BORDERLINE CHAOS?
Stabilizing Libya’s Periphery

Peter Cole
Summary

Libya’s borders remain largely ungoverned, and securing the periphery is among the country’s greatest challenges. Weak border control allows markets in arms, people, and narcotics to thrive alongside everyday trafficking in fuel and goods, with profound consequences for the region as a whole. For Libya to create a truly effective border security strategy it must do what no Libyan government before it has done—disentangle the web of economic and local interests that fuel Libya’s border insecurity.

Key Themes

• The government faces two profound legacy issues: an economically and socially neglected southern region whose inhabitants in large part rely on cross-border trade for their livelihoods, and a fragmented security sector with little apparent central coordination, equipment, or morale.
• The country’s Arab, Berber, and sub-Saharan communities are one source of border insecurity. Long marginalized by the state, these cross-border communities have created webs of dependency with kin in neighboring countries that facilitate illicit trafficking.
• For many armed groups operating in border areas, communal ties are stronger than their trust of or loyalty to the new government.
• Uncoordinated government departments and private brigades acting in the name of the state have forged uneasy compromises in an attempt to govern Libya’s border towns and posts, but they are often competing with each other, not cooperating.

Policy Recommendations

Ensuring better coordination within state institutions is a crucial first step. Departments within the Interior and Defense Ministries must work together to secure Libya’s borders. Clear lines of authority within and between departments should be established and government ministers should begin to collaborate at the executive level. Policies and practices must also be better coordinated between towns and border posts.

The state must overcome the independence of brigades on the borders. This is a substantive political problem that requires more than cracking down on the brigades. The state must also genuinely reform and develop its security institutions to regain the brigades’ trust and respect.
The government must take bold steps to integrate marginalized communities into Libyan society. The economic incentives for local communities to seek income from cross-border trade must be swept away by spurring local development and tackling social grievances. This will require, in particular, the establishment of more robust government institutions in Libya’s south and east.
Libya’s Border Struggles

The fall of the Qaddafi regime created a persistent crisis of governance in Libya’s extensive border areas. Close to a year after the regime’s collapse, large swathes of territory along Libya’s 4,300-kilometer border remain, in many ways, ungoverned and perhaps even ungovernable. Outside population centers, Libya’s armed forces have been unable to control migration and trafficking flowing through the country.

As Libya’s army and police forces collapsed during the 2011 conflict, large numbers of armed groups, describing themselves as brigades acting in the name of the February 17 revolution, cropped up in their wake. Many had not participated greatly in the fighting against Qaddafi’s forces and therefore had few loyalties other than to the communities from which they sprang; this was particularly so in Libya’s border territories, which were far from the revolutionary strongholds of Benghazi, Misrata, and the western mountains. The power vacuum formed in Qaddafi’s absence triggered localized conflicts over control of border posts and cross-border trade both between rival communities and between the central government and the many brigades.

The brigades, sometimes from faraway communities and in pursuit of their own interpretation of state functions, have seized control of border posts from Libya’s armed forces and Interior Ministry and engaged in their own border control activities. Elsewhere, border communities fight for control of trade routes or simply take the opportunity to settle old scores with those they deem either non-Libyans or Qaddafi supporters. The killing has subsided, but the border towns remain in a state of frozen conflict, with the Libyan army simply managing and administrating shaky ceasefires. As a result of this fighting, some of Libya’s border communities, like the Tabu and Tuareg—both non-Arab sub-Saharan ethnic groups—are less inclined than ever to trust or cooperate with the state. Illicit smuggling has increased, and the country is more dangerous and unpredictable for migrants and traffickers.

Libya’s incapacity to control its borders poses considerable problems for all its neighbors. Arms and people that transit Libya flow somewhat freely across the wider Maghreb, thanks to closely connected ethnic groups and organized criminal networks tying the region together. The situation is particularly dire in Mali, where Tuareg rebels in alliance with Islamist groups from across the Sahel used weapons procured in Libya to take control of the northern part
of the country. All this negatively affects the security of Europe as well, with trafficked goods and people entering the European Union (EU) proper.

For all its failings, during the 2000s the Qaddafi regime could control that traffic to Europe to a degree. Libya was and is one of the key trafficking hubs into Europe, affecting in particular Malta and Italy, whose island of Lampedusa lies a mere 600 kilometers from Libya’s shores. In the 2000s, Europe faced a marked uptick in illegal immigration and narcotics trafficking from West Africa, and the EU turned to Libya and other Maghreb states to tighten up their own borders in response.

Like many things in Libya before 2011, the security services that monitored border traffic were under Qaddafi’s thumb. Though it was chaotic and disorganized, at times serving Qaddafi’s contradictory policy objectives, the system was working to some extent and had developed a degree of predictability that was lost when the regime was overthrown. The new government may have better intentions than the old—one immigration officer stationed on Libya’s coastline lauded the change in regime as finally giving him the chance to do his job free of Qaddafi’s manipulation of immigration trafficking—but it has far less knowledge of and control over the actors on Libya’s borders.

But in truth, no Libyan government ever fully controlled its own borders and the trafficking that passed across them. The incentives to do so simply never stacked up, for either local government officials or Libya’s population. Instead, government negligence or discrimination encouraged border communities, shut out of the formal economy, to participate in informal trade and trafficking. Local government officials, sometimes denied more lucrative career paths in government, also took part, lured by the money and flows from illicit trade.

For Libya to create a truly effective border security strategy, it ideally has to do what no Libyan government before it has done and disentangle the web of economic and local interests that exist in Libya’s border communities. This requires grappling with deep-rooted communal issues, not least the issue of citizenship, and developing legal alternatives to the black-market economy. Border forces will need thorough restructuring and training, virtually from scratch, with the army taking over the task of surveillance from the various armed groups that now control Libya’s borders. Truly reforming the system will be a long process, which means that Libya’s restive borderlands will remain an issue for both Libya and Europe for a long time to come.

