

# Issue Brief for Congress

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## Libya

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## Libya

### SUMMARY

The United Nations Security Council passed three resolutions that placed sanctions on Libya until Libya surrendered for trial two men suspected of bombing Pan Am flight 103 in 1988 and French flight UTA 772 in 1989. Libya surrendered the two men on April 5, 1999, and the U.N. suspended the sanctions the same day. U.S. sanctions against Libya remain in place.

Libyan-U.S. relations have been plagued by a series of incidents between U.S. and Libyan armed forces, Libyan policies of supporting terrorism, Libya's search for chemical and nuclear weapons, and Libyan meddling in other nations' internal affairs. Al-Qadhafi has proposed bilateral and multilateral unions with his neighbors and several other countries, and envisions himself as carrying on for Egypt's Nasir in unifying the Arab, Islamic, and African worlds.

Libyan leader Muammar al-Qadhafi implemented a form of participatory democracy in Libya, where villages elect Peoples' Congresses, which in turn elect Peoples' Congresses for geographic regions and the central government. In addition, there are Peoples' Congresses representing industries or institutions, such as education, medicine, or broadcasting. Despite the presence and apparent activity of the Peoples' Congresses, it is clear that members of the Revolutionary Command Council, created after the 1969 coup, and their cohort continue to exercise great influence, perhaps dictatorial authority, over Libya.

Libya's economy depends upon oil; current production is running at 1.4 million

barrels per day of high quality crude, most of which is exported to Western Europe.

About 1% of Libya's land is arable, and that soil is poor; Libya imports 75% of its food. The Great Man-made River project, started in 1983 and inaugurated in 1991, pipes Saharan aquifer water to the coastal region to expand the agriculture base. Libya enjoys a favorable balance of trade and payments, and runs a small budget deficit.

Al-Qadhafi has used his military in a 1977 border dispute with Egypt, in 1972 and 1978 attempts to buttress Idi Amin in Uganda, in several attempts to influence events in Chad, and in a token deployment in Lebanon.

### Libya

**Size:** 1.8 million square kilometers (slightly larger than Alaska)

**Population:** 5.6 million, growth rate 3.6% per yr.

97% Sunni Muslim

76% literacy rate

1 million person labor force (280,000 of whom foreign)

**Economy:**

GDP = \$93 billion (1998)

GDP per capita = \$6570 (1995)

GDP growth rate = 1% (1998) fluctuates

Inflation rate = 24% (1998)

Unemployment rate = 30% (1998)

Imports = \$6.3 billion (1998)

Exports = \$7.7 billion (1998)

Government Budget revenues= \$13 billion (1995)

Government Budget expenditures= \$14.9 billion (1995)

Foreign debt = \$3.8 billion (1998, excludes military)



## **MOST RECENT DEVELOPMENTS**

*On May 22, 2002, Libyan Foreign Minister Hasuna al-Shawish pointed out that Libya was a target for terror attacks and not a state sponsor of terrorism, as charged in the annual State Department report.*

*Meetings between Libyan lawyers and lawyers representing families of Pan Am 103 victims continued in April, with unconfirmed rumors that Libya would offer a one-time payment of \$1 billion.*

*On March 14, 2002, the five-judge appeals panel rejected Abd al-Basset Ali Megrahi's appeal of his conviction for the 1988 Pan Am 103 bombing. The next day, Megrahi was transferred from the Netherlands to a Scottish prison where he will serve a life term.*

## **BACKGROUND AND ANALYSIS**

### **U.S. Relations**

The United States did not oppose the 1969 government change in Libya because the Revolutionary Command Council was anti-Soviet and reformist. Even the RCC determination to hasten the scheduled British and U.S. departure from Libyan military bases and the RCC pressure on U.S. and other foreign oil companies to concede higher royalties and shared production ownership did not foul U.S.-Libyan relations. But, by 1973, when the United States withdrew its ambassador to protest Libya's support for revolutionary and terror groups, Libyan-U.S. relations had turned sour and have not recovered.

