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Promoting a more transparent and accountable NATO

NATO starts around-the-clock surveillance of Libya.....but allies remain divided over no-fly zone plan

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The popular revolts that toppled the long-time leaders in Tunisia and in Egypt and triggered mass protest rallies across the Middle East and North Africa continue to test Alliance solidarity and purpose. None more so than the escalating conflict in Libya. At a [press briefing](#) in Brussels yesterday, NATO Secretary General Anders Fogh Rasmussen said that attacks against civilians in Libya may amount to "crimes against humanity".

Box 1: 10 things you need to know about Libya:

- Libya is the fourth largest country in Africa by area, and the 17th largest in the world. It is larger than Iran, Egypt and South Africa
- Libya's coastline is as long as the distance between London to Naples
- The capital, Tripoli, is home to 1.7 million of Libya's 6.4 million people.
- The population in each of the three regions ([Tripolitania](#), [Fezzan](#), and [Cyrenaica](#)) has a different history and identity and only thought to describe themselves as 'Libyans' after independence in 1951.
- In 2009, Libya had the highest Human Development Index in Africa and the fourth highest GDP per capita in Africa
- Libya is one of the world's 10 richest oil-producing countries.
- From 1943 to 1951, Tripolitania and Cyrenaica were under British administration, while the French controlled Fezzan.
- The name of 'Libya' was borrowed from the Italians who made their North African colonies part of the mother country as Libia Italiana in 1939
- From 1927 to 1934, some 150,000 Italians settled in Libya, constituting roughly 20% of the total population
- This former part of the Ottoman Empire was secured for Italy following the Italo-Turkish war of 1911 and the Treaty of Lausanne (or Ouchy)

He said the "outrageous" response of Colonel Gaddafi's regime to protests had created "a human crisis on our doorstep which concerns us all" and reiterated his strongest condemnation.

While events on the ground were fast-moving, Rasmussen added that: "I can't imagine the international community and the UN standing idly by if Colonel Gaddafi and his regime continue to attack his own people systematically". However, he underlined earlier statements that [NATO has no intention to intervene in Libya](#) and that a UN mandate is needed to establish a no-fly zone. Several NATO governments with strong economic ties to Libya, including Turkey and Italy, have also made clear their view that military action by the Alliance would require at least a UN mandate.

NATO's Defence Ministers will discuss Libya at a scheduled meeting later this week in Brussels. Although NATO planners are examining "all eventualities", Rasmussen declined to go into specifics about NATO's planning process, only saying that NATO member states "have at their disposal a broad range of assets". However, the US ambassador to NATO Ivo Daalder also [told reporters yesterday](#) that the Alliance has launched 24/7 surveillance flights of Libya. It has been flying Airborne Warning and Control System radar planes for 10 hours a day over the Mediterranean Sea and the increase to round-the-clock coverage will allow NATO to determine "what it would take to do a no-fly zone", Ambassador Daalder said.

Ankara, meanwhile, has undertaken its largest ever evacuation effort of Turkish citizens from Libya, involving the repatriation of some 20,000 Turks, and [Turkish policy makers](#) are visibly nervous about potential NATO involvement. During a visit to Germany last week Prime Minister Erdoğan firmly objected to any NATO intervention in the Libyan crisis while also strongly



criticizing European countries for their “double standard” approach towards the developments in North Africa.

But if the situation in Libya deteriorates further and creates a major humanitarian crisis it might yet trigger international intervention by a coalition of

governments led by the United States and other Western powers. Whether that move would be sanctioned by the UN Security Council (UNSC) remains to be seen, but there are strong indications that Russia and China would veto such a resolution. If so, this would also seem to rule out a NATO-led mission, and instead herald a rerun of the ‘coalition of the willing’ that proved so divisive in Iraq in 2003.

