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Witnesses: Sir Dominic Asquith KCMG and Professor George Joffe

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Members present

Lord Tugendhat (Chairman)
 Baroness Armstrong of Hill Top
 Lord Balfe
 Baroness Coussins
 Lord Horam
 Earl of Oxford and Asquith
 Lord Risby
 Lord Stirrup
 Baroness Suttie
 Lord Triesman

Examination of Witnesses

Sir Dominic Asquith and Professor George Joffe

Q1 The Chairman: First, thank you very much indeed for coming before us. I think this may be an historic first having brothers on either side of the table, but almost everything has been done before in the House of Lords, so perhaps it is not. It is a very nice thing to have. As you know, this is a public meeting, so there are witnesses and the event is being broadcast and will be transcribed.

I do not think it will make any difference to what you might or might not have intended to say, but we have to deal with a couple of scrutiny questions after you have left us: one on the Libyan border management mission and the other on the EU's plans for a military mission in the southern Mediterranean, so those two things may be in the minds of colleagues when they ask questions. Basically, we would like to know what is in your mind rather than for you to be influenced by factors of that sort.

We have of course given you sight of a number of questions, but as always on these occasions, colleagues will have questions of their own that they wish to be answered. Finally, by all means both answer on the same question if you wish to, but if the second person feels that the first person has said all that needs to be said, please do not bother to repeat it.

On that basis, do either of you wish to say anything before we proceed to the questions?

Professor George Joffe: I do not think so. I think it will probably be more convenient for me just to respond to the questions raised. I think you have received a written submission from Oliver Miles.

The Chairman: Yes, he got on to me yesterday.

Professor George Joffe: I say that because his description is a very fair précis of the current situation and I am not sure that I could usefully add to it.

The Chairman: I think he was operating on the basis of the press release. It was the first time I had heard from him since we were at school together.

Let me ask the first question. In your view, what is the current situation with regard to the UN-led political process to form a Government of national accord? What in your view are the political pre-conditions for breaking this deadlock? Do you have anything to say about the efforts or otherwise of the international community?

Professor George Joffe: At present, the United Nations initiative is stalemated. It is stalemated, because although a proposal was put on the table to which a majority of those participating in the discussions in Morocco agreed, when it was repatriated to Tripoli for the GNC—that is, the rump parliament—to examine, certain influential members there blocked it. They continue to block it on the grounds that they want recognition of the Libyan Supreme Court decision that the elections for the Tobruk parliament, the second parliament in Libya, were illegitimate and that unless this is stated in the document, they cannot agree to it. They also dislike some of the proposals for the second chamber, the advisory chamber, which will have some legislative effect as well, in which the GNC would be represented, and want that to be reduced.

In fact, the real reason why this has occurred is not so much because of those procedural points but because the people concerned at the moment enjoy considerable power in Tripoli, but they also face a deteriorating situation in that the militia coalition that controlled Tripoli, which used to be led by the Misratan militias, has now split or is in the process of splitting, with a new front emerging. They fear that if they lose their positions they are not going to be able to control that. Therefore we are seeing a local dispute blocking the United Nations initiative. Whether that can be healed—I think Mr León thinks that it can—remains to be seen. We simply do not know at this stage.

Sir Dominic Asquith: A level of distrust has crept in from both sides, but predominantly from the Tripoli side, about the way the negotiations have been conducted—a distrust not just about the UN handling but about where the international community as a whole stands on the moral, political and in some cases legal equivalence between the Government in Tobruk and the rival claimant in Tripoli. That has fed into the difficulties of getting the two parties to agree on the content of a political agreement, the text of it.

In the process, the GNC, the Tripoli bit, has over time become reduced and more concentrated on a more recalcitrant group who insist on a political agreement that gives them effective

dominant power. Breaking that equivalence that has crept in over the months in the handling of the two sides may be one way to break the deadlock. In parallel with the UN-led negotiations, there has been a series of off-the-radar discussions between people in the east, in Tobruk, and elements of what was the Libya Dawn-GNC alliance, specifically with the parties in Misrata. There is an argument that those discussions should be allowed to continue if the outcome is an agreement that 80% or 90% of the Libyan political leaders reach consensus on, leaving a small rump to challenge it. That will present the international community with a challenge in how it deals with it, but it may be a way to get the process going forward. My understanding is that today the House of Representatives, the elected body in Tobruk, will announce that it is content with the latest draft that the UN special representative has presented.

Q2 Baroness Coussins: To what extent would you say that the position of EU member states, and the UK in particular, is present, understood and visible in relation to either the original negotiations or any way to get out of the current stalemate? Would you say that EU member states have any leverage or influence, either with the Libyan factions or with Algeria and Tunisia, for example, who supported the original proposals?

Sir Dominic Asquith: I think it is fair to say that there is confusion in the minds certainly of some Libyan leaders—again, predominantly those in the east, in Tobruk—about where EU member states stand. In terms of the legitimacy of the institutions that were elected in June last year, there is a perception—whether justified or not, it is a real perception—that there is in the minds of many if not most EU member states an equivalence, as I mentioned before, between the two rival factions. From their perspective, they are puzzled and disturbed. That explained why at various points, particularly at the end of last year, they did not turn up for meetings organised by the UN to address the latest drafts. They feared that they would be made to accept a Government who they considered would contain members who would not buy into the political agreement—indeed, whose intention was, once a political agreement or Government was formed, again to manipulate that Government to their interests. That is the first point: that there is a perception of bias from the EU towards that.