### **Current U.S.-Libyan Issues**

**1988 Pan American Airlines Flight 103 Explosion.** On December 21, 1988, a bomb exploded on Pan Am flight 103 en route from London to New York killing all 244 passengers and 15 crew on board and another 11 people in the town of Lockerbie, Scotland. Early suspicions, according to press accounts, fell on the Syrian-based Popular Front for the Liberation of Palestine - General Command or the government of Iran; the latter was suspected of seeking revenge for the U.S. Navy shooting down an Iran Air flight over the Persian Gulf in July 1988. On November 14, 1991, the United States and Scotland indicted 2 Libyans described as intelligence officials for their roles in the bombing. The remains of Swiss timing devices furnished to Libya were the evidence behind the indictments. (See Middle East Economic Digest, April 17, 1992.) The two men indicted were Abd al-Baset Ali al-Megrahi and Al-Amin Khalifah Fhimah, both described as Libyan intelligence agents.

**1989 Explosion of UTA 772.** On September 19, 1989, a mid-air explosion killed 171 passengers and crew of the French airline UTA flight 772 over Niger in Africa. On March 10, 1999, a French court found six Libyans guilty in absentia for bombing the DC-10 aircraft. Libya paid \$33 million in compensation to the victim's families in July 1999.

***The Pan Am 103 Trial Preliminaries.*** The United States and the United Kingdom rejected 1993 and 1994 Libyan offers to send the two men to the Arab League or a neutral site for trial, such as Egypt, Switzerland, or the Netherlands. In August 1994, Libya accepted a proposal offered by an Edinburgh law professor that the two be tried at the Hague by Scottish judges following Scottish procedures and law. On August 24, 1998, the United Kingdom and the United States, and the families of some victims, accepted the Libyan offer for a trial in the Hague under Scottish law. Libya reconfirmed its agreement on August 26. After extensive negotiations, which at times included Egyptian, Saudi, South African, and other national leaders, U.N. Secretary-General Kofi Annan delivered assurances to Libya on February 17, 1999, that the trial would be limited to the two suspects and would not address the issue of Libyan government involvement, that the two suspects would not be interrogated by British or American authorities, and that the two men, if convicted, would serve their terms in Scottish jails under U.N. monitoring. (The assurances were reported in the press; Secretary-General Annan's letter was not released to the public until August 25, 2000.) Some people representing the victims apparently believed that the letter proved their contention that the United States, Britain, and Libya struck a deal to limit the trial to the two men, which in turn amounted to granting immunity for the government of Libya.

Libya accepted the assurances, and the two men were transferred to the Netherlands for trial on April 5, 1999. The same day, the United Nations suspended, but did not drop, the sanctions against Libya pending Libyan cooperation with the court. The Secretary-General reported on June 30, 1999, that Libya was cooperating but did not recommend permanently dropping the sanctions. On December 9, 1999, the Judge ruled against a defense motion to drop the murder conspiracy charge because the alleged conspiracy did not take place in Scotland. The judge ruled that the conspiracy existed despite national borders. The two defendants pleaded not guilty on February 3, 2000. The judge granted a defense motion to delay the trial and set the trial date for May 3, 2000. On April 25, 2000, the judge denied a prosecution request for delay of several weeks to allow time to investigate the list of 119 witnesses presented by the defense.

***The Trial.*** The trial began on May 3, 2000, before a three judge panel, and no jury. A fourth judge attended in case one judge became incapacitated. Under Scottish law, the judges may find the defendants guilty, not guilty, or not proven, the last a verdict that frees the defendants without declaring them innocent. Camp Zeist, a former U.S. military base south of Amsterdam was declared temporary Scottish territory while the trial was in progress, and 200 Scottish policemen guarded the site. Each of the defendants was represented by counsel, and there were two prosecutors, the Lord Advocate and the Senior Counsel. The trial was conducted in English with Arabic translations for the defendants. The trial was televised to remote locations in Scotland, London, New York, and Washington, where victims families followed the proceedings.