Among NATO allies, it is again US and UK voices that appear to be leading the call for intervention to bolster the anti-Gaddafi uprising. David Cameron has been determined to back the resistance, despite earlier criticism from the Pentagon for raising the idea of a NATO no-fly zone and a [heavy-handed attempt at engaging with Libya's rebel commanders](#). Following an initially cautious response from the White House, as well as resistance from American and British military chiefs, President Obama subsequently began placing US military assets near Libya to ensure he had the “full capacity to act” if the situation deteriorated further. British, French and US officials are also [reported to be working on a draft UN resolution](#) that includes language on a no-fly zone that may include triggers rather than timelines for taking such a step. The assumption is that if gross violations of human rights are committed the text could be quickly turned into a resolution, and one that Russia and China might find difficult to veto.

According to a report in *Jane's Defence Weekly* on 2 March, a NATO team mostly comprising US personnel was deployed to eastern Libya on 27 February to determine whether a no-fly zone could be imposed (which raises questions as to why Britain felt it necessary to mount its own independent operation). The report said that “experts in airlift and command-and-control operations based at NATO headquarters in Brussels” were dispatched “to search for possible radar sites to aid the enforcement of any possible no-fly zone over Libyan airspace and to liaise with officers from Libyan military units that have abandoned the 41-year-old regime”.

On 3 March, the Arab League [also said it would study and consider imposing a no fly-zone](#) on Libya in co-ordination with the African Union, while cautioning against any direct outside military intervention. And yesterday, the six Persian Gulf states of the Gulf Cooperation Council called on the UN to impose a no-fly zone to protect civilians.

Box 2: Are no fly zones effective?

Iraq (1991-2003): The initial intent of the no-fly zone, enforced by the US, UK, France, Turkey and other states, was to prevent possible bombing and chemical attacks against the Kurdish people by the Iraqi regime. While the enforcing powers had cited [UNSC Resolution 688](#) as authorizing the operations it contains no explicit authorization. The no-fly zone was extended to southern Iraq in 1992 to protect Iraq's Shia population. While the no-fly zone saved lives in Kurdish northern Iraq, it failed to protect the Shias in the south.

Bosnia and Herzegovina (1993-95): [Operation Deny Flight](#) was a NATO mission to enforce a UN-sanctioned no fly zone, which was later expanded to include close air support for UN troops in Bosnia and to carry out coercive air strikes. However, the no fly zone failed to prevent the [Srebrenica massacre](#) and other atrocities on the ground.

Kosovo (1999): NATO's air campaign over Kosovo and Serbia, [Operation Allied Force](#), was a very controversial mission in a war that still remains a contested issue. The proclaimed goal of the NATO operation was summed up by its spokesman as “Serbs out, peacekeepers in, refugees back”. NATO flew more than 38,000 sorties in 78 days, but it led to an acceleration in ethnic cleansing. Nor did NATO have the backing of the UNSC but justified the intervention on the basis of an “international humanitarian emergency”. The use of technologies such as depleted uranium ammunition and cluster bombs was highly controversial, as was the bombing of oil refineries, chemical plants and bridges across the Danube.

Libya (2011?) Enforcing a ban on flights over Libya would prevent Libyan planes from strafing civilians and may also enable safer evacuation of non-Libyans. It might also help prevent mercenaries, weapons and other supplies from reaching Gaddafi and his security forces. However, it would be unlikely to prevent atrocities on the ground and might lead to an escalation in the violence and other unforeseen consequences.

The imposition of a no-fly zone over Libya or any other military intervention remains controversial and fraught with risk (see Box 2). Enforcing a no-fly zone would be a complex operation that would require bombing the Gaddafi regime's radar, missile defences and possibly airfields. Libya is believed to have about 50 Soviet-era SA-6 surface-to-air missile batteries along its coastline, which are easy to move to avoid detection. The Libyan air force flies Vietnam-era, Soviet-designed MIG fighters that are not considered much of a threat to NATO aircraft.