**Qaddafi’s Legacy**

With no physical barriers forming Libya’s border—save the Mediterranean Sea and the minefields that were the legacy of wars fought with Chad in the 1970s
and Egypt during the Second World War—and because Qaddafi invested so little in infrastructure and surveillance, Libya’s various security services could only monitor, not prevent, migration and cross-border trade. But their ability to carry out even this function has been affected by legacy issues within the security forces that hamper them still.

Under Qaddafi, the task of monitoring borders was carried out by ill-coordinated and competing departments spread across several ministries. The management of border posts and processing of visas and passports fell to the Interior Ministry’s Immigration Department, while the customs regulator, the General Department for Combating Smuggling and Drugs, was part of the Finance Ministry. Patrol of maritime borders and border posts was equally fragmented between the navy, naval coast guard, and Interior Ministry, with, for example, each of these bodies coordinating independently with European border forces. The Interior Ministry itself was siloed, with regional branches operating almost autonomously from each other and from the ministry’s central bureaucracy in Tripoli.

Consequently, individual border posts and towns enjoyed large degrees of autonomy. Few officials outside the major cities and ports had computers, and so the ability to access databases for travel documents or international blacklists, for example, was sometimes nonexistent. As a result, there were multiple lines of authority within each post. Facilities were woefully underresourced; border posts were sometimes little more than shacks, lacking even electricity.

Governance of some border territories, notably al-Wigh near the Niger border and the Ma’tan as-Sarah air base near Sudan, was handed over to the army, but this did not provide any centralized, coordinated control either. Qaddafi had deliberately divided and fragmented the force’s operations and chains of command. There was no defense ministry, with the army’s various branches instead reporting separately to Qaddafi personally via an Interim Defense Committee. The various brigades that made up Libya’s armed forces were kept in separate bases with separate communications frequencies and chains of command to Interim Defense. While the official National Army was stationed in and recruited mainly from the east, other brigades stood apart from the rest, with higher pay and better equipment.

This fragmentation allowed Qaddafi to easily override individual ministries or departments responsible for implementing a particular area of policy. A lack of coordination and of clear chains of command left Qaddafi the sole authorized decisionmaker. Border management, therefore, could be as quixotic and contradictory as the dictator’s personality. In general, though, Qaddafi successfully exercised some control over the borders.

Under pressure from European countries, and particularly Italy, Qaddafi managed to tighten the security of Libya’s maritime borders to prevent smuggling of people and goods to Europe. These efforts were given political impetus by Qaddafi’s public abandonment of his weapons of mass destruction program.
With Qaddafi’s support, illegal immigration and narcotics trafficking from Libyan shores to Europe drastically subsided between 2008 and 2010.

In addition, Libya tightened up, though did not substantially update, its archaic laws governing border flows—some of which had been unchanged since the 1950s. In 2004, Libya increased the penalties levied against smugglers, the people being smuggled, and others violating immigration requirements, and laws governing the employment of foreigners were tightened in 2007. In 2010, it further increased penalties imposed upon those who entered or stayed in Libyan territory without the required permissions; illegal migrants, whether trafficked willfully or not, were subjected to either a 1,000 Libyan dinar fine (today around $800) or indeterminate imprisonment. The government also redefined Libyan nationality rules to make Libyan citizenship distinct from citizenship of other Arab countries for the first time since 1954. With such changes, Libya did little to observe or entertain European insistence on human rights for migrants, and European powers did not insist strongly on such delicate issues at a time when tentative progress was being made elsewhere in relations with Qaddafi. Migrants “pushed back” from Europe were usually left to an uncertain fate.

This toughening up of Libya’s legal system and maritime security radically benefited Europe. Italy in particular was able to implement a so-called “push-back” policy in May 2009 that allowed the government to deport illegal immigrants directly back to Libya without independently assessing their asylum claims, according to one former Italian diplomat. The resulting radical drop in arrivals in Europe from over 37,000 in 2008 to 4,300 in 2010 illustrated just how effective such agreements could be for European powers.

Still, Qaddafi was not fighting the traffickers by sealing Libya’s borders but by applying pressure primarily on sea routes from Libya to Europe. Europe secured the cooperation of a government that was so intimately bound up with illegal trafficking that it was able to influence and control it, “turning off the taps” of migrant flow to Europe at Qaddafi’s will. And with policymaking so dependent upon Qaddafi’s whims and preferences, and his use of different branches of the security services to pursue different policy aims, confusion and frustration spread lower down the ranks, where no one was sure what “official” policy was.

One former member of Qaddafi’s internal security force who worked on efforts to counteract illegal migration—interviewed after his defection to the February 17 revolutionary movement—complained bitterly that coordination between the coast guard, the Interior Ministry, and the military prisons
that housed captured migrants was so bad that some of those captured while attempting maritime crossings were released. On more than one occasion, the officer suspected, instructions given to one branch would contradict the processes followed by another. Both Libyan government officials and diplomats believed that trafficking boats to Europe were allowed to continue whenever Qaddafi found it suitable. One officer interviewed suspected that some arrested migrants were deliberately released back into the arms of human traffickers operating in the port town of Zuwara, a key hub for migrants traveling by boat to Europe; he also alleged that some were recruited into the military.

**Libya’s Black Market**

Though Qaddafi could stem flows of migrants across Libya’s maritime borders, the regime never succeeded in increasing its control over its southern border. Partly, this was the result of policy calculation. A police officer in the far southern town of Murzuq told of the varying degrees of commitment with which the army in the nearby military base of al-Wigh would pursue human traffickers entering from Niger, advising traffickers of current policy according to Qaddafi’s calculations and orders at the time. But failure to control the southern border also reflected a structural issue, which was the close web of personal relationships between local government officials, between Qaddafi’s middlemen and representatives who oversaw them, local community notables, and trafficking networks. It will be extremely difficult for the new government to address this entrenched system of state subversion and gain full control of the country’s borders.

The movement of and trade in goods across borders, usually for significant markups when the traffic occurred between far-flung communities, was—and continues to be—the bedrock of the local Libyan economy, with roots far deeper than the Libyan state. Indeed, Libya’s legal system still does not clearly criminalize some aspects of the trafficking economy and does not fully comply with the UN Convention on Transnational Organized Crime, particularly where collusion with local authorities is concerned.