In terms of leverage, in all my time there and subsequently, after I left the Diplomatic Service but kept in touch with a broad range of Libyans, yes, there has been a strong desire for an active role from Britain in particular. There is still a high regard for our impartiality, expertise and influence, but again they are puzzled by our holding back and our equivocation over who we consider to be a legitimate authority to deal with.

Professor George Joffe: I would only add that one needs to bear in mind that Libyans in general are extremely suspicious of any attempts to interfere, as they would see it, in what they regard as their internal politics. That has been quite a strong disincentive for many European states to be too overt in the way in which they engage. It is why the United Nations has been left to pick up the issue of finding common ground between them. But I agree that Britain has moral authority in Libya as a result of experiences partly during the Second World War and partly subsequently, particularly in 2011, that would make it a country that could vitally influence the situation there. The problem is to know how that can be done. At the moment, everyone is standing back because the way forward is still so unclear. If the United Nations succeeds, then there will be an opportunity.

There is one more complicating factor, which is that the European Union has put forward a plan to try to deal with the migrant problem coming from Libya. That is seen by many in Libya, whether or not they are engaged in the process, to be an overt threat. They become less willing to engage with Europe on that basis alone.

Q3 Lord Risby: It is encouraging to hear that the House of Representatives may be willing to look favourably at what is being done. However, given the divisions in the country and taking on board what you have just said about the ambiguity about interference, this is nevertheless a very rich country with a huge sovereign wealth fund, and an energy exporter with assets outside the country. To what extent if any are the ideas, advanced at least by some members of the European Union, that there should be a harsher approach in this area, simply—to put it bluntly—to knock heads together, or would that simply be counterproductive?

Professor George Joffe: At this stage it might well be counterproductive. Some sanctions are in force after all, and they do not appear to have produced a notable effect in persuading people to come to an agreement. Although Libya is potentially quite rich—you are quite right—with the largest oil reserves in Africa, in reality it is in some difficulty. Many of the oilfields have been blocked for most of the past year, and oil production has dropped from 1.4 million barrels a day under the previous regime to between 500,000 and 800,000 barrels a day. The oil has been interfered with by various groups, and the flow of cash is still a problem, although remarkably the national oil company and central bank still service both sides of the split Government fairly and objectively. It will be difficult to find external means of pressure. A negative pressure is being used, which is that one of the demands that the Tobruk Government have made is for the arms embargo that was imposed to be removed, so that they can arm their own armed forces effectively and thereby impose themselves on the

rest of the country. That has been maintained, so that, if you like, is a negative pressure. At the moment, negative pressure is probably the way in which the most effect can be achieved.

Sir Dominic Asquith: Very personally speaking, I am not attracted by the idea of more rigorous sanctions against the various parties, although with one caveat to which I will refer. If you freeze the assets, our experience in the past has shown that the bad people will find a way around that and you will just tie the hands of those who are not malign but are caught by the sanctions. So I am not sure what benefit would be served by an escrow account, effectively, created for the oil and administered from outside, if that is the intention. It would enflame—I have referred to this point twice now—the approach of the people who are at the moment compliant with the UN process, because they would once more see the international community as ganging up against them and putting them at the equivalent level with the people who are recalcitrant in Tripoli at the moment. So it would create the wrong political atmosphere. An arms embargo is in place, but with a tighter implementation you would have to question the premise. If the premise is to do as in Yemen in April, to exert pressure on the rebels contesting a displaced Government, that might send an interesting message. If it is to treat all as equally bad as the other, that is not a good idea—and what would the effect be on the ability of the forces in Libya to tackle ISIS? You would have to think very carefully about that. If it is true that today the House of Representatives in Tobruk says to the UN, “We are happy to accept your latest draft”, given that the UN has adumbrated that when that point comes it may have to take action and impose sanctions on those who oppose the agreement, at that point it may be sensible for the international community to consider whether to impose sanctions on those who at this stage decide that they are not going to accept an agreement.

Lord Triesman: I find it quite difficult to distinguish a question that would be about the EU’s interests from the UK’s part of the mix, so bear with me, if you would. Thinking of the kinds of attempts that have been made to take an active role and deploy people to take that active role, did Jonathan Powell get the right mission—and, if he did, how has it gone? What is your estimate of the degree of success, or otherwise, of that mission? A second question is: what are the implications of what is happening and what you have described for border security? I am particularly interested in how at the moment the Algerians are looking at that, because of the major attack on the oil extraction plant. What are the risks to the neighbours?

Sir Dominic Asquith: When the idea of a special envoy was first proposed, which I think it is fair to say was at the beginning of last year when the political stalemate was particularly acute, it was a reasonable proposal—indeed, I favoured it—because it demonstrated a real engagement in Libya from the international community that had been slowly seeping away in

the preceding year. It took some time for the special envoys to be appointed, and by the time they became active the Libyans had taken matters into their own hands, conducted elections and put in place a new parliament that had chosen a Government. So in a sense the game had moved on quite significantly from the point at which the special envoys were introduced. The plan was always that there would be a very strong UK-US involvement in support of the UN, which was going through its own process of review and had its own new special representative put in place. So from the point at which the idea was conceived to the point at which it was born, the game had rather changed. Did he have the right terms? Yes, but in a sense the whole game had rather moved on. Jonathan has come to terms, quickly and adroitly, with the complexities of the political dynamics on the ground, but the special envoys were there to support the UN, rather than to take over its role.