In September 2000, the defense attacked the credibility of prosecution witness Abd al-Majid Giaka, a former Libyan intelligence agent who also worked for the CIA, who claimed that he saw the defendants with explosives and a suitcase at the Malta airport. In mid-October, the prosecution turned over to the defense evidence that reportedly implicated the Popular Front for the Liberation of Palestine - General Command in the Pan Am 103 bombing. The defense, which has maintained since the trial began that the PFLP-GC was behind the bombing, asked for and received a delay in the trial to study the new evidence. On November 20, the prosecution rested its case, after 232 witnesses and 72 days of testimony.

The court rejected a defense plea that there was no case to answer on November 28 and recessed the trial until January 2001.

The trial resumed on January 4, 2001, but the defense rested after only three days of testimony and three witnesses. Apparently, the defense believed that the three judges would determine that the prosecution had not presented a convincing case. In the opening argument on January 9, 2001, the prosecution asked that only the murder charge be considered and that the other charges be dropped. The defense began closing arguments on January 11 and completed its arguments on January 18. On January 31, 2001, the three judges declared al-Megrahi guilty, and Fhimah not guilty. Fhimah left the court immediately to return to Libya. After receiving two extensions, al-Megrahi filed an appeal on June 10, 2001, that was accepted by a judge in chambers. The prosecution does not have the right to appeal the Fhimah not guilty verdict.

Al-Megrahi's appeal, heard by a five-judge panel, began in the Netherlands on January 24, 2002. On February 6, 2002, the five judges agreed to hear new witnesses concerning allegations that someone broke into Heathrow Airport prior to Pan Am flight 103 and could have placed a bomb on board the aircraft. On March 14, the five judges rejected the appeal, and Megrahi was transferred to a Scottish prison where he will serve his life sentence.

The trial cost about \$80 million, lasted 85 days, recorded over 10,000 pages of testimony, and heard 235 witnesses, only three of whom were called by the defense. The appeals process has cost an additional \$38 million thus far, beginning in January 2001. It is assumed that families of the Pan Am 103 victims will file civil suits against Libya, and that the United States and the United Kingdom will seek compensation for the victims.

**U.N. Resolutions.** The United Nations Security Council has passed three resolutions concerning the Pan Am 103 and UTA 772 bombings. Resolution 731 of January 21, 1992, called upon Libya to extradite the two accused bombers. Resolution 748 of March 31, 1992, imposed some sanctions on Libya, such as a ban on Libyan aircraft flights, until Libya turns the two suspects over to British or U.S. authorities for trial. Resolution 883 of November 11, 1993, bans sales of oil equipment to Libya, and places a limited freeze on Libyan foreign assets.

Libya was able to move most of its foreign assets beyond the reach of the freeze called for in U.N. Resolution 883 during the 2 month-long debate over the Resolution. (The debate stretched out because Russia was hesitant to apply sanctions; Libya owes Russia about \$4 billion that would be more difficult to collect if tight sanctions were in place.) Also, the United States believed the sanctions would not be effective without a ban on purchasing Libyan oil. European countries, particularly Italy and Germany, rejected an oil embargo because they are more dependent upon light Libyan crude for their refineries. And, it was noted, a ban on oil equipment sales or oil purchases are difficult to enforce, as witnessed by similar sanctions against other countries.

**Terrorism.** The United States bans trade and travel with Libya because it harbors and fosters terrorism. On March 22, 2000, four State Department officials visited Libya to determine if Libya were safe for U.S. travelers, and if the travel ban should remain in effect. The *New York Times* reported on October 30, 2001, that U.S. and Libyan officials met in London to discuss possible cooperation in anti-terrorism.