Throughout Qaddafi’s state, a host of incentives motivated actors at nearly every level of society to participate in the black market. Interviews with Libyan immigration officials, smugglers, and local officials provide an overall picture of how the system worked, although the corroboration of specific points is not always possible. Essentially, all interviewees agreed that both government officials and the local population had incentives to allow smuggling to continue. Land-border officials regularly held up and examined border traffic, whether illegal or legal, for multiple days, but the imposition of such obstacles was driven as much by incentives to enact a kind of toll—since with small...
payments, traffic could either bypass the border altogether or expedite customs inspections—as it was by the desire to enforce procedure. Though local officials obstructed traffic, their livelihoods were enriched by its continuance.

Qaddafi’s government relied on the empowerment of trusted individuals who, by being in Qaddafi’s confidence, were able to route around the relatively powerless government apparatus. Those individuals were well placed to profit from the informal economy in Libya’s major cities and administrative centers. For example, Colonel Masoud Abdul Hafidh, the governor of Sabha, a military zone under Qaddafi, collected tariffs from smugglers operating within his jurisdiction, as did community leaders from the Arab Zway community, heavily supported by Qaddafi, in Kufra. Qadhafa community leaders themselves controlled trade in some goods.

Similarly, locals too had many incentives and opportunities to collaborate with and participate in cross-border trafficking. According to interviews conducted with Libyan merchants and smugglers in Sabha earlier this year, at the small end of the scale, it was normal for Libyans traveling south to bring excess amounts of (heavily subsidized) fuel and food with them, and return with white goods, drugs, cigarettes, or alcohol, the distribution of which was heavily restricted in Libya. Larger commercial-scale ventures arbitraging food and fuel could be extremely profitable, but that required a more substantial investment. In the south of the country, cross-border trips, depending on the destination, took anything from fifteen days to a month, with the more committed smugglers managing a maximum of two trips per month. While a single trip could net anything from 100 to 10,000 or more Libyan dinars (approximately $8,000) this amount would be expected to be distributed among three to four families participating in the voyage, as well as safe house operators en route, interviewees explained. The amounts earned would be relatively small for the risk and time involved in undertaking the voyage (the risks from banditry were highest of all), though it would still significantly outweigh the few hundred dinars a month available through salaried state employment.

In particular, the socioeconomic position of the Tabu and Tuareg facilitated such activities. Both Tabu and Tuareg habitually socialized with and married their kin from other clans in different communities and countries. This strengthened their ties to relations in Chad, Niger, Mali, Algeria, and Mauritania. Tabu and Tuareg traveled regularly across borders to visit relatives and move livestock herds for grazing or for sale. In doing so, it was common for them to circumvent the official border crossings in order to avoid multiday delays. For some members of these groups, as well as Arab communities such as the Awlad Suleyman and Warfalla, who also had relatives across the Sahel, that type of movement relatively easily transitioned into the transit of goods back and forth. Border posts would normally be informed of this traffic, and often the illegal routes would not stray far from official roads or border posts.
The informal economy was thus recognized by border officials, and even regulated, but not controlled. Individual officials would benefit from kickbacks and the locals would benefit from the fast transit of goods. Indeed, recruits from the Tabu and Tuareg were present in the low-level ranks of the police and army, and many shared the same economic and citizenship issues as their kin working the black-market economy. Normally, this kind of illicit trade proved more lucrative than state employment, helping to thoroughly inculcate the black-market system into Libyan society.

The human trafficking economy was also well-established, providing both tariff income, a labor pool, and even military recruits to the state. Previously, human traffickers operated some of the more established and well-traveled routes into Libya. On the southern border, migrants tended to enter either through al-Wigh and Qatrun from Niger and western Africa, through a particular valley in the Tibesti mountains from Chad, or to Kufra from Sudan and eastern Africa. Once there, migrants were placed in safe houses; they would normally then work to supply the funds required for onward movement to the northern coast, where, again, many would either settle or work in order to provide funds for onward movement. The trafficking networks were therefore not only well-established but integrated into the local economy, and though the state often knew of their existence, the incentives to clamp down on such networks were not always clear. Illegal labor was also used to provide many state services that Libyan nationals would not touch.

With the fall of the Qaddafi government, migrant trafficking increased significantly. While some armed groups on the border tolerated and even participated in the trafficking, some revolutionary brigades engaged in roundups and attempted to disrupt the trade. Similarly, trade in illicit goods, not least the weaponry raided from Qaddafi’s army stores, drastically increased, while also triggering fighting between ethnic communities in the south.

The same incentives that permit cross-border trade of goods and people—a lack of alternative employment, poor state salaries, strong cross-border communal ties, the expense and effort needed to thoroughly monitor Libya’s land borders—that existed under Qaddafi persist today. And given the dearth of economic alternatives for many in southern Libya, that is unlikely to change in the near future. All of this makes securing Libya’s border regions very difficult.

The Fall of the Regime and Its Consequences

The collapse of the Qaddafi regime upset an order that had held for forty-two years. Regional governors fled, and any community that had benefited in some way from Qaddafi’s policies, such as the Qadhafia tribe or the Tuareg, found themselves subject to challenges and competition from previously
disadvantaged groups. The south also saw an influx of armed groups from the 
north, only partially disciplined and coordinated, some of which attempted to 
police or control trafficking. The resulting uncertainty had profound conse-
quences both for the state’s ability to manage Libya’s borders and for the fate 
of communities that live there and engage in cross-border activities.

The surviving border management bureaucracy attempted to continue its 
work much as before, despite the death or flight of the Qaddafi family, a sig-
nificant cadre of military generals and officers, and leading decisionmakers 
within the Interior Ministry. Yet they were challenged by a variety of armed 
groups that had taken control of border crossing points as Qaddafi’s forces 
withdrew or collapsed. The earliest ports in the east to come under rebel con-
trol—including Benghazi airport, Tobruk seaport, and the land-border cross-
ing of Salloum—did so immediately after the defection of the eastern division 
of the National Army, before armed civilian groups had a chance to coalesce. 
But thereafter, as the National Army took a backseat during much of the fight-
ing, subsequent borders and ports fell to civilian groups.