Professor George Joffe: Let me turn to the questions on security, if I may. You may care to note that the situation on the coast, which is the situation that we normally hear about in Libya, does not necessarily mirror what is happening inside the country. Basically there is a degree of chaos and lack of organisation in the Fezzan which is quite disturbing. The old smuggling networks that existed across the Sahara now exist with no constraint or restraint of any kind at all. The Algerians have become increasingly concerned about this; they have moved part of the Algerian army down to the eastern border, and although that army is not supposed to act outside the borders of Algeria itself, there have been rumours and hints that it has quietly undertaken certain missions across the border in southern Libya. The Tunisians, too, have become acutely concerned about the porous nature of their own border. Only yesterday, the President announced that a fence 160 kilometres long was to be built along the Tunisian-Libyan border. That indicates the way in which they see the border issue as being acute for their own domestic security. Do not forget that those involved in both the attacks on the Bardo museum and the recent attacks in Sousse came from camps in Libya. Although those camps are usually regarded today as being part of Islamic State, in fact they have long existed; they are part of Ansar al-Sharia, which is an earlier mutation of the extremist groups in Libya. For the Tunisians and Algerians, Libya is now seen as a threat to their own domestic security. The same is true for Egypt, although there the groups involved are slightly different. The el-Sisi Government in Cairo have made it clear that they will begin to think of isolating Libya and closing the border at crossing points because of the threats that they perceive coming. So there is a generalised anxiety.

There are equal concerns in the south where the border runs with Chad and Niger. Those states fear that in some way the situation in Libya will link up not only with the situation in

northern Mali but even in northern Nigeria, too. So there is a generalised concern around the region about Libyan security over the question of extremism of that kind. The Libyans themselves in theory have a border force, but actually it consists of some of the southern militia groups, and there is an open question as to whether they are more engaged in smuggling or in border security. So in effect there is no border security. When you bear in mind on top of the amount of arms purchased by the Gaddafi regime that are still available and not properly controlled and form part of a major arms market in the whole of the Sahel and Sahara region, you can begin to appreciate the dimensions of the security crisis that exists. In a way, the security crisis, looking southwards and westwards, is more acute than our concerns over the migration crisis in the north.

Q4 Lord Stirrup: Can I take as a starting point that the best way forward is to find some sort of broadly acceptable form of effective governance in Libya? The centuries-long internal divisions and tensions in the country make that a highly problematic issue, and the track record of the developed world in creating or recreating states is not particularly good. So there is a good chance that this endeavour will fail. In his statement to us, Mr Oliver Miles suggests that if there is no progress on a Government forming in Libya, there can be no progress on the other issues that are of concern to us—in particular, terrorism and migration. That does seem to be a counsel of despair: that if we do not make any progress in forming a Government we should just throw up our hands. Clearly, that is not a terribly sensible way forward. So assuming that we continue with some kind of impasse and do not form an effective Government in Libya, are there any tools that the UK or the EU more widely can bring to bear to have at least some effect on those two critical issues of migration and terrorism in the context of a broadly ungoverned state?

Professor George Joffe: Before I respond to that, I shall just make one observation about the question of governance. Although we are primarily concerned at the moment about the fact that there are two Governments who cannot agree and therefore there is no central authority in the country—and, more seriously, there is no central military authority over which that Government would have control—in fact, the GNC itself is an expired parliament. Therefore, its legitimacy is seeping away slowly. Indeed, many of its former members no longer attend its proceedings, because they recognise that it can go nowhere. The House of Representatives, too, has a limited life. It was elected for only a limited period, which comes due towards the end of this year.

Sir Dominic Asquith: October.

Professor George Joffe: Thank you, I thought it was October. Then there will have to be new elections. So in a way there is a possible way forward over the issue of governance. Beyond that, there is another consideration, too. When the House of Representatives came into being, another body was trying to find common ground, which was the national dialogue movement. That still exists. We tend to forget that Libya is not just a question of two central Governments—there is a question of municipal governments, too, with very different agendas. They have been relatively successful; most of the cities still operate fairly effectively outside those areas of conflict. Finally, there is a constitutional commission, which is still working. So it is not all completely desperate. Therefore, Oliver Miles' counsel to wait until you see whether you can form a common authority is probably not quite as desperate as it may have appeared when you read his paper.

Lord Stirrup: Could I just clarify? I am not suggesting that we do not push every effort behind that, but what if it does not work?

Professor George Joffe: That is the problem, because if it does not work, in the end you are going to move down a route that leads in one direction only: becoming directly involved in the Libya situation, one way or another. The evidence of the past few years suggests very strongly that very few Governments in Europe or the United States are prepared to consider that option, not just because of the cost but because of the success. It is very unlikely that we are going to find that very easy. In theory, you could reject purchasing gas and oil from Libya and thereby bring some pressure to bear, but it would be a slow process that would not produce immediate results. You could, of course, give additional support to the surrounding states, particularly Algeria, because Algeria is trying to form a concerted regional response to the insecurity in Mali and in Libya, so any support that is given there will obviously help. The French Government already do that, and I think there have been discussions between the British Government and the Algerian authorities in a similar way. So there are areas around the side where you can bring indirect influence to bear, but I doubt very much whether you can find a way to do it directly.