But to monitor Libyan territory from the air—the desert nation is about five times the size of Germany—would require between 100 and 150 flights a day, which even NATO would find hard to sustain over a long period of time. Some analysts have suggested that over-flights could be targeted on the coastal areas, since most of Libya's six million people live near the sea in two of the country's three regions, Tripolitania in the west and Cyrenaica in the east. Other analysts have suggested that ground troops would be eventually required to effectively stop atrocities against civilians.



Additional military options under consideration include stronger enforcement of the UN arms

embargo and a humanitarian aid operation using military cargo planes to transport tents, food and medicines for the hundreds of thousands of refugees who have fled to Libya's borders. Sending weapons and supplies to the rebels (via Saudi Arabia) is also said to be [under consideration in Washington](#) although the UN arms embargo makes this unlikely as well as illegal.

A further problem is that the shape of Libya's rebellion is still relatively undefined and the fledgling opposition movement seems to be sending mixed messages: earlier reports that they did not want intervention are beginning to be replaced by calls for a no-fly zone to prevent air forces loyal to Gaddafi from launching bombing raids against them. Arming rebels or undertaking military operations on their behalf would also make Western governments parties to the conflict and possibly an unfolding civil war. Finally, the [security of Libya's remaining stockpile of chemical weapons](#), which are awaiting destruction at a storage site roughly 50 miles from Tripoli, are also a cause for concern.

Rasmussen's comments came as the [UN Office for the Coordination of Humanitarian Affairs issued an appeal for \\$160 million in international aid](#) to help about one million people either fleeing Libya or stranded in the country. Speaking in Geneva yesterday, UN humanitarian coordinator Valerie Amos said the appeal is based on a projection of 400,000 mostly migrant workers fleeing the Libyan unrest, including more than 200,000 people who already have fled since the uprising started last month. She says another 600,000 people stuck inside Libya also are in need of humanitarian aid.

As the crisis threatens to descend into a long civil war, UN Secretary-General Ban Ki-moon has also appointed former Jordanian foreign minister Abdelilah Al-Khatib as a special UN envoy for Libya. He will "undertake urgent consultations with the authorities in Tripoli and in the region on the immediate humanitarian situation as well as the wider dimensions of the crisis," according to the UN statement. While stronger measures may still be needed to ensure the protection of the Libyan population, international response to the crisis has been firmer and swifter than in many previous mass atrocity situations.

This is only the second time that the 'responsibility to protect' (R2P) doctrine has been explicitly invoked by the UNSC in a country-specific situation: the first being Darfur. [Resolution 1970](#) was unanimously adopted on 26 February, which, in addition to imposing an arms embargo and targeted financial sanctions, made reference to Libya's R2P and referred the situation to the International Criminal Court (ICC) for investigation into reports of crimes against humanity. The ICC [decided](#) on 2 March to launch an investigation.

Box 3: Further reading on R2P and Libya:

- [How the West can end Gaddafi's slaughter](#), Geoffrey Robertson, *Sydney Morning Herald*, 7 March
- [Libya and R2P: What now?](#) Tim Dunne, *The Interpreter*, 3 March
- [Statement by Amnesty International](#), 2 March
- [No-fly zone will help stop Gaddafi's carnage](#), Gareth Evans, *Financial Times*, 27 February
- [Statement by the Group of Friends on Responsibility to Protect on the situation in the Libyan Arab Jamahiriya](#), 25 February

However, despite being relatively robust the measures adopted will do nothing to prevent further atrocities if the majority of the Libyan army and security forces remain loyal to Gaddafi. On the other hand, recent history (in Iraq and Afghanistan) shows that military intervention by external powers with woefully inadequate intelligence is likely to create more problems than it solves and may end up costing more lives.

