

Report

Visit to Benghazi 17-20 May 2011

by MEP Ana Gomes

As your rapporteur for Libya, I visited last week Benghazi, reaching it by road from Cairo. Inside eastern Libya I travelled some 1600 km, visiting also the cities of Tobruk, Adjabia and Al Marj. I recall that I had earlier visited Tripoli and Benghazi in November 2010, with the EP Delegation for Maghreb.

1. Through the ITNC (Interim Transitional National Council) representative in Brussels, I asked support to organize border crossing and a program of contacts in Benghazi. I was provided with very good assistance, attesting the remarkable capacity of organization achieved by the authorities in Eastern Libya, as I was to confirm throughout my stay. Amb. Mourad Hmeima (until last March ambassador in Geneva and negotiator of the EU-Libya Framework Agreement, now representing ITNC in Cairo) accompanied me and provided me with logistical support and informative insight.

A week preceding my departure I informed the EEAS (Mr. Miozzo, Geer and Amb. Vimont) of my plans to visit Benghazi on these dates and got nodding to go ahead. Arriving in Cairo I met a team who was going to establish the EU Office in Benghazi, which was inaugurated by HR/VP Catherine Ashton last Sunday, 22nd May. In Benghazi on the 19th I met the just arrived Mr. Agustino Miozzo and also Mr. Jeremy Nagoda, in the meantime appointed to head the EU office in Benghazi.

2. My **program** of contacts included meetings with:

- Mr. Mustapha Abdul Jalili, Chairman of the ITNC.
- Mr. Fatih M. Baja, Chair of the Political Committee of the ITNC and law professor.
- MS. Salwa El Daghili, member of the ITNC, leading the ITNC Humanitarian Committee and law professor.
- Ambassador Sawal Bichari, responsible for international relations of the ITNC (ambassador of Libya to Indonesia till 25 February).
- General General Abdul Salam Al-Hassi, head of the ITNC Operations Centre in Benghazi
- Mr. Ahmed Chebani - member of the ITNC Operations Centre.
- Mr. Madji Al-Henaid, head of ITNC city Council of Tobruk and two other members
- The head of the city Council of Adjabia, plus other local elders.
- The Judge heading of the city Council of Al Marj, plus dozens of local elder leaders.
- A representative of ITNC in Misurata.
- Mr. Mohamed Chebani, a resistance leader just returned after 30 years in exile in Canada, becoming very popular by his public advocacy of the push to oust Kadhafi and secular democracy.
- Drs. Ali Bengeil and Osama Eljhwai, directors of the Hiv-Medical Centre for Children, EU partners in the implementation of the Benghazi Action Plan (and whom I had already met in November in Benghazi).
- Representative of ECHO, Mr. Samy Cecchin.
- Representative of CICR, Mr. Patrick Schwaerzler.
- Representative of OCHA, Hussein Younis Al-Botani.
- Representative of UNHCR, Arafat Jamal.
- Representative of IOM, Mr. Jeremy Haslam.

I went to the front line, 10 km west of Ajdabia, and talked to dozens of combatants. I attended a seminar at the Faculty of Medicine of the Benghazi University to discuss the road ahead for free Libya, with the presence of hundreds of students and professors.

I participated at the communal lunch just after Friday prayers in the city of Al Marj Mosque, attended by dozens of local leaders and thousands people.

3. My remarks, from what I have seen and heard throughout this stay in Eastern Libya, can be summarized as follows:

a) General atmosphere

The majority of the population of Libya lives in cities along the coastal line. From the border With Egypt up to Benghazi (600 km) the atmosphere is calm, with people working, most activities going on, with regular fuel and power supply, all shops opened, markets fully supplied of food and else. Even traffic lights are respected. However, the absence of foreign workers has created difficulties for the resumption of many activities, such as construction, hotellerie, services, etc...

What is not operating are police and judiciary, many courthouses and police stations having been burnt for their association with Khadafy security forces. Despite that, common crime incidents have decreased, due to general restraint, the awareness of the ongoing conflict and of the suffering still endured by the people in Tripoli and other non liberated areas.

Improvised check points in all roads and city entrances may contribute for the sense of the exceptionality of the situation, but their effectiveness is questionable, since they are manned by untrained, poorly equipped and trigger-risky volunteers (that was the explanation I got for the recent killing at a check point of a French citizen offering his security services).

What is also not functioning are schools. A debate is going on on whether to reopen them or not, the latter position prevailing, based on the need to review school curricula first and the political unacceptability of instilling a sense a normalcy when the nation is at war.

b) Front line zones

In the east front, on the desert plains west of Ajdabia, the two confronting forces can see each other. The people manning the rebel forces are mostly young people, poorly equipped (I saw combatants with sandals and artisanal weaponry), but highly motivated, despite the fact that most never had any military training. I spoke to doctors, engineers, teachers, business people in arms who said to be ready to sacrifice for liberating the country from the murderous regime of Khadafy.