Sir Dominic Asquith: Whatever common authority you get, there will still be a rump that will oppose it. A message that I have been trying to transmit for some time is that the international community and the Europeans in particular need to be honest in planning now for the sort of assistance, which includes security, that they would need to give to any Government of mostly national accord once an agreement is agreed by the majority of people in Libya. That security assistance will run the gamut from a physical presence on the ground—which would be required, as Prime Minister al-Thinni made clear four days ago, and which should be

invited by a future Government—through to logistic intelligence and some specialised niche assistance support along with advice, training and equipping. That planning is being conducted, as I understand it, but it needs to be grasped quickly. It is puzzling to outsiders that the international community has appointed the UN to put forward a proposed political agreement, which the UN has done, and yet a party has rejected it—and that party was the party that decided to ignore the results of the last elections. It is a very peculiar state of affairs for the international community to be sitting back at this point.

My answer to your premise is that you can get to a political agreement of 75% or 80% in Libya, but then be honest about what needs to be done in order to implement that agreement, and that will be tough. In answer to your second question—who can you deal with?—if we are not prepared to do that, you are reduced to dealing with regions and tribes, and we have ignored the tribes consistently since 2011, I think on the premise that Gaddafi pretty well mixed them up and destroyed them so that their influence was not so great. But they are the ones who are operating there, who are administering justice. If you want the southern borders to be less porous, they are the ones you are going to have to deal with, but if you are not prepared to be on the ground to deal with them you are stuck in what you can do. So there is the issue of dealing with regional power bases, and some of those regional alliances have become obvious in the past six months. A long list of local regional ceasefires have been put together to the extent that in the west of the country there are now 15 tribal alliances, which in essence isolates that little group left in Tripoli, which is why its members are so concerned for their own future. That is part of the reason why they do not really want a political agreement. However, arrangements and discussions that are in their initial stage are also going on outside the UN context between elements on the Tobruk side and a number of elements, for example, in Misrata. Provided there is a gesture from Misrata towards some of their surrounding tribal groupings, I am persuaded that these discussions could be used effectively to take on ISIS in Sirte. That would at least open a more effective front against ISIS. So there are highly complex, rather risky mechanisms that exist in Libya that we would have to deal with. However, to deal with them effectively you have to be there, not in Tunis.

Q5 Baroness Armstrong of Hill Top: I apologise for being late. I allowed two hours to get here, but it was not long enough. I want you to expand on what you were hinting at in relation to migration and the policy on it. How might that be affecting the rest of the security system? You talked about it having a negative effect.

Professor George Joffe: Yes, I understand. One of the things that one has to recognise is that the migration in Libya comes from several sources. One is directly across the Sahara from

sub-Saharan Africa, another branch comes from the Middle East, and then there are people from further afield—even from Afghanistan and Pakistan. Libya has become the jumping-off point, largely because it is a country that at the moment is uncontrollable. Therefore, this has opened up an opportunity for smuggling networks. They already existed. One thing that we tend to forget is how significant the Sahara was as a pathway for smuggling, even under the Gaddafi regime. Indeed, a large element of the drugs from Latin America began to come in through the Sahara, rather than by other means. That meant that the networks were already in place. Since there is no control among the coastal cities, those networks have become predominant and, of course, they are now intertwined with some of the militias. Therefore, you are looking at an operation that has no official sanction but certainly has support from powerful groups and powerful interests, and some of the militias are known to be directly involved in this. Since there is no engagement with them or any mechanism to control what they do, and since they are a power unto themselves, it becomes virtually impossible effectively to control the passage of migrants across the water.

Beyond that, you also have to think about the way in which the process is replicated in the Mediterranean itself. There is evidence that others from the Mediterranean who have financial interests are also indirectly involved. That further complicates the issue, so it is extremely difficult to see how, if you do not intervene directly, you can do anything at all, but if you do so, who do you intervene against? It is an enormous problem and I cannot think of any way in which you can easily find a mechanism by which you can begin to limit migration across the Mediterranean.

Finally, one should bear in mind that the people who are coming are, by and large, really desperate; they would not have made the journey across the Sahara if they were not. The way in which they are treated on that journey across the Sahara is in itself horrific. Their desperation is another factor that will be very difficult to counter.

Sir Dominic Asquith: Even in Gaddafi's time, the migration issue was used by him to extract benefits, so of course it is not new. However, that point about dealing with the traffickers away from the coast on the southern border was brought home to me last week when I met a young man who has been dealing with the tribes to the south in Sudan and Chad. It was an interesting education for me because he was describing the conflicting interests of the various groups operating there. He said that the only way in which to deal with that was to persuade one group that it would be more in their interests to stop that traffic and to take on the other groups who are engaged in the trafficking, but without anybody from the international

community dealing with them on the ground and able convincingly to present a package that it would be in their interests that trafficking will go on.