Libya’s interim government, the National Transitional Council (NTC), was 
able to do little to influence the activity of these groups, and it could not 
replace them. As a stopgap measure, the NTC’s interior and defense min-
isters registered and officially sanctioned the local military councils and the 
myriad of brigades across Libya’s borderlands. In reality, however, they were 
sometimes little more than local youth, some with military training, who had 
banded together to protect their towns from whatever eventuality lay in store 
for them.

The brigades that had formed and fought during the 2011 movement to 
overthrow Qaddafi were quite different. Those brigades, based essentially in 
Benghazi, Misrata, Zintan, and recently Tripoli, had merged into large, well-
organized coalitions spread across the country.9 They moved into Libya’s cen-
tral and southern hinterland aiming to protect key infrastructure and monitor 
conflicts emerging in border communities. By April 2012, they had formalized 
and legitimized their operations with the Ministry of Defense, calling them-
selves the Libyan Shield Forces.10

In turn, the National Transitional Council and the Libyan Shield Forces 
attempted to fold the local groups manning Libya’s borders into a “Border 
Guard.” But the armed groups controlling Libya’s borders lacked the kind of 
centralized management and recognized military leadership that the Libyan 
Shield Forces and the revolutionary brigades of Misrata, Benghazi, and Zintan 
possessed. Without such structures, any project aimed at coordinating these 
local groups meant little in practice, particularly given the meager infrastruc-
ture and communications available on Libya’s far-flung borders. While the 
armed forces’ new chief of staff, Yusuf al-Manqoush, was able over the course 
of 2012 to assert his executive authority over the field operations of the Libyan 
Shield Forces, he was not able to do so over the armed groups on the border.
This was also because the NTC itself resisted giving Manqoush the legal authority to rein in those forces; it was feared that if he was given that authority, the chief of staff would become too powerful compared to the nascent Defense Ministry.

In February, the NTC in its wide-ranging Law No. 11, which redefined the relationship of the Defense Ministry to the chief of staff, made the deputy minister of defense, Siddiq Mabrouk, the head of the Border Guard—and the ministry authorized units from local border towns such as Murzuq, Zuwarra, Kufra, and elsewhere to act in its name.11 This gave armed groups controlling local border posts a semblance of legitimacy in the form of registration and bringing them nominally under the authority of the Interior Ministry, though such formalities meant little in practice. Meanwhile, the Interior Ministry departments responsible for administrative procedures such as customs and travel documents inspection were, for the most part, permitted to return to work. This state of affairs, unsatisfactory though it was, allowed the NTC to save face with the armed groups that effectively controlled Libya’s territory.

But Mabrouk’s command and control over the Border Guard, as the defense minister himself acknowledged in an interview in April 2012, was often little more than nominal.12 The authorization of guard units was largely a temporary political compromise to satisfy local communities in control of border posts and not a genuine effort to build an effective force. The fact that the Interior Ministry and its Immigration Department remained in organizational disarray, with key decisionmakers removed, equipment lacking, and central and regional units noncommunicative with each other, did not help.

Consequently, Libya’s borders came under parallel, duplicated management, with the old official government departments going through the motions, while local networks observed, or carried out, duplicate border management activities side-by-side with them. As a consequence of poor management during the Qaddafi years, each post was shorn of connections to any kind of central command within the Interior Ministry, a problem compounded by the fact that the regular units now working in those posts did not trust official channels. Each post therefore operated on its own, obeying local dynamics. In the far-flung land borders, particularly those in the south across which most illegal human and commercial traffic flowed, the Interior Ministry was sometimes unable to deploy people at all, or had only token representation.

Armed groups took advantage of this dearth of official leadership to take control of border territories and posts. Misratan civilian fighters, during the lengthy siege of their town in April 2011, took control of Misrata’s sea ports and airports. After Tripoli fell in August 2011, fighters from Zintan gained control of the international airport.13 Zuwaran fighters took the Ras Jdeir border crossing with Tunisia—one of the country’s busiest—from retreating Qaddafi forces, according to residents of Zuwarra, Rijdalin, and Jmail, and other border posts fell to different groups, like the Tabu.
The Interior Ministry was able to deploy customs officials and immigration officers in Ras Jdeir, but brigades from the nearby town of Zuqara operated their own checkpoints. The same held true in other land-border areas. Throughout 2011 and 2012, the NTC attempted to withdraw certain armed groups from major ports and airports without success. Notably, attempts to pull back Zuqaran military brigades from the Ras Jdeir met with violent opposition. Likewise, attempts to dismiss Zintani brigades from Tripoli airport foundered repeatedly, though in May the forces did withdraw, only to be replaced by other militia brigades from Misrata.14

While informally, brigades and military councils acknowledged the material gains they made from controlling border crossings, some were also genuinely motivated to support the state. In an effort to demonstrate their own credibility, local military councils and their brigades took on a variety of roles typically reserved for the state, including border management, customs authority, and the detention of illegal immigrants, and pursued their own interpretations of those functions with zeal. The brigades claimed from the army the right to monitor borders, with the army decidedly ill-equipped to play any kind of advanced role doing so. This led to conflict as armed groups belonging to particular communities claimed the right to police areas used by neighbors for smuggling. And it further raised uncertainties for border communities attempting to control their trade and livelihood.

Zuqara, for example, created its own “Border Guard” unit in late March 2012 with other heavily pro-revolution armed groups from Nalut and Zawiya designed to cover the crossing at Ras Jdeir and the desert immediately south of it. The Zuqaran units set up a checkpoint at Al-Assa, an area located in territory considered to belong to a rival neighboring town, Rijdalin. Like the Zuwarans, the Rijdaliniis also engaged in cross-border trafficking with their kin in Tunisia. Rijdalini men attacked and captured the Zuwarans, prompting three days of fighting in early April 2012. At the same time, a similar unit in the south was set up in Murzuq, southern Libya, again prompting deep suspicion and tension with local Tabu armed groups, not least the man initially charged with putting the Border Guard unit together, Abdul Wahhab al-Gayed, who had background in the Libyan Islamic Fighting Group. (In August 2012, al-Gayed took a seat in Libya’s General People’s Congress, the successor organization to the National Transitional Council, leaving the southern Border Guard unit on hiatus.)

