

Libya Weekly Digest

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EVENTS

ANALISYS

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On Thursday 10th October 2013, before daylight an armed group claimed to have an arrest warrant seized Prime Minister, Ali Zidan. He was freed later in the morning in unclear circumstances.

THE AFRICAN UNION EXPRESSES RELIEF AT THE RELEASE OF THE LIBYAN PRIME MINISTER

Addis Ababa, 10 October 2013: The Chairperson of the Commission of the African Union (AU), Dr. Nkosazana Dlamini-Zuma, has learnt with relief of the release of the Libyan Prime Minister, Ali Zeidan, who earlier had been kidnapped in Tripoli.

The Chairperson of the Commission strongly condemns the unacceptable kidnapping of the Prime Minister and stresses the need for all Libyan stakeholders to seek solutions to their differences within the framework of the existing institutions and a comprehensive process of national dialogue. She calls on all Libyans to extend their support to their legitimate institutions to enable them to address the challenges at hand and effectively fulfill their mandate, notably by bringing to a successful conclusion the current transition.

The Chairperson of the Commission reiterates the AU's commitment to continue supporting the efforts of the Libyan authorities to stabilize the country and successfully conclude the ongoing transition.

ANALISYS

The PM abduction

Independently of the ongoing investigations and their expected results, this abduction, whatever are its circumstances, its reasons or its direct and hidden perpetrators, constitutes a violent shock for the Libyan people.

The Libyans know very clearly now that they have to take, in full sovereignty, a historical decision: either to fight peacefully to stand the legitimate institutions they elected freely to build the new Libya state, or to accept the present status quo.

There's no doubt that Libyans are very proud of their revolution and will never accept anything but the building of a democratic state that will guaranty their freedoms and rights. So they will never concede any space for anyone to direct the revolution towards any new objectives other than those claimed by the people during the revolution.

It is difficult to consider any future success outside an openly negotiated, accurately drafted and largely agreed consensus of all Libyan stakeholders on the objectives to be reached, means to be deployed and methods to be followed during the coming and final part of the transitional period. This consensus cannot be reached outside a national dialogue that has evidently proved to be vital to initiate as soon possible.

US Special Forces seized the Libyan national Nazih Abdul-Hamed al-Ruqai, known as Abu Anas al-Libi, from Libya on 5 October 2013, from street in Tripoli. Abu Anas al-Libi is taken to the USA, where he was indicted in 1998 and 2000 for his alleged involvement with al-Qa'ida, including in the attacks on the US embassies in Kenya and Tanzania. This operation has raised a wave of reactions through the week:

Reactions to AL-LIBI abduction by US special forces

The Libyan side:

- **Libya's interim government:** on Sunday, condemned the United States for what it called the "kidnapping of a Libyan citizen". It said it "contacted the American authorities and asked it to present clarifications" regarding the al-Libi abduction. It also said it hoped the incident would not impact its strategic relationship with the United States.
- **Justice Minister Salah al-Marghani:** summoned the ambassador of the United States, Deborah Jones to seek clarifications related to the case of Abu Anas al-Libi.
- **GNC Foreign Relations Committee:** said it followed reports of the capture of Libyan citizen Nazih al-Ruqai on terrorism accusations. It said that the capture is a flagrant violation of the national sovereignty, adding that there is no prisoner exchange agreement between Libya and the concerned country. It holds the Government fully responsible for this serious violation of national sovereignty and requests the Government to follow up the case and ensure the accused individual rights including a fair and public trial in Libya.
- **The GNC Presidency Office:** held an extensive meeting, according Spokesperson Omar Hmeidan and considered the kidnapping of Abu Anas al-Libi a violation of Libyan state sovereignty, adding "We are in contact with the Government to contact the US Government in order to provide justifications for this operation.
- **Dar al-Ifta:** strongly condemned the abduction in an operation that a foreign state took responsibility for. It considered this act as a serious violation of the national sovereignty which represents a crime and a breach of all international conventions and human rights. It demanded the GNC and Government take a firm stand to protect its citizens and to take full responsibility towards this flagrant violation of national security by taking the right decisions such as putting on hold all agreements and cooperation ties, lodging complaints with the International Criminal Courts, and the United Nations at the least, not just issuing meager, bland and timid statements.
- **The National Front Alliance announced:** While it affirm their condemnation of all types of terrorism and extremism they also condemn violations of Libyan sovereignty by another state. Such violation is a result of the absence of effective military and security institutions which can protect the State's sovereignty and the citizen's security. The Alliance's position on the Government depends on how much it knew or participated in this kidnapping. The government which failed to protect its citizens from kidnapping and assassination cannot be expected to protect the sovereignty of the homeland, but if it has been proved the complicity of the government in facilitating this kidnapping it is considered treason.
- **Justice and Construction Party:** considered this operation as a violation of Libya's sovereignty and the UN Charter, with Libya being an independent state with full sovereignty, called on the government to disclose the details of the kidnapping to the Libyan public and requested an explanation for a statement by Al-Libi's son stating that his father had informed the Libyan judicial authority about his willingness to stand trial if there is any case filed against him.

