

## Libya: Achieving a Ceasefire, Moving toward Legitimate Government

International Crisis Group 13 May 2011 (...) The longer Libya's military conflict persists, the more it risks jeopardising or undermining the anti-Qaddafi camp's avowed objectives. Civilians are figuring in large numbers as victims, both as casualties and refugees. The country is *de facto*

being partitioned, as divisions between the predominantly opposition-held east and the predominantly regime-controlled west harden into distinct political, social and economic worlds.

As a result, it is virtually impossible for the pro-democracy current of urban public opinion in most of western Libya (and Tripoli in particular) to express itself and weigh in the political balance. All this, together with mounting bitterness on both sides, will constitute a heavy legacy for any post-Qaddafi government.

The prolonged military campaign and attendant instability likewise present strategic threats to Libya's neighbours. Besides fuelling a large-scale refugee crisis, they are raising the risk of infiltration by al-Qaeda in the Islamic Maghreb, whose networks of activists are present in Algeria, Mali and Niger. To insist on Qaddafi's departure as a precondition for any political initiative is to prolong the military conflict and deepen the crisis. Instead, the priority should be to secure an immediate ceasefire and negotiations on a transition to a post-Qaddafi political order.

Unlike events in neighbouring Tunisia and Egypt, the confrontation that began in mid-February between the popular protest movement and Qaddafi's regime morphed into a civil war from a very early stage. (...)

(...)The character of the Libyan crisis today arises from the complex but so far evidently indecisive impact of the UN-authorized military intervention, now formally led by NATO, in what had already become a civil war. NATO's intervention has saved the anti-Qaddafi side from immediate defeat but has not yet resolved the conflict in its favour. Given its mounting political and human costs, complacent assessments that simply sustaining the present military campaign or increasing pressure will force Qaddafi out soon enough reflect a refusal to reconsider current strategy and envisage alternatives.

In any event, it would be reckless to ignore the possibility that, should the regime suffer swift military defeat, the outcome might be not a transition to democracy but rather a potentially prolonged vacuum that could have grave political and security implications for Libya's neighbours as well as aggravate an already serious humanitarian crisis. (...)

(...) If some way cannot be found to induce the two sides in the armed conflict to negotiate a compromise allowing for an orderly transition to a post-Qaddafi, post-Jamahiriya state, the prospect for Libya but also North Africa as a whole and the Sahel countries (Chad, Mali and

Niger) will be ominous.

A political breakthrough is by far the best way out of the costly situation created by the military stalemate. This will require a ceasefire and unfettered humanitarian access to all areas within the country, implementation of which should be monitored by a UN-mandated international peacekeeping force. It must be accompanied by immediate, serious negotiations between regime and opposition representatives to secure agreement on a peaceful transition to a new, more legitimate political order.

Such an outcome also necessitates involvement by a third party trusted by both sides -- actors currently in short supply. A joint political proposal by the Arab League and the African Union --the former viewed more favourably by the opposition, the latter preferred by the regime -- is one possibility to lead to such an agreement. But this cannot happen without the leadership of the revolt and NATO rethinking their current stance.

Their repeatedly proclaimed demand that “Qaddafi must go” confuses two quite different objectives. To insist that he can have no role in the post-Jamahiriya political order is one thing, and almost certainly reflects the opinion of a majority of Libyans as well as of the outside world. But to insist that he must go as the precondition for any negotiation, including that of a ceasefire, is to render a ceasefire all but impossible and maximise the prospect of continued armed conflict.

To insist that he both leave the country  
*and*

face trial in the International Criminal Court is virtually to ensure that he will stay in Libya to the bitter end and go down fighting. Ultimately, only an immediate ceasefire is consistent with the purpose originally claimed for NATO's intervention, that of protecting civilians. (...)

(...)

The international community's responsibility for the course events will take is very great. Instead of stubbornly maintaining the present policy and running the risk that the aftermath will be one of dangerous chaos, it should act now to secure a negotiated end to the civil war and facilitate a new beginning for Libya's political life. (...)

See

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