Fighting was not simply triggered by armed groups’ attempts to dominate trafficking routes, but also by the zealous arresting of smugglers. For instance, in May, the arrest of a Tunisian fuel smuggler near Zuqara by an armed group that attempted to confiscate both fuel and the smuggler’s vehicle led to demonstrations by Tunisians so severe that Tunisia’s government was forced to close the border crossing. Further skirmishes at the Wazin-Dabiha border
crossing with Tunisia in August also led to the closure of that border crossing—then reinforced with armed groups.

Libya did succeed in making some diplomatic progress with its neighbors on new bilateral agreements on border security. In February 2012, Libya concluded a tripartite agreement with Chad and Sudan on border surveillance and security, which was followed by two similar agreements with Algeria in March and April. Libya signed another such deal with Tunisia in March, but to date, no such agreement has been reached with Niger, which still hosts a number of exiled members of the former Libya regime. Still, with no coherent army or Interior Ministry to implement such agreements, they again are worth little more than the paper they were written on.

At bottom, neither the state nor the irregular armed groups holds the technology or the experience to adequately monitor Libya’s open borders. The new government must begin to address some of the deep-seated local grievances that perpetuate this broken system.

Ethnic Dissent and Border Control

As it attempts to regain control of its borders, Libya must deal with the hopes and fears of its sizeable cross-border populations in the south—specifically the Tabu and Tuareg, Libya’s Sahelian non-Arab minorities.

The communal conflicts of 2011–2012 that have erupted across Libya’s lengthy southern borders have generated much anxiety among the Tabu and Tuareg. In both cases these communities have fallen back on their own kin as a social safety net, and while they took opposing stances during the revolution, both have come to wholly distrust what has come after it. Their response has been to preserve their own armed groups, their own free movement across borders, and their autonomy.

The consequent lack of cooperation either with the Libyan army or with revolutionary brigades has made the notion of border policing little more than a fiction or aspiration. Both communities readily acknowledge that the borders are in practice wide open, but until their own local interests are addressed, neither is prepared to help address the interests of the Libyan state in securing these borders.

A History of Exclusion

The Tabu number approximately 350,000 spread across southeast Libya and northern Chad and Niger, while the Tuareg number roughly 1.2 million across Mali, Niger, Algeria, Libya, and Burkina Faso (no adequate census data on the Tabu’s total numbers or the Tuareg’s numbers in Libya exist). At present,
the Tabu have taken effective control of much of the southern borderlands, stretching from Kufra in the far east to Qatrun and al-Wigh, south of Sabha. While their networks are wide-ranging, their standing within Libyan society is a point of contention.

In 1954, shortly after its creation as an independent state in 1951, Libya's first and only census was carried out, and in the same year, the state stipulated requirements for Libyan nationality and citizenship that remain largely unchanged, being defined as dependent on the parents’ descent and/or on birth in the territory. With much of the population illiterate when the citizenship law went into effect, proof rested on the presentation of handwritten “family books,” which are still kept by Libyan households today (and were used, for example, in voter registration during the 2012 elections). For the marginal, nomadic Tabu and Tuareg populations, however, only a few were settled enough in the 1950s to even acquire family books. As a result, large numbers remained and still remain paperless.

Cultural and ethnic differences compounded the exclusion of the Tabu and Tuareg from the modern state, particularly their tradition of marrying into families that are of the same ethnic group but well removed, geographically and genealogically. That preference complicated their ability to integrate into Arab Libyan society, though some achieved a measure of integration, through either education and employment in a sector such as oil or the military or through service to a family (whereby a Tabu or Tuareg dedicated to a particular family becomes part of the fabric of a particular tribe or town). (Such cases, however, do not sway Libyan prejudices toward either ethnic group or the issues of exclusion they face.) The preference to marry and trade within their respective ethnic groups made it much harder for Tuareg and Tabu to conclusively prove Libyan citizenship under laws drafted primarily in the Arab cultural context. Moreover, the Tabu and Tuareg, with their close economic and social connections to their counterparts in other countries in the region, were increasingly viewed as the “other” by Libya’s Arab population and even the Qaddafi state. History books printed under Qaddafi, for example, acknowledged the Amazigh origins of the Tuareg and Berber Libyans, while ignoring the Tabu entirely; many Libyans interviewed says the Tabu were considered “African,” “Chadian,” and “not Libyan.”

Undoing this state of affairs requires substantial engagement with the root issues of Tabu and Tuareg irredentism.

The Tabu

The Tabu once shored up and supported the Libyan army—the bodyguard of King Idris, Libya’s ruler from 1951 until 1969, included many Tabu recruits. The distrust that Tabu armed groups currently hold toward the Libyan army and government is a more recent development, deriving in large part from the legacy of Qaddafi’s intervention in Chad from 1978 to 1987.
In the 1970s, Qaddafi offered the paperless Tabu an easy route to Libyan citizenship in exchange for their political support in Libya’s territorial claim over the Ouzou Strip—a stretch of territory running along the Libya-Chad border that comprised a key part of Tabu homelands. Qaddafi occupied the strip in 1972, and by 1977, Libya was supporting Tabu Chadian insurgents against the Chadian government in Ndjamena. Meanwhile many Tabu lacking citizenship papers, whether authentically “Libyan” or not, had been granted citizenship by the Libyan government from 1973 onward on the condition that they register in the Ouzou Strip, thus cementing Libyan claims to the territory and encouraging a new generation of Tabu of Chadian origin to enter the armed services and become naturalized Libyans.