- **The Libyan Judges Organization:** condemned the kidnapping of ‘Abu Anas Al-Libi’, which it considered a violation of national sovereignty. It also said it is unacceptable that a foreign force arrests a Libyan citizen in his country even if there are accusations against him in another country. Legal procedures between countries should be followed and within the framework of mutual respect and non-violation of national sovereignty and that the accused be tried in the national courts. The organization encourages the positive attitude of the Justice Minister, Salah Al-Marghani, regarding the incident.
- **Ansar al-Sharia:** demanded public action to win the return of Abu Anas Al-Libi and other detainees in foreign jails. What happened was an insult to Muslims in this country, saying that supporting the prisoners was a “religious duty”. It accused the government of seeking to guarantee its stay in power by offering allegiance to the countries that combat Islam and providing facilities for them in this country.
- **Libya Revolutionaries Room:** declared a high state of alert for its forces all over the country in preparation to expel illegal foreigners who participated in assassinations against Libyan citizens as well as the kidnapping operation of Nazih al-Regaii. It said that this decision was due to the bad security situation in the State and violating the State’s sovereignty as well as the government's failure to address the security issue.
- **Two demonstrations:** took a place in Benghazi on Friday evening, the first one to condemn the kidnapping of Libyan citizen Nazih Al-Regaii. Participants gathered in Tahrir Square demanding the release of Abu Anas Al-Libi, and another one by Libya Shield Forces and number of brigades demanding restoration of “legitimacy to the thuwar” so they can protect the city.

The American side:

- **US Secretary of State John Kerry:** defended an operation in which an al-Qaeda fugitive was taken off the streets of Libya by American special forces, and said the U.S. won’t stop its pursuit of terrorists around the world. “Abu Anas al-Libi -- is a key al-Qaeda figure and he is a legal and an appropriate target for the U.S. military under the Authorization of the Use of Military Force passed in September of 2001. Responding to Libyan criticism that the U.S. didn’t inform them of the operation in advance, Kerry said “the U.S. regularly consults with the Libyan government on a range of security and counterterrorism issues, but we don’t get into the specifics of our communications with a foreign government.”
- **US Secretary of Defense Chuck Hagel:** stressed that operations recently conducted in Libya and Somalia "send a strong message to the world that the United States will spare no effort to hold terrorists accountable, no matter where they hide or how long they evade justice.

The International side:

- **UNSMIL:** The Government of Libya and the Libyan people have every right to know the circumstances of the abduction of the Libyan citizen Nazeeh Abdulhameed Al-Ruquei’ee, and to demand full respect of international and national laws. In this regard, UNSMIL is aware of the importance and sensitivity of national sovereignty, and the need to safeguard the right of all accused persons to a fair treatment and trial. It reaffirms that the international community, which stood by the revolution of the Libyan people, is called upon to redouble its efforts in assisting Libya build a sovereign state, based on the rule of law and the promotion of human rights.
- **Amnesty:** The USA has again used its flawed “global war” theory to violate fundamental human rights principles, this time to carry out the abduction of Libyan national Nazih Abdul-Hamed al-Ruqai, known as Abu Anas al-Libi, from Libya.