Professor George Joffe: I wonder whether I could just add to that the tribal structures in the south, because they are frighteningly complex. First, the most active tribes in the south are non-Libyan. Well, that is not quite correct; they are not part of the major corpus of the Libyan population. Some of them are Tuareg, others come from northern Chad and are Tebu. They have been in Libya for many years and in effect have become the dominant elements. Then alongside them are other tribes from northern Libya who have been replicated in the south—the Gaddadfa, the Awlad Suleiman and so on. Those all have their own internal disputes between each other, so unpicking that becomes bewilderingly complex. If you do not know your way around the tribal structures, you are going to find the wrong people to engage with as interlocutors. That will further complicate your problems. Then again, you need to remember that behind the tensions in the north are also tribal divisions—the division between the tribes that had supported the Gaddafi regime. They are not just the three that are usually mentioned—the Gaddadfa, the Werfella and the Magarha. There are also tribes such as the Washafana in western Libya.

On top of that sits the problem that some of the extremist groups are also invested in tribes. There has been some evidence to suggest that some of the more extreme elements of Islamic State who have come into Libya from outside are allied, as they were in Iraq, with elements of the previous regime and who want to use IS as a mechanism for achieving revenge. The tribal problem will therefore be frightening if you begin to get involved but do not know your way around it.

The Chairman: I should have turned to Lord Horam before that question, but in fact his question fits quite well after that.

Q6 Lord Horam: Well, it does because I wanted to ask about the role of Islamic State and so on, which you both touched upon to some extent. I notice that in Oliver Miles' written submission, he says that ISIL remains weak in Libya but has some support. From what you are saying, some tribes associated with the previous Gaddafi Government may be using it as a kind of revenge weapon. He also said that you might be able to get some sort of coalition of the tribes to help to deal with ISIS. How do you see the situation with Islamic State? Is it a separate item or is it linked with ISIS in Syria, Iraq and so on, and how strong is it?

Professor George Joffe: First, I have to say that information is partial, so much of what I am going to say is somewhat speculative. There is undoubtedly an alien or foreign presence in

Libya. There are people who are known to have come, particularly to Derna in the east, from the Middle East itself and who are actual elements from ISIS.

There is another dimension to this. It must have struck you that the growth of ISIS has been quite phenomenal. It is very difficult to imagine that it represents a cohesive organisation that has spread over the region in the way that it appears to have done. The answer to that is that a large part of this is a process of branding. At the moment, ISIS is the successful name in extremism in the Middle East, so those who wish to be successful will tend to adopt it to call attention or to pay court to it, in a way to demonstrate that they, too, are part of this new wave. To a very large extent—I think this is why Oliver Miles refers to ISIL as weak—it is believed that a large part of what is said to be ISIS is actually Ansar al-Sharia, a movement that began in Libya in 2012, which itself was a replica of a movement that had begun in Yemen in 2010 and was again part of a branding process.

So you are not really looking at a change on the ground; you are simply looking at people trying to find a label that gives them credibility in the extremist visions that they may have.

Lord Horam: To that extent, is it less threatening either to the countries around Libya or to the West?

Professor George Joffe: You need to remember too that the problem of extremism has been present in the Sahel and in north Africa ever since the 1990s—in fact, ever since the Algerian civil war. In a way, the large part of the insecurity that exists in northern Mali, in Libya and on the fringes of Algeria and Tunisia is a reflection of that much longer-standing conflict. I do not think it has necessarily become so much more acute, except for the fact that Libya is an ungoverned space at the moment. That has of course promoted it, but the linkages to tribes, smuggling networks and groups looking for revenge for past loss is, I am afraid, part of the complexity of the situation that we are now looking at. Numerically there is probably no real change, or only a minor change, but in terms of a cohesive threat it is probably rather more frightening than it was.

There is another point. You need to remember that some of these groups are rather rich and can pay a salary. If you are unemployed, if your family has no source of income, that in itself can be a driver. That has certainly been the case in Tunisia.

Sir Dominic Asquith: The rebadging point is critical. Who is a member of ISIS at any one time is very fluid. The bracket tends to be 800 and 2,000 people in-country. I have no idea whether that is correct; it could be higher. That will encompass people who are forced to swear allegiance to ISIS because they have no option, people who are transiting through or

are being trained in Libya. At any one time, the people change. That interchange between Derna and Iraqi/Syria was going on from 2011 onwards.

Lord Horam: Are there training camps for ISIL in Libya?

Sir Dominic Asquith: Yes, there have been training camps in the bits behind Derna and in the Jebel Akhdar, the Green Mountain, for some time. For seven or eight months, I have heard people talking about some of the training of ISIL going on to the west of Tripoli in Sabratha, and exchange from Sabratha into Tunisia even then. It has come out that some of those conducting the attacks on the museum and on Sousse were being trained in Sabratha. Whether that is correct I do not know, but it is perfectly plausible. So there are training places around the country.

The focus on ISIS is welcome and long overdue, but there is a caution here in that there is a long list of extreme Islamist groups, including Ansar al-Sharia, the Abu Salim Martyrs Brigade, and the Youth Shura Council of Derna. The bits that were the precursors of Ansar al-Sharia in Benghazi might even have had a pot-shot at me; there were two or three Islamist groups there that are still in existence. There is the Libyan Islamic Fighting Group, Abdul-Hakim Belhaj, in Tripoli and increasingly prominent extremist groups that came from Misrata and are in Tripoli. So there is a very broad spectrum of Islamist groups that are prepared to use violence in one way or another, to some degree or a lesser degree. Their objective is largely the same: the establishment of a caliphate of some kind. The caution is that in focusing on or blaming one group there is always the risk that you will exculpate others who are actually associated with it.