Tabu fortunes changed after the political alliance between Qaddafi and Tabu Chadian insurgents broke apart. In 1978, after being repelled by French troops stationed in Chad, the Tabu insurgents’ leader, Goukouni Oueddei, expelled Libyan military advisers from the Ouzou Strip and reached out politically to France. Though Qaddafi and Oueddei continued to attempt to cooperate after the insurgents entered a national unity government in Chad in 1980, by 1981 relations between them had deteriorated swiftly. With Libyan military deployment in Chad ever-increasing, Qaddafi turned instead to solicit the support of Arab elements within the unity government against the Tabu, who too had become members of that government. By the mid-1980s, Qaddafi, still trying to consolidate his military presence in Ouzou, was in head-on conflict with Goukouni Oueddei and the Tabu in the so-called Tibesti war.

Because blood relations between Libyan and Chadian Tabu were so close, the Chadian wars meant that Qaddafi’s government ceased their initial support for Libya's Tabu, and instead pursued the “Arabization” of Libya’s south. In the 1980s, the Libyan government began to encourage the repatriation of Libyan Arab tribes that had settled in Chad and Niger—Awlad Suleyman and Warfalla tribes in particular. In Sabha, these groups settled in large tent cities and vociferously supported Qaddafi’s policies and his interventions in Sahelian affairs. In Kufra, Qaddafi began patronizing the Zway, an Arab group that had long fought with the Tabu over farmland and water resources. Tabu neighborhoods in Sabha and Kufra were demolished, and residents were compelled to move into poor slums on the towns’ outskirts or further south into the desert. Chadian refugees entered the country, raising communal tensions still further. Worse, after the Ouzou Strip was awarded to Chad in 1994 by the International Court of Justice, Tabu who had registered in the strip found their papers frozen, leaving them marginalized to this day, living in quasi-legal slums, and unable to secure new jobs. Those who had low-paying state jobs were reliant on keeping them to avoid deportation.

This history of discrimination and political manipulation underscores the position of the Tabu today. Moves by Qaddafi’s government in 2007 to withdraw citizenship from Tabu in Kufra prompted the formation of a new
opposition group, the Front for the Salvation of Libyan Tabu led by Issa Abdul Majid Mansour, and in 2008 a significant uprising in Kufra ensued, suppressed by the Libyan army. Thereafter, the forcible eviction of Tabu from Kufra and the destruction of their homes continued, according to the Society for Threatened Peoples, which described the Libyan government as pursuing a deliberate policy of ethnic cleansing.

Unsurprisingly, the Tabu joined the revolt against Qaddafi early on, while the Arab tribes so favored by Qaddafi in the south—the Zway, Awlad Suleyman, many Warfalla in Sabha, not to mention the Qadhafa tribe—stayed loyal. But in joining the uprising, the Tabu ensured from the beginning that they secured enough concessions and compromises to protect their interests in the uncertain times ahead. On May 23, 2011, Qaddafi’s government issued an official decision granting the Tabu registered in Ouzou citizenship en masse as a means of enlisting support against the rebels. The Tabu accepted the decision, and with it large numbers of weapons from the governor of the military zone in Sabha.

With these concessions, the Tabu promptly began securing their historical lands, throwing their lot in with the rebel movement. Kufra had been fought over throughout April, with Issa Abdul Majid taking final control of the town on May 6. The NTC allowed Issa to maintain control of the Kufra region, extending to the southeastern borders with Sudan and Chad. In the country’s south, Tabu began taking control of the southern borderlands. The military base at al-Wigh, southeast of Sabha near the Niger border, fell in June, followed by the border town of Qatrun, the desert plateau of Umm Aranib, the town of Zweila, and finally the town of Murzuq. Sabha itself fell on September 20 with the coming of substantial numbers of rebel forces from the north.

In the political vacuum that followed the collapse of the regime, the Tabu attempted to consolidate their gains. With, the Tabu claimed, promises by the NTC to honor Qaddafi’s May 23 decision, the Tabu began submitting citizenship applications to the Libyan government. In Kufra, Qatrun, and Murzuq, the Tabu took control of the local military councils; they also secured the large numbers of weapons from al-Wigh airbase. Tabu from Chad and the Ouzou Strip, and those Tabu who had registered in the Ouzou Strip in the 1970s, returned to Kufra and other Tabu strongholds. By the time of Qaddafi’s death on October 23, 2011, the Tabu de facto controlled much of the southern border, including land entry points.

Naturally enough, the Tabu’s change in fortunes generated hostility among Libyan Arabs of the south who still viewed the Tabu as non-Libyans. Economic rivalries over smuggling routes combined toxically with the tensions over ethnicity and citizenship. In Kufra, Issa Abdul Majid Mansour’s seizure of border areas upset the balance of power with the Zway, who under Qaddafi had collected tariffs on smuggled goods and run some safe houses. A shooting incident that led to the death of a Zway man at the hands of a Tabu
militia in early February 2012 sparked a full-blown conflict between Zway and Tabu that quickly escalated to the use of rocket-propelled grenades and anti-aircraft weapons.\textsuperscript{21} A ceasefire wrought by local notables repeatedly broke down in April and June 2012 over similar disputes.

Another conflict was sparked in Sabha in March 2012 when members of the Awlad Buseif, an Arab community, accused a Tabu of stealing a car. The local military council, dominated by the Awlad Suleyman, who had supported Qaddafi’s marginalization of the Tabu during the 1980s and 1990s, intervened in the dispute. Making matters worse, local council authorities claimed that the Tabu and Awlad Suleyman were at the same time in competition over cross-border trade, with armed groups from both sides capturing convoys belonging to each other. A planned reconciliation gathering at the People’s Hall (a Qaddafi-era municipal building) degenerated into a firefight, followed by five days of intense combat. Residents from across Sabha converged on and shelled Tabu shantytowns; at least 147 died and approximately 500 were wounded.\textsuperscript{22}

The effect of the clashes was to polarize both communities and make Libya’s border areas even more ungovernable. Tabu military groups felt that the Libyan army, which followed the Libyan Shield into Kufra to monitor agreed ceasefires in both towns in early March 2012, privately favored Arab Libyans over them. The Libyan Shield Forces were accused of being equally partisan.\textsuperscript{23} With fears that elements in both would use the security vacuum to ethnically cleanse the Tabu from the area, Tabu militias held fast to their territory and their weapons. Issa Abdul Majid Mansour himself turned from being the NTC’s ally in the area to an outlaw when his followers refused to put down their arms, fleeing instead to the borderlands. Charges from Libyan media that Tabu have since been supported by Chadian and Sudanese armed groups, while probably largely untrue (one Tabu noted that Libyan Tabu were better-armed than their southern counterparts),\textsuperscript{24} are also hard to disprove. They also raise the initial, charged question of which Tabu are “Libyan” and which are not.