Conclusions

Gaddafi's violence puts Libya well within the definition of a people threatened with mass atrocities. It may have made things easier to make the case for a humanitarian intervention had NATO adopted R2P as part of its new [Strategic Concept](#) agreed at Lisbon last November. The fact that it didn't leaves the Alliance and some of its leading member states open to accusations, whether real or false, of opportunism and double standards. (In Iraq, 50,000 US troops protect a government which [recently killed 29 peaceful demonstrators](#) demanding reform. In Bahrain, home of the US fifth fleet, the regime has been [attacking protesters with British-supplied 'crowd-control equipment'](#) for weeks. And on a recent visit to Egypt, [David Cameron took with him eight defence firms peddling military equipment](#)).

It also muddies the R2P agenda when prominent neo-conservatives associated with the George W Bush Administration and the illegal Iraq war, such as Robert Kagan, William Kristol and Paul Wolfowitz, [support the call for intervention](#) in Libya. As [one R2P sceptic](#) put it, "the idea that states which are themselves responsible for the deaths of hundreds of thousands in illegal wars, occupations and interventions in the last decade, along with mass imprisonment without trial, torture and kidnapping, should be authorised by international institutions to prevent killings in other countries is simply preposterous".

On balance, therefore, while it seems prudent to begin preparations for a no-fly zone, especially in terms of seeking to garner the necessary political support for UN approval if the situation deteriorates further, the focus at this time should be on non-violence, allowing Libyans to be the primary players and clarifying some urgent questions (see Box4).

NATO member states, both individually and collectively, could certainly do more to strengthen and ensure effective implementation of measures already taken by the UNSC. They could also commit to not arming despotic regimes in the future by, for example, taking concrete steps at the [Arms Trade Treaty negotiations](#) currently



Box 4: Urgent questions NATO should be asking before considering any military intervention:

- What is the legitimacy and basis for supporting a group of rebels in the eastern part of Libya as the *de facto* 'new Libya'?
- If this is a civil war, what separates the two sides? Is it simply Gaddafi or do identity, geography and/or ideology come into it too?
- What degree of popular support does Gaddafi have in Libya?
- Does NATO have sufficient intelligence to mount an effective military intervention?
- What would an 'effective intervention' seek to deliver?
- What are the potential 'blowbacks' from intervention, including the likely impact on what has been until now a predominantly organic, home-grown democratic movement across the region?
- What are the potential consequences for Libyan citizens and the future of the R2P doctrine by non-intervention?
- To what extent should other actors and/or non-military instruments be applied first or in parallel with military intervention?
- What should be the triggers for military intervention and on whose authority should it be undertaken?
- Would the country (and region) be better off to the extent that whatever happens is a Libyan decision (and unequivocally seen to be so), not one made in Brussels, Washington or London?

taking place in New York, and by supporting the inquiries being conducted by the ICC and Human Rights Council. Finally, they could provide support to UN agencies, notably the UN Refugee Agency and World Food Programme, including by helping to coordinate and safeguard the passage of food and medical supplies, and the refugees fleeing the violence.

In terms of future policy, NATO should set up an independent inquiry or expert group to examine its relationship with countries in North Africa and the Middle East. It should also be tasked with setting guidelines for future engagement in the region and for revising NATO's two primary mechanisms of engagement: the [Mediterranean Dialogue](#) and [Istanbul Cooperation Initiative](#).

Finally, NATO needs to formally acknowledge that preventing genocide and mass atrocities is a priority for the Alliance and not merely an idealistic add-on to the core collective defence agenda. It should be a moral and strategic imperative for the Alliance to implement the R2P agenda and to redirect resources towards the development of a comprehensive approach to genocide prevention.

Photo credits:

- freedom_libya - [mshamma/flickr](#)
- protesters outside the White House urge Obama to help Libya (19 February 2011) - [messay.com/flickr](#)
- Courthouse square: A man prods his children to smile and show the victory sign in front of a large poster bearing the names and photographs of those who have died at the hands of the Gaddafi regime (25 February 2011) - [Al Jazeera English/flickr](#)

Ideas, feedback, suggestions? We want to hear from you. Please contact us at [NATO Watch](#) with any news and stories for the [Observatory](#), as well as feedback or suggestions on this briefing.

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