Professor George Joffe: Can I add one small point to that? We should not assume that ISIS has a conquered field in front of it and is not actually challenged in any way. It has just been expelled from Derna, which was its first point of call in Libya, not by the Libyan National Army, although it is trying to do so, but by another extremist group, the Youth Shura Council of Derna, which got very angry with it and simply forced it out of the town. The fact that it is now located at Sirte is in itself rather interesting, but again Misrata has become conscious of its presence, and the Misratans and some of their more extreme elements are very anxious to confront it as well. So it is not going to be uncontested, and I think Oliver Miles is right to say that it is weak at present, but of course success will breed success.

Sir Dominic Asquith: May I just add an important point? It is not going to be uncontested, but it is at the same time required from the international community to put on the spot those in Libya who since 2011 have conducted a highly ambiguous relationship with extremist groups. They should make it a litmus test of whether you are an acceptable interlocutor in the political

agreement, and in the context of the political negotiations what your stand on ISIS is—if there is a need to be very focused—or, more broadly, on Islamist groups that are prepared to use violence to overturn the political order.

Q7 Lord Balfe: The EU Border Assistance Mission is described by the International Crisis Group as a gigantic waste of money, and is anyway situated in Tunisia at the moment. Supposedly there is a period of strategic reflection going on, but I would like your comments on what you think the EU role could or should be in trying to promote border security. What should the period of reflection end up with, and what could our input be into suggestions?

Sir Dominic Asquith: EU-BAM, the EU Border Assistance Mission, started up towards the end of my time as ambassador, and I was puzzled at that point. I have to confess that I am not up to date with what its vision is at the moment.

Lord Balfe: I do not think it has one.

Sir Dominic Asquith: At that stage I was always puzzled, because I felt that it was trying to establish a template that was too sophisticated and complex for what Libya required at that time. It would have required from Libyan counterparts an institutional structure that just was not there. From my perspective, what was needed then, and I think is probably still needed now—although at least in my time there was just one Government, not two—was a lot of help from outsiders for the Libyan authorities. They required people they could trust to co-ordinate and advise them on the various international consortia that were bidding to do the job of protecting the borders, maritime and terrestrial. They needed a trusted adviser, somebody who could keep those consortia in check, and they needed help to put in place an effective monitoring system on the border. The Libyan authorities did not have that. They needed some sort of rapid reaction or delivered monitoring to respond to those who were detected to be crossing the border in both directions. They needed an entity able to work with the tribes on the ground, because those are the ones who would have to be directed to intercept people passing back and forth. And they needed concerted help to train a border force independent of any political objectives of the various parties in Libya. Those were the key requirements, rather than to devise a European deep protection inside the borders, and I think those are still the priorities if you are going to deal just with the management of the border rather than the problem that lies further south of people pressing up against the border. Those are still the key priorities, as I would see them.

Lord Balfe: Are they achievable, given the security situation?

Sir Dominic Asquith: I will expose my hand a bit on this one, or my views. Yes, they are achievable if we are prepared to accept that there is an imperfect but legitimate authority to

deal with, the one appointed by the body elected in the last elections. So you have to work with its acquiescence, compliance or invitation, however you like to describe it, even if the writ of that institution—the Government in Tobruk—does not reach the extent of those areas. Provided that you are doing it with that legitimacy and make it clear that you consider that entity legitimate, you may be able to make some headway. If you are on the other hand in a position whereby you think that either both are illegitimate or both are legitimate—to be frank, I am not sure where Governments are on that one—you are never going to be able to deal with anyone, because anybody you deal with is going to say, “Hold on a minute, I work for X, not Y”.

Professor George Joffe: If I can just add to that, you will note that it comes back again to the issue of governance. Until there is an effective authority, it is extremely difficult to find anyone to engage in it. But there is another problem, which people often overlook. One consequence of the Gaddafi regime was to make sure that Libya had no autonomous institutions; it had no proper bureaucracy, for example. That means that in the process of changing the nature of a regime, there were no institutions to carry forward the process of governance. So even though there may be an argument about the nature of the Government, the structures that a Government would normally have available to discharge their function of rule simply do not exist. Therefore, the points that Sir Dominic has just made are very valid. The EU can begin to provide the sinews that would allow for effective border control, but it cannot do that until it has someone to talk to. That is the real problem. So it comes back to the point that was made originally—that the issue of governance is crucial.

Q8 Lord Risby: I shall just add to the question from Lord Balfe, although you have very comprehensively covered this issue. You mentioned sinews and you have also mentioned governance and some sort of authority with any organisation. But if you look at the map, it says everything about the pressures from the surrounding countries. If we were to move on from the situation that we have at the moment where there is some sort of semblance of government, would the EU’s role in border security be one of trying to broker a more satisfactory or acceptable relationship with neighbours to be part of this process? As you said right at the beginning, one issue is so-called interference from abroad. As Lord Triesman said, there have been terrible tragedies in Amenass and in Sousse, and those countries are terribly anxious about what is going on in Libya and affected by it. Given that the remit of what we are trying to do is to establish credible external activities of the EU, would it be an appropriate to try to bring this thing together? Sir Dominic talked about the United Nations proposal, but you do not hear much about the EU. Have you any further thoughts on how it could in

practice add something that incorporated the needs of the neighbours and whether that would be a good idea. As we know, in the Middle East, having the participation of the neighbours is usually or can be beneficial, as opposed to complete outsiders.