While the security consequences of the Tabu’s irredentism are all too evident in the south today—Libya’s borderlands from Niger through to Sudan remain largely outside state control—the political consequences appear milder. The Tabu have organized politically, with offices in Tripoli mounting a small effort to lobby the government, but they have few political demands beyond the redress of citizenship issues and the provision of better jobs and services. Secession or unification with Tabu areas in neighboring countries is extremely unlikely; Tabu homelands are resource-poor and though contiguous are not connected by roads or other infrastructure.

The Tabu also claim that the possibility of radicalization against the state appears low. Some Tabu activists have asserted, in interviews with the author, that 2004 saw a purported attempt by Abdul Raziq Boraq, a courier working on behalf of al-Qaeda, to sound out Tabu loyalties, but the Tabu appear
to have been unreceptive to such efforts. The 2011 conflict in the south saw the return and rise to prominence of many former Afghanistan fighters and mujahideen—Kufra, for example, saw the return in May of Mustafa Bu Juful, a Zway mujahid from Benghazi who had fought in Afghanistan and was subsequently killed fighting in Sirte. But few if any such returnees are known to be Tabu in origin, while comparatively many come from Arab communities resident in the south. Tabu issues are therefore comparatively unlikely to be internationalized, making a political solution all the more within the reach of the Libyan government.

The Tuareg

The Tuareg have also faced discrimination, borne of different historical circumstances. Large numbers of Tuareg immigrated to Libya in the 1970s following a large-scale drought in the Sahel and political persecution in Mali. Their Berber roots (the name Tuareg is cognate with the Berber name for Fezzan province, Targa) conflicted with Qaddafi’s insistence on Libya’s Arab identity. However, with Qaddafi’s “turn” toward Africa as a source of political support and economic influence during the 1990s, when Libya was under Western sanctions, he began increasingly to recruit Tuareg of Malian and Nigerian origin into the armed forces, with Tuareg entering standing brigades. These included the Tarq brigade, based in Awbari; the Fars brigade, based in Sabha; and to a lesser extent, the well-known 32 or Khamis Brigade, headed by Khamis al-Qaddafi, one of Qaddafi’s sons. Tuareg were a part of the short-lived Islamic Legion, one of Qaddafi’s early military projects aimed originally at unifying the Sahel and deployed extensively in Chad in the 1980s, and they also made up a second such brigade of roughly 5,000 named the Black Battalion, which was, according to some, also deployed in Chad. Successive Tuareg rebellions in Mali and Niger during the 2000s led to closer relations with the Qaddafi government, with Qaddafi supporting the Tuareg as a mediator with the Nigerian and Malian governments.

Though Qaddafi cannot be said to have liberally armed the Tuareg, they certainly sought such support from the Qaddafi regime, and further waves of settlement and integration into the Libyan armed forces occurred during the 2000s. In 2005, Qaddafi rolled out a separate, reduced category of citizenship aimed, in practice, primarily at these Tuareg. Relations with neighboring Arab groups remained tense, as with the Tabu, but with the added complication that many Libyans saw the Tuareg as supporting the regime throughout the uprising against Qaddafi. In fact, though some Tuareg did come across from Niger and Mali to fight for the Libyan army on a paid basis, for many, such experiences were short-lived. While some loyalists fought until the end, many Tuaregs who had settled in Libya and even enlisted in the armed forces simply moved back to Mali and elsewhere soon after NATO’s imposition of a no-fly zone over Libya in March 2011. Being somewhat less settled than the Tabu,
the Tuareg could—and did—abandon their posts in the armed forces and leave the country. Though many left, many communities remain in the southwest and, as with the Tabu, come under ethnically motivated attack.

This had implications across the region. In Mali in particular, returning Tuareg fighters fueled a rebellion in the north of the country and forged links with al-Qaeda in the Islamic Maghreb,27 relying on strong support from Tuareg in other countries, such as Mali. In return, the Libyan Tuareg were able to supply other Tuareg—according to those with knowledge of the black market in Sabha, as well as what can be deduced from the Tuareg rebellion of 2012 in Mali28—with the kind of weaponry that secessionists had long unsuccessfully sought from the Qaddafi regime.

While the Tabu came into bloody conflict with Arab neighbors in 2012, the Tuareg largely did not. This is at least partly because the few towns with substantial Tuareg populations, such as Ghat and Awbari in the far southwest, did not have substantial Arab Libyan populations. However, the Tuareg did suffer from the perception of having fought on Qaddafi's side, and therefore faced discrimination and attack in the post-Qaddafi era. In the far west town of Ghadames, where resident Tuareg and Arab Ghadamesiyya (local Ghadames residents) came into conflict soon after the fall of Tripoli. There, the Ghadamesiyya had their own armed group that had the backing of the NTC, and so set up their own military and local council to govern the area. Tuareg attacked the city in September 2011, claiming that Ghadamesiyya were destroying homes and making unfair arrests; seven or eight died in the subsequent fighting.29 The root causes of the conflict—the status of the councils or of wrongdoers whom both sides wanted to see brought to justice—remained unresolved and clashes continued through the first half of 2012.

The Tuareg in ghadames are choosing to rely on de facto autonomy and on securing their own defenses rather than placing their faith in the interim government or local community notables' attempts to negotiate peace between the Tuareg and the Ghadamesiyya—five of which have come to naught.30 While women and children were allowed to stay in Ghadames to use schools and facilities, most men have been evicted and have relocated to small nearby towns.31 Others have simply fled to Algeria or further afield. Tuareg are putting their hopes on creating an entirely new town, which they name al-Waal, as the only sustainable solution. Some Tuareg representatives and local leaders note, privately, that the Tuareg rebellion in Mali will help deter their further marginalization more than any peace initiatives, and they are stockpiling weapons accordingly.