The day I went there, fighting had occurred in the early morning, with 10 prisoners made, several of them foreigners. The sense is that some wish to be caught. Through its Humanitarian Committee, the ITNC instructs that humanitarian international laws are to be respected, and ICRC confirmed to have full regular access to ITNC POWs (contrary to Tripoli controlled areas, where the regime claims to comply, but actually denies the basic conditions required by ICRC to interview prisoners).

Ajdabia, the nearby city to the current front line, has many buildings badly destroyed but inhabitants are slowly returning. Disarming UXOs (unexploded ordinance) is a priority concern for international agencies.

The same is a priority in sacrificed Misurata, with the inhabitants slowly resuming life with humanitarian, medical and food assistance shipped from Benghazi, namely by IOM and other agencies, with active ECHO support and financing. The front line was moved to 40 km south beyond the city.

In the south east, close to the border with Sudan, it is not clear who is controlling the border town, Kufra, a main passage point for migrants and refugees. A military incident involving Sudanese JEM, operating on behalf of Khadafy forces, was reported recently.

The main military emergency worrying the TNC last week was occurring in the western mountains overlooking Tripoli, with Amazig (Berber) communities located around Yefren besieged for two months and issuing dramatic appeals for food, water, power and medical assistance. ITNC pressed with me the urgency of EU providing humanitarian support to these communities, including the opening of an humanitarian corridor towards Tunisia.

c) Situation in Tripoli and Khadaffy controlled areas

The situation in Tripoli and Khadaffy controlled areas is worsening by the day, with fuel shortages determining power cuts and food scarcity, families trying to escape to Tunisia or staying indoors. Young people demonstrate at night, at great risk of being shot by Khadaffy loyalists.

In Benghazi many people believe the dictator is not in control anymore, too busy hiding. Saif Al Islam is the one said to be directing operations, military, political and economic, including attempting to sell oil via internet and to get resupplies of fuel from abroad.

The escape of the Oil Minister and the wife and daughter of Khadaffy to Tunisia have encouraged thinking in Benghazi that the end of Khadaffy era is approaching and that a push by the rebel forces is to be expected soon. Support provided through the Algerian border to the Khadaffy regime is worrying, be it in the form of strategists, foot mercenaries or other.

d) International recognition and the behaviour of neighbours

ITNC members and common people show gratitude for international support, displaying in buildings and cars flags of those assisting them, including EU and NATO. "Mercy Sarkozy" was shouted at me by young people in several places, in reconnaissance of the military action that saved Benghazi from a massacre in the last hour.

Formal recognition is important to ITNC, also for the practical consequences of facilitating access too much needed funds. Several interlocutors stressed that Libyans do not require economic assistance, only access to the wealth that belongs to their nation. Questions were asked about the way EUMS were complying with the mandatory freezing of Libyan assets.

The upcoming visit of the HR/VP was very much welcomed by all my interlocutors, for all its significance and practical implications, including the opening of the EU office which would enable starting short, medium and long term cooperation on capacity building to prepare democratic governance.

There was high recognition for all the sympathy and support provided by neighbouring Egypt and Tunisia, including the major effort in receiving refugees. In the border with Egypt there were not any stranded and with Tunisia they are much reduced from the initial avalanche, but still coming in everyday, mostly now people escaping Tripoli.

The role played by the Arab League in calling for the UN mandated no-fly zone was stressed. The AU was, in contrast, considered ineffective and manipulated by people indebted to Khadaffy.

Turkey was seen as playing a double game: declaring support and sending in very visible humanitarian teams, while also helping Khadaffy, namely by allowing ships to be freighted (by Russian speaking operators) to bring him fuel from Ceyhan. The sinking of Khadaffy navy ships was welcomed as a clear warning to Turkey by NATO too.

Russia was another country still catering to Khadaffy. One of my interlocutors mentioned that Russians were trying to negotiate an escape for Khadaffy, on two conditions: that criminal prosecution should be dropped by Libya (acceptable, I was told, since that was already in the realm of the ICC - although if caught by Libyans they would want to try him in Libya); and that he would be let to keep his fortune, a condition flatly rejected.

American Assistant Secretary of State Feldman was expected in Benghazi this week. ITNC has understood that, albeit interested in the fall of Khadaffi, the USA view Libya as mainly an EU problem. My interlocutors stressed that they concurred and felt much closer to Europe in all senses and hoped Europe would live up to all those expectations in supporting Libya throughout the road towards democracy.

4 - My assesment of political prospects

I did not see any evidence that religious fundamentalism is creeping in the liberated areas of Libya. On the contrary, all my interaction with elites or common people, including elder tribal and religious leaders, showed natural courtesy, great cordiality and familiarity with westerners. Several interlocutors stressed that the aim of the 17 February Revolution was to establish a secular democracy, with full respect for human rights for all. The leader of the Libyan Muslim Brotherhood, just returned from exile and without any grassroots strength comparable to neighbouring countries, had concurred that equality should allow for women to be also eligible to the presidency of the state in a future Constitution.