Professor George Joffe: We need to bear in mind the fact that FRONTEX already has relationships with neighbouring states. Indeed, I was at a NATO conference last week that discussed security in the Mediterranean from this point of view, and FRONTEX made it quite clear that it is going to be more active and has been given more funds for that purpose in future. There have been long-standing relationships with Algeria, for example, Tunisia and Morocco, over questions of European border control, which in a sense have been outsourced to the southern borders of these states, too. That process is already in being. The real problem with Libya is that because of the lack of domestic security and the spillover effect of the situation inside Libya to the rest of the region, it is extremely difficult to engage with Libya itself and with the problem that it represents. That has been a problem for the border mission, and it is also a problem for European states.

There is a final problem, too, in that there is by no means unanimity inside Europe about what should be adopted as a policy towards the Mediterranean. The southern European states have a much more acute concern about that than do northern European states. That also interferes with the process to some extent. The confrontation between Germany and France reflects that to some extent. In 2007 and 2008, the French wanted to institute a new collective security arrangement in the Mediterranean. The Germans objected to it on the grounds that it did not involve all the European Union, so it was changed, but it then became completely ineffective. So those internal tensions inside Europe also interfere with the process of a cohesive and coherent response to the issue of security inside the country.

Sir Dominic Asquith: If you take it country by country, Egypt is perfectly capable of managing its border without the Europeans helping it with the Libyans. If you take one step back you can ask what those neighbouring countries require. They require a competent Libya border force with a competent logistical chain of command in place to make it function. That is what we should be helping them to achieve in the first place. On the question of what you do beyond the borders, I would be surprised if Tunisia and Algeria needed much EU help in that one. Where there may be scope is on the southern border. The French were active in Mali, and I am not quite sure what has happened to that whole operation. The integration into the Libyan problem was never fully made. Then there is Chad and Sudan, and the EU can talk to Sudan. But perhaps it can do something to assist those neighbouring states to have a more effective policing of their northern terrain on the Libyan border. Maybe there is a role there,

but that is costly and would require the deployment of quite a lot of effort. If the EU is up to that, well and good.

Professor George Joffe: If I could just add to that again, because it brings in some other players. First, the situation in Mali to which Sir Dominic referred is very interesting. The Tuareg movements there have come to an agreement with the Government in Bamako. Al-Qaeda in the Islamic Maghreb is on its heels at the moment after the French intervention two years ago, but it has not been eliminated. Not just AQIM but a series of other smaller groups are involved. None the less, the Mali situation appears to be containable. Chad has a robust attitude towards these issues, and it is regarded more as a French preserve. The French would not be happy about a European Union intervention displacing their position there. Niger is a problem, and there nobody has yet an effective answer.

There is the danger of the spillover effects in Libya moving southwards, too. I would agree with some kind of engagement but a measured and careful engagement with the states in the Sahel might be helpful, bearing in mind that there are states already present there that regard it to some extent as their own preserve.

The Chairman: Gentlemen, there are two more questions about whether the EU and the UK have a broad strategy to address the root causes. There is another question about how the EU and member states should approach the question of strategy. Basically, we have answered those questions although not in a very encouraging fashion, but the ground has been covered. I should like to take up a small point from something that Professor Joffe said, and then I shall turn to Baroness Suttie for the last question. You said that the French were in Chad and you did not think that they would want the EU to be involved. One of the functions of this Committee is the House of Lords end of the parliamentary oversight of British-French defence co-operation. I have a clear recollection from when we were last in Paris that the French would rather like us, the UK, to play a more active role in the countries that you have talked about. Clearly, they see this as in the French sphere of interest, but there is the extent to which the integration of British and French military has gone and the way in which the RAF were able to help the French to move men and material around. So when you said that the French would like people to stay out, I thought that they would rather like us to come in.

Professor George Joffe: Let me just clarify what I meant. I am aware of the military co-operation that exists, and I know, certainly over the operations in northern Mali, that it was significant for the French that there was that lift capacity. However, there is another dimension to this. The French, ever since the end of the colonial period in 1960, have regarded the Sahel region as a *chasse gardée*. They have been intimately involved in Chad

ever since 1979. They have had forces on the ground, and they have received help from the United States and no doubt from Britain, but it is somewhere where they see themselves as making policy. It is an issue that goes right to the Élysée. It is part of the President's own Cabinet usually. It certainly was under Sarkozy and I would imagine it is under Hollande. So in a way, yes, by all means co-operate with your other partners in Europe, but it is not for them to set the policy that you will then follow. So when I say that they would rather keep their preserve there, what I am really referring to is the sense that they are the people who know the region and should set the objectives. They are by no means averse to help, but they do not want direction.

Q9 Baroness Suttie: First, apologies for being late—for reasons similar to those of Baroness Armstrong; I underestimated how long the bus was going to take this morning. You seem to be fairly pessimistic about the ability to stop the migrant flows. What is your assessment of the EU naval mission in the southern Mediterranean? Can it play any kind of useful role or is it mostly just going to interrupt the smugglers' business? Is it something we should be encouraging?

