact that a number of Islamists may have chosen to wait until next year's general elections before seeking to achieve power. Members of the NTC are prohibited from standing in the elections explicitly to prevent them from using that platform to unduly obtain permanent positions of influence going forwards.

What the stance of the British Government towards them should be

54. The question of what stance the British Government should take towards Islamists in Libya depends both on the manner of their influence, and the kind of policies they seek to advance. If an Islamist government is elected in democratic elections next year, and a constitution specifying Islam as the principal source of jurisprudence is ratified in a referendum thereafter, then the British Government will be obliged to respect that. Likewise,

opposition parties that seek to achieve power through a democratic process that is free and fair, and respect the limits of a constitution that has been ratified by the Libyan people, must be permitted to operate freely.

55. The British Government should be far less tolerant of Islamist groups that seek to achieve power outside of the democratic process, or who attempt to subvert and go beyond the parameters of the constitution having been elected. The enshrinement of minority rights and the respect for fundamental human rights is paramount to any functioning democracy. If Islamist groups or parties take themselves outside the process designed to ensure that governments are representative of the people, they consequently forfeit the legitimacy to govern that is bestowed by a mandate from the people. In such circumstances, the British Government should consider working with allies inside and outside Libya to limit the influence of such groups and to restore the democratic process in Libya, including the sovereignty of the rule of law.

56. In seeking to promote democratic values in Libya, the British Government should work closely with civil society organisations whilst also engaging the Libyan Government itself. Internationally agreed human rights covenants must also be respected, whatever the composition of a democratically elected government.

DO RECENT EVENTS IN EGYPT, TUNISIA AND LIBYA, AND IN THE 'ARAB SPRING' GENERALLY, NECESSITATE A RADICAL REAPPRAISAL OF UK POLICY TOWARDS THE MIDDLE EAST AND NORTH AFRICA?

57. In his speech delivered in Kuwait on 22 February, the Prime Minister identified a view that has prevailed for many decades across a significant cross-section of the UK's political establishment, namely that stability in the Arab world "required highly controlling regimes, and that reform and openness would put that stability at risk". Given that British strategic interests demand stability in the Arab world, the corollary of this view was clear: either the UK can choose to advance its values, or it can choose to protect its interests. It cannot do both. Mr Cameron was absolutely right to argue that often "our interests lie in upholding our values".

58. There can be no denying the fact that when it comes to the promotion of democracy and human rights, the UK has a lot to learn. Democracies do not come about overnight, and regime change followed by elections does not, in itself, constitute a transition to democracy. The experiences of both Afghanistan and Iraq, not to mention the Gaza Strip, make this clear. It is equally true, however, that autocracies generally do not make sound strategic partners, and nor are they the surest guarantors of UK interests, particularly over the long-term.

59. If the UK wants examples of stable and reliable sources for its oil supplies, it would do better to look to Canada and Norway, not Gaddafi's Libya or Mahmoud Ahmadinejad's Iran. There is a very good reason for this, namely that the former two countries are democratic, and the latter two are (or in Libya's case until recently was) authoritarian. By their very nature, democratic governments are accountable to their citizens and consequently much more likely to serve their interests, thus reducing levels of popular discontent. When a democratic government does fail, citizens possess an invaluable safety valve: the capacity to replace that government by peaceful means through the ballot box. By contrast, not only are authoritarian governments less likely to serve the best interests of their citizens by virtue of

not being accountable to them, it is also generally impossible for the citizenry to replace such a government save through recourse to extra-legal methods, and usually violence.

60. It is certainly no coincidence that today, 18 of the world's most prosperous [31] states are democracies, the exceptions being Singapore and Hong Kong. [32] As importantly, so are 19 of the world's most peaceful states. [33] Not only that, but democracies, on account of their respect for shared values, tend to make the best allies. The essential reason why the United Nations Security Council is so often divided between its five permanent members, with France, the UK and the US on one side, and Russia and China on the other, is because the respective worldviews and thus interests of these two groups are fundamentally different.

61. As a globalised, trading nation, dependent upon stability and good relations abroad for its continued prosperity, the UK therefore has a clear strategic interest in promoting democracy. This should be the foundational principle on which all British foreign policy is built. Having accepted this as a first principle, and many still do not, the question is how to go about conducting such a foreign policy in practice.

62. When it comes to pursuing a values-led foreign policy in practice, there are inevitably a number of constraining factors. First, finite resources will always limit what the UK can and should seek to achieve in its foreign policy. Although there can be principles which the UK should seek to stick to in every case, when it comes to the application of resources, it is evident that the UK must be selective and intelligent in its prioritisation of effort.

63. Second, as events in the MENA region have demonstrated, it is very difficult to legitimise proactive intervention, in particular where the application of force is concerned, unless a major event combines with persistent calls for external assistance from within the country in question beforehand. Colonel Gaddafi was no less abhorrent in December 2010 than he was in March 2011, but it was the demands of the Libyan people, and Gaddafi's response to that, which made external intervention a legitimate prospect.

64. Third, without sanction from the international community, the application of coercive pressure on oppressive regimes becomes extremely difficult, for both practical reasons and reasons of legitimisation. Clearly, therefore, the UK must always be diplomatic in its relations with other countries, even if many of those states pursue policies contrary to the UK's own values. As the Arab League's decision to sanction intervention in Libya demonstrates, the motives of states are often complex, and the UK must maximise its capacity to take advantage of situations where the interests of other states align with its own.

65. All this being said, however, the UK should maintain 'red lines', informed by its values, over which it will not cross, other than in exceptional circumstances. Although there are always limits to what the UK can do, equally important is what it chooses not to do. For instance, the UK should fundamentally recalibrate the conditions under which it provides aid to countries governed by authoritarian and oppressive regimes. This is not to say that aid should not be provided to such countries in every circumstance, but it is to say that closer attention should be paid to how that aid is ultimately used, and that the UK's default position should be to attach conditions to the aid it does provide, whilst standing ready to withdraw assistance if these conditions are ignored.

66. Likewise, the UK should fundamentally reappraise its policy of selling arms to undemocratic regimes, recognising how quickly situations can develop where those arms are

used not to deter foreign aggression but to quell internal dissent. The UK should also consider carefully the relationships of its security services with those of undemocratic regimes. Although the UK's short-term strategic interests may sometimes be advanced by providing covert assistance to authoritarian governments, ultimately such policies only bolster regimes that can never be reliable strategic partners over the long-term, and also increase resentment directed at the UK by those adversely affected.

67. One of al-Qaeda's most effective recruiting sergeants has been to highlight the support that Western governments have given to authoritarian secular regimes in the MENA region in recent decades. The claims of Islamist movements to political legitimacy tend only to increase in the face of oppression by secular governments, and where such groups do profit in the wake of the latter's collapse, the West must recognise that this is in part a phenomenon of its own making. Indeed, given the tendency of authoritarian regimes to fracture after a time, too-close an alignment with them can only put the UK in a weaker position with their successors, be they democratic or not. For both moral and strategic reasons, the UK needs to reshape its foreign policy in recognition of the fact that British values often do align with British interests.

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