1 – Politics

The General National Congress

- **Congressman Voted Out of GNC:** (GNC) has withdrawn membership from a member of Congress who is being investigated for allegations of defamation. Tuati Al-Aidha, an independent Congressman from Kufra, was voted out by 132 members on the grounds that he had made “offensive comments.” The GNC also said that he had not been attending Congress sessions.

Federalism

- **Cerenaica** - After having declared its self-governance last June (for what is considered as the "inability of the government to take decisive action") the Cyrenaica is reported to be making progress on the way to manage the affairs of the region: Najib Suleiman al-Hasi will be commander-in-chief of the Cyrenaica defence forces, based in the town of Brega, Abd Rabbo Abdul Hamid al-Barasi will be head of the executive bureau based in al-Bayda. The defence force of Cyrenaica, which is said to comprise more than 20,000 elements, would protect the vast oil fields of the region, secure Benghazi and Derna, which are suffering from bombings and assassinations. The coming steps are expected to be "the Shura Council, the Senate, the preamble of the Constitutional Declaration and the basic provisions of the future road map".

Sub regional relations

- **Morocco** - HM King Mohammed VI received Libyan Prime minister Ali Zeidan, who was on a working and brotherhood visit to Morocco. HM the King and the Head of the Libyan government hailed the constant evolution and consolidation of bilateral relations at the service of the two peoples. HM King Mohammed VI said Morocco is following with particular interest the ongoing political and institutional transition process in Libya, expressing, in this context, Morocco's readiness to accompany Libyan efforts to open a new page of its history in the frame of national unity and on the basis of sound institutions.
- **Tunisia** - Prime Minister Ali Zidan visited Tunisia leading a delegation including Defence, Foreign Affairs, Economic and Awqaf Ministers. Zidan's visit to Tunisia came as part of his Maghareb tour. The Tunisian Prime Minister, Ali Al-Arid, said at a press conference with his Libyan counterpart Zidan that the meeting addressed various issues related to bilateral cooperation. Observers believe that Zidan's visit comes amid an extremely sensitive security circumstance after a special US unit abducted Abu Anas al-Libi and what this could have in local and regional repercussions. The visit also came following reports about the existence of training camps hosting Tunisian jihadists on Libyan territory, as well as networks of arms and ammunition smuggling to Tunisia.
- **Tunisia:** Chairman of Zintan local council Mohammed Al-Wakwak denied the reports which appeared in the Tunisian media outlets about Libya hosting training camps to attack Sothern Tunisia. Wakwak said that the local council sent a delegation to Tunisia to refute such claims and statements. He added that the local council demanded from the official Tunisian media to send a delegation to Zintan to personally check the city. Noting that Head of the Tunisian Justice and Development Party, Mohammed al-Hadri, accused Zintan of hosting the leader of Ansar al-Sharia leader Abu Ayad, and supplying him with weapons as well as establishing a camp for his elements to attack Tunisia.
- **Chad** - A delegation of Kufra returned from Chad after a five-day official visit. The delegation met President Idriss Deby and a number of senior Chadian officials. They described the visit as “successful”. A GNC member and head of the delegation, Sanussi El-Gammi, declared that the Chadian president said that he hoped to make Chadian-Libyan relations better than in the past, stressing that relations are built between people not between regimes.

2 – SECURITY

Security Assistance and Cooperation

- **Foreign Help:** Libyan Prime Minister Ali Zidan has called on Western powers to help stop the spread of militancy in his country. In an interview with BBC he said Libya was being used as a base to export weapons throughout the region. "The movement of these weapons endangers neighboring countries too, so there must be international co-operation to stop it".
- **NATO assistance:** The director of the European Affairs Department at the Ministry of Foreign Affairs and International Cooperation, Mabrouk Mohamed Milad, said that Libya will not ask again for NATO assistance in the field of military training and activating security. Milad added that Libya had made a request for support from NATO earlier but did not receive a response yet, so any step in this direction will not be useless.