**Conclusion**

Tackling the economic incentives that lie behind smuggling, the corruption of local border guards, and the seizure of border posts by armed groups requires
addressing deep, difficult socioeconomic issues that have plagued Libya's south for as long as it has existed. The competing security solutions—whether high- or low-tech—that various countries have offered to the Libyan government would help, but any security solution can be subverted if enough incentives compel the actors involved to do so.

Securing the borders of the vast country therefore requires the reform and formalization of the security sector as well as investment in training, equipment, and infrastructure for border security posts. As important is the reform of the country’s administrative system, so that clear lines of authority within and between departments can be established for the first time and government ministers start to cooperate at the executive level. The constitution-writing project in which Libya is about to engage is an excellent opportunity to clarify lines of authority at the ministerial level and create the necessary new institutions.

Clearer lines of authority and a better-equipped workforce will help give Libya’s security forces some momentum. But dealing with the armed brigades with which the security forces must work in parallel is a deeper issue. The September 11, 2012, attack on the U.S. consulate in Benghazi has encouraged the Libyan government to take a harsher line with the brigades, but at root the issue is not just one of toughness, but of politics. The brigades’ justifications for remaining apart from the state are numerous, but the most common themes are a distrust that the new state is sufficiently reformed from the old, a disrespect for the army’s and police’s “weakness,” and, in the case of Tabu and Tuareg groups, that their communities face a racially motivated threat. Those justifications, one by one, must be removed.

The economic incentives for local communities to seek income from cross-border trade must be swept away too. This involves sponsoring development and tackling social issues that have been neglected since Libya’s creation as a modern state. Tabu and Tuareg citizenship claims must be thoroughly redressed, and both communities must be offered a political and economic stake in the new Libya, including the provision of education programs and jobs. The imposition of tolls and tariffs by border police, and the sometimes-arbitrary holdup of travelers for several days, should end, as all such things encourage informal routing around border posts. Those stripped of their citizenship for ostensibly political reasons while they continue to hold lawful employment with the Libyan state should be rewarded appropriately. The use of non-Libyan (or legally ambiguous) Tabu and Tuareg citizens as auxiliaries in the armed and police forces, if it is to continue, must also be placed on clear legal footing in order to finally put an end to the Qaddafi government’s tacit encouragement and manipulation of such issues for political purposes.
The end goal for Libya should be to steadfastly undermine and remove the deeply entrenched incentives to engage in illegal or quasi-legal cross-border activity—something that can only be achieved by creating a stable and prosperous south. The recent conflicts in the country have opened the eyes of many Libyan officials and conflict negotiators—in some cases, for the first time. They must not be forgotten as Libya’s new government starts to grapple once again with its own borders.
Notes

1 Libya’s armed groups are frequently described in the media as “militias.” While convenient, the nomenclature is arguably misleading and inaccurate. In the Libyan context, the equivalent (milishiyyaat) tends to describe an exclusively non-state group, whereas Libya’s armed groups (brigades) either sprung up as part of a revolutionary effort or were since formed with the sanction, if not blessing, of the National Transitional Council and the defense and interior ministries. Neither are they exclusively civilian, counting many former military officers among their number. Since in Libya they are termed “brigades” (kata’ib), the same nomenclature is used here. For further taxonomy of armed groups in Libya see International Crisis Group, *Divided We Stand: Communal Conflict in a Fragmented State*, forthcoming; and Brian McQuinn, “Capturing the Peace,” *Small Arms Survey*, 2012.

2 The European Union, which carried out a needs assessment after the revolution, during which border stations were looted, noted a similar dearth in capacity. See European Union, “Integrated Border Management Needs Assessment for Libya,” May 31, 2012.

3 Ibid.

4 For further details, see European Union, “Integrated Border Management.”

5 Having not ratified the 1951 UN Convention on Refugees (the Geneva Convention) or its 1967 protocol, Libya neither made efforts to coordinate or agree with it. Migrants were rarely informed of their rights in detention; there was no legal basis for the application of rights as defined in international law, and responsibility for their custody and its duration was ill-defined. According to reports by UNHCR and Amnesty International, beatings, rapes and other infringements of rights continued.


9 For a case study of how this process occurred in Misrata, see McQuinn, “Capturing the Peace.”

10 For more on this process, and on the emergence of local military councils and other armed groups, see International Crisis Group, *Divided We Stand*.


12 See notes from a television interview with the defense minister broadcast on Libya al-Hurra, April 28, 2012, subsequently provided to the author.


See European Union, “Integrated Border Management.”

Ibid.

Ibid.

See Maslahat al-Ihsa’ wal-Ta’dad (General Population Census of Libya), 1954.


See International Crisis Group, Divided We Stand: Libya’s Communal Conflicts.


For background, see International Crisis Group, Mali: Avoiding Escalation, Africa Report no. 189 (2012).


Author interview with foreign conflict mediator in Ghadames, May 2012.


Ibid.
About the Author

Peter Cole was senior analyst on Libya with the International Crisis Group (ICG) during the revolution and the ensuing transitional government, providing background briefings and policy analysis to the UN, EU, governments, companies, NGOs and most major media outlets. He spent thirteen months on fieldwork in Libya and is the author of two ICG reports: Divided We Stand: Libya’s Enduring Conflicts, and Holding Libya Together: Security Challenges After Qadhafi. Prior to his work with ICG, Cole completed an MPhil in Modern Middle Eastern Studies at Oxford University, focusing on corruption and the management of Libyan sovereign wealth. He will be returning to Libya in November with Small Arms Survey to work in depth on the SSC and the dynamics of armed group confrontation in the east later in 2012. He is also the co-editor of a forthcoming history of the Libyan revolution, provisionally titled Libya’s Revolution and the Transition and published with Hurst/Oxford University Press.
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