Sir Dominic Asquith: As part of a package, yes. This has been rehearsed quite extensively. There are three or four areas of a composite strategy, of which the southern Mediterranean operation is clearly an important one. The permission of the Libyan authorities will be important in tackling the operators on the coast. It will also be important to put mechanisms in place to pick up and prevent people crossing the southern borders. There are then the deeper problems of assistance and addressing the problems of the countries from which these people come. However, simply put, relying exclusively on southern Mediterranean measures will not do the job.

The Chairman: Earl Oxford has remained very silent.

Earl of Oxford and Asquith: Can I have one rather unfair supplementary to the whole discussion? It is also unfair because there are a lot of hypotheticals in this. You have clearly indicated the issue of governance, and Sir Dominic has indicated that possibly 80% of the population would agree to some form of national accord and that it is a goal worth pursuing. If that is so, no such accord will succeed without a military basis, an internal security military agreement within Libya, irrespective of what we in the EU do. Can that be achieved under this hypothetical accord? I do not mean, of course, that there could be a unified command structure immediately but that whatever military agreement was made within Libya would have some authority. Or do you think that that could be achievable only, for example, by Misrata having a temporary agreement with Tobruk? Could some authoritative security

structure be agreed? Secondly, will that be able to deal not just with the Islamic extremists in the central part but with the issue of the tribes in the south?

Sir Dominic Asquith: It is achievable. It is possible. It is conceivable and plausible that in the event of an 80% support for a political agreement, on the back of that or in parallel with that, you could bring together initially various security consortia, or tribes and regions, to deal on a regional basis with the problems in their area, working to a common aim: namely, to allow the Government of national accord to implement the broader political agreement. The success of that agreement will depend crucially on a Government decentralising their activity, allowing projects to start throughout the country, to make Libyans recognise that their lives are changing for the better. That was always the challenge against the preceding Governments of national accord in the past four years.

To go back to your question, the security arrangements will initially be regionally and tribally based and will operate, as they have done up to now, independently of each other. The trick will be to persuade those independently operating arrangements to work under a national command, and that is achievable over time. But its Achilles heel will be the 10% or 20% of people left out of the political agreement who will manipulate their forces to make the country ungovernable. That is where the national Government will require initially—and we have to be honest about this—the expertise and capability of effective outside forces to help it take on that rump who are going to oppose the national Government.

Professor George Joffe: If I could just add a word or two to that, I agree that it is possible to construct a mechanism by which you can establish security in Libya. I agree, too, that that will depend on a decentralised system. After all, that is what has existed up till now and what the militias really were. One should bear in mind that originally the militias were grouped under a Government and that although there were flaws in how they were organised, they none the less provided rudimentary security both to the population and for the Government up until 2014. However, there are two problems, which relate to the 20% of those who are irreducible and do not want to accept an agreement at all. They are not all on one side. In the comments that we have made so far, we probably left you with the impression that the problems reside all around Tripoli, but they do not. There are problems in Tripoli. One needs to remember that there are two Governments largely because certain elements of the GNC, the previous Government, felt that they had been unfairly disadvantaged in the elections. That is what led to the split. But there is a second split, which involves the nature of the rump of the old Libyan army under General Khalifa Haftar. He has made it quite clear that he is determined to root out all vestiges of Islamic extremism and moderation, which has been one

of the great sticking points over finding some common ground to create a single Government. He has the support of elements of the Libyan air force, the old Libyan army and some of the special forces, and he has support from Egypt and from some other countries too. He therefore represents a problem, because he is not yet prepared to make any compromise. He has made it quite clear that he will not compromise with the groups that are based in Tripoli. That is a very serious obstacle and reflects the military power that exists among those who are unwilling to accept a compromise in Tobruk, as well as those in Misrata and Tripoli, who are also unwilling to accept compromise because of their own interests being threatened. So that is the problem that we have to deal with. There is no doubt in my mind that if a common Government are created, they are going to need some support in trying to cobble together an effective single military entity that will be able to express the force that it will need to establish itself. Quite how they are going to do that against General Haftar is still not clear to me.

The Chairman: Can I just ask you one final supplementary before letting you go? We have kept you longer than we expected to. The word “Italy” has not featured in our deliberations. Of course, Italy is not just a former colonial power but the country in which the sovereign wealth fund has a very great many investments. I noticed on the recent occasion when I was in Libya, before the upheaval, that the Italians seem to have put a lot of money into the antiquities. Has Italy any particular role to play in this matter, either itself or on behalf of the EU, or does it have links in Libya of a different order from other countries?

Sir Dominic Asquith: They do have links of a different order. They continued to trade actively all the way after the revolution and through the bad times, and of course they are very clearly and heavily invested in Eni and focused on the gas pipeline. So Italy has a huge interest, quite apart from bearing the brunt of the migrants, in stability in Libya and has masterfully managed to keep friendly with both sides in the current dispute. It has been at the forefront and has been noted by Libyans to be at the forefront, in its rhetorical comments about its willingness to provide forces on the ground in the event of political agreement to help a new Government to implement that agreement. So as an observer looking from outside, I can say that the Italians have stood out as being more prominent in what they are prepared to offer and more active on the ground. Even now, they send in politicians and businessmen into Tripoli to talk to people who our Government, in my view quite rightly, will not deal with.

Professor George Joffe: I do not have anything to add to that.

The Chairman: Gentlemen, thank you very much indeed.