Security of National Institutions

- **Prime Minister Office:** Dozens of unarmed Libyan soldiers occupied the prime minister's office in Tripoli on Monday to demand unpaid wages. The soldiers had been protesting against the "non-payment of their salaries for months."
- **Archives of Public Property Records of Tripoli:** A fire broke out at the headquarters of the Public Property Authority in Tripoli on Wednesday evening, engulfing the archives containing the official documents and title deeds of the Libyan State. An official in the security directorate said that the fire started on the ground floor which is dedicated to the archiving of title deeds and added that ongoing investigations focused on establishing whether the fire was set on purpose

Security of Foreign Representations

- **Swedish Consulate Attack:** Car bombs exploded outside the Swedish consulate and a mosque in Benghazi on Friday. Nobody claimed responsibility for the attacks that damaged buildings. The front of the Swedish consulate and neighboring buildings were damaged but no one was hurt. The consulate is closed on Fridays. Sweden is one of the few countries that still have a mission in Benghazi. Its building also houses the office of Finland's honorary consul.
- **The Foreign Ministry:** strongly condemned the criminal car bombing against the Swedish Consulate in Benghazi on Friday. It affirmed that following the incident they immediately contacted the Consulate to express their regrets about this awful act. It said that this act is against the morals, values and traditions of the Libyan people and it will not affect the strong relations between the two friendly countries. It added that the Foreign Ministry will work with all concerned authorities in Libya to take measures to arrest the perpetrators and bring them to justice as well as provide protection for diplomatic missions and foreign nationals in Libya.
- **Russian embassy:** In a statement, the Libyan government has apologized for the recent attack on the Russian embassy and has said it will pay for damages to compensate in full for damage to the embassy compound. It added that Libya strongly condemned the criminal attack.

3 – Transitional Justice and Rule of Law

- A member of the GNC's Human Rights Committee, Amina Al-Meghirbi, declared that the transitional justice law will ease tensions and solve many outstanding problems, which will help the country pass through the current crucial stage. She said that she discussed ways and methods of EU support to make Libya more stable with Anna Gomez who is in charge for the Libyan file at the EU.

As briefed by UNHCR

1. On 30 September a boat coming from Libya experienced technical problems in the proximity of Scicli in Sicily. Some persons on board managed to reach the shore swimming while approximately 13 died. The boat was carrying 250 persons including 20 children and 1 pregnant woman. Persons on board were from Egypt, Eritrea and Syria.

2. On 21 September, a boat departed from Libya with approximately 500 persons mainly from Eritrea departed from Libya. According to information provided by Libyan Coast Guard to UNHCR the boat departed from Sourman and not Misrata as reported in the media. On 3 October 2013, the boat caught fire and capsized in the proximity of Lampedusa. As of 11 October, 311 bodies were recovered from the sea. There still no final figure for the number who died. From the 156 survivors we understand that between 50 and 70 bodies of people have yet to be found. However with 311 confirmed deaths this is already one of the deadliest incidents in recent records. While it is clear that this is boat of considerable size, and surely not standard for irregular boats departing from Libya, we believe that Libyan Coast Guard was unaware of the departure and that the harbour of departure was beyond the purview of authorities.

3. A third boat that departed from Zuwara in Libya capsized on 12 October 120 Km off Lampedusa. According to reports collected by UNHCR in Lampedusa the boat was carrying between 300-400 people mostly Syrians and Palestinians. Some of the survivors reported that at time of departure the boat was shot at presumably by Libyan military. Local authorities and the Libyan Coast Guard contacted by UNHCR Libya deny the information. Some other reports are pointing to militiamen or even rival smuggling gangs. While at sea, a helicopter and a plane flew by the area and threw lifesavers and inflatable rafts to the persons on board before an Italian navy ship and a Maltese coast guard vessel arrived and started rescuing migrants from the water. 150 survivors were disembarked in Malta together with 27 dead bodies. Moreover, 9 persons were taken to Lampedusa with a total of 22 dead bodies. The Italian Navy rescued another 56 survivors.

4. A boat carrying 100 Somalis was intercepted in the morning of 12 October by Libyan Coast Guard. The latter rescued survivors and took them back to Tripoli port. Two bodies were found on board.