In different places, significantly, young men came to tell me not to believe in Khadaffi's propaganda suggesting rebels were terrorists linked to Al Qaeda. "It really hurts our hearts, as Muslims", one said. ITNC members pointed out that the longer the effort to oust Khadaffi takes, the more chances will exist that terrorist organizations infiltrate the country, namely via the southern and Algerian borders. It is clear that preventing that from happening will require that and much more - a special effort for building capacity for Libyan new security forces to control the hugely long borders and to develop a relationship of trust with the people.

ITCN representatives were keen to assure that the democratic state they envisage to build in Libya will be a reliable partner for Europe in preventing their country from encouraging migrations to Europe, which they accused the Khadaffi regime of having done and continuing to do, now by forcing foreigners into boats. They pointed out that Libyans do not emigrate, rather are returning to the country with the prospect of it becoming free from oppression.

All my interlocutors asserted that the 17 February Revolution was born out of a very spontaneous popular reaction against a new bout of repression and following atrocities by the Khadaffi regime. Nothing had been planned and that explains the initial lack of organization and the unpreparedness of the armed popular reaction. The ragtag forces at the frontline are in fact a people in arms, with whatever weapons they can find. The lack of weapons and military capacity explain the stalemate, despite the motivation to proceed.

Nevertheless, a structure of governance was since then built, based on the designation of local city councils, which created the coordinating structure that the ITNC is. That and the sense of patriotic duty and national salvation explain the organization acquired in the meantime and the reigning order in urban life, despite attention to possible destabilization by former regime actors still around.

ITNC enjoys wide legitimacy in the eyes of the people in the liberated zones of Libya. Partition of the country is not at all a goal of the ITNC or anyone I have met. On the contrary, all will be done to prevent it and people seem very confident that this is shared by the majority of the population in the Khadaffi controlled areas.

5 - Priorities for EU Libya cooperation

The **opening of the EU office and the HR/VP visit to Benghazi** deserve full support by the EP and should be a turning point for the EU to step up cooperation in helping to build the governance capacities that Libya needs now and for the future. An EU Delegation should be opened in Tripoli, as soon as conditions allow. EUMS should be encouraged to keep or send regular diplomatic presence to Benghazi, namely by ambassadors and embassy staff accredited in Tripoli.

The EU has not yet deployed the announced EUFOR, absurdly waiting for a UN/OCHA request which is not there, may never be (for OCHA lacks capacity locally) and which is actually not needed at all, in light of the existing UN mandate. **EUFOR should rapidly be deployed** and articulate with ECHO to **provide humanitarian assistance and civilian protection** to the **people in the western mountain besieged localities** and also to secure a humanitarian corridor with the concurrence of the Tunisian authorities.

EUFOR, using naval and aerial means, should ensure the vigilance of the land and sea borders of Libya in order to **enforce the UN mandated arms embargo** against the Khadaffy regime. The EP has called for such a CSDP mission already in its 10th March resolution on Libya.

Support for ITNC authorities governance capacities and the emerging civil society in eastern Libya (more than 60 NGOs have been formed in the meantime, including with environmental goals) must be translated into programs to promote leadership and organizational and management skills with particular emphasis given to the youth, encouraging the participation of women and developing free media.

Many people in Eastern Libya are already thinking on what should be the **road ahead for democratic governance**. The EU should assist from now in sharing EU MS and other political transition experiences and options regarding electoral laws, constitutional reforms and democratic institution building, including police and judiciary reorganization and training.

Cooperation on **SSR** (security sector reforms) and **DDR** (disarmament, demobilization and reintegration) is going to be a priority, since so many young people are involved in self-styled security tasks, as a result of the conflict. And preparing it should start now, also considering that a crucial part of the **national reconciliation efforts** that the EU should help promote once all Libyan territory is reunited.

Technical skills are much needed, namely in re-integration of migrants, managing migration, borders control and ensuring international protection to refugees and asylum seekers. Reactivation and extension of the Benghazi Action Plan to other Healthcare needs beyond HIV-AIDS, is much needed and welcomed in Libya. A priority must be to ensure the resupply of retroviral drugs.

My conclusion:

EU assistance is much needed in overcoming the political and military stalemate in Libya. It is not, at all, about the EU overstepping the UN mandate and bringing about regime change: the people in Libya themselves are fighting for regime change, risking their lives to oust from power a murderous and corrupt dictatorship.

It is about the EU, while promoting its own interests, adequately supporting those in Libya who fight for what is just, absolutely lawful and consistent with EU principles, values and goals - the end of oppression and support for democracy, the rule of law and human rights.

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