**Mass Destruction Weapons.** It was reported that Libyan forces used chemical weapons against the Chadian forces during the 1986-1987 fighting. (See *Washington Post*, December 23, 1987, or *Christian Science Monitor*, January 5, 1988.) Supposedly, Libya acquired the chemical weapons from Iran. In March 1990, the United States and Germany accused Libya of building a chemical weapons center at Rabta, and in February 1993, the United States said Libya was building another chemical weapons plant at Tarhunah. The United States banned the export to Libya of any chemicals or equipment that could be used in the manufacture of weapons. During his visit to Egypt on April 3, 1996, U.S. Secretary of Defense William Perry implied that the United States would consider using military force to stop completion of the Tarhunah plant. (See CRS Report 96-849 (out of print), *Libya: Suspected Chemical Weapons Facility at Tarhunah*; please contact the author, Clyde Mark, at 7-7681 for copies.) Libyan officials told diplomats in the Netherlands that Libya will sign the treaty banning chemical weapons, according to the December 20, 2001 *New York Times*. By signing the treaty, Libya would open its chemical facilities to international inspection.

Beginning in the mid-1970s, al-Qadhafi stated that the Arabs needed a nuclear weapons capability to match Israel's. Libya, according to reports, tried to buy nuclear weapons from China in 1975 and from India in 1978, and tried to negotiate nuclear technology sharing arrangements with Pakistan in 1980, the Soviet Union in 1981, Argentina in 1983, Brazil in 1984, and Belgium in 1985. The Soviets built a small research reactor in Libya in 1981. (See Leonard Spector's *The Undeclared Bomb*, 1988.) Libya signed the Nuclear Non-proliferation Treaty in 1975.

The United Kingdom accused Libya of smuggling Chinese Scud missile parts to Libya through Gatwick airport in January 2000, and the U.S. Department of Defense accused China of training Libyans in missile technology in April 2000.

## **Congressional Action**

Congress applauded Administration actions against Libya and al-Qadhafi, such as placing Libya on the terrorism list in 1979, launching the air attack against Libya in 1986, or supporting U.N. Security Council Resolutions 731 and 748 in 1992 that applied economic sanctions against Libya until Libya extradited the Pan Am 103 suspects. P.L. 97-113, signed on December 29, 1981, condemns Libya for supporting international terrorism (Section 718). P.L. 99-83, signed on August 8, 1985, authorizes the President to prohibit imports from and exports to Libya (Section 504). P.L. 103-87, signed into law on September 30, 1993, listed Libya among the countries denied direct or indirect U.S. assistance or any International Organizations and Programs funds. And, Congress added Libya (Section 11) to H.R. 3107 (similar to S. 1228), which bans U.S. contacts with companies that invest in the Libyan oil industry (August 5, 1996, P.L. 104-172): the Iran-Libya Sanctions Act (ILSA) expired on August 4, 2001, but was extended by P.L. 107-24 of August 3, 2001.

On April 27, 2000, the Senate passed S.Res. 287 stating the sense of the Senate that Libya's refusal to accept responsibility for the Pan Am 103 bombing constitutes a danger to U.S. citizens, that the travel ban should remain in place, and that the President should consult with Congress on policy toward Libya.

## Current U.S. Economic Sanctions Against Libya

Beginning in 1973, the United States introduced a series of over 20 sanctions against Libya that ban a wide variety of economic activities. Among the banned practices are transferring conventional weapons or chemicals that could be used in weapons manufacturing; providing direct or indirect foreign aid or aid to international organizations that might benefit Libya; importing crude or refined Libyan oil and exporting U.S. oil production or refining equipment; engaging in trade, contracts, credits, loans, Export-Import Bank transactions, or third country transactions with Libya; and liquidating or transferring Libyan property in the United States. Some of the sanctions were modified over the years; for example, classes of U.S. aircraft were added to the banned export list after Libya used commercial planes to move troops to Uganda. Another modification permitted 5 U.S. oil companies to negotiate a standstill agreement for their Libyan assets and to arrange for third country subsidiaries to operate their Libyan holdings.

In addition, the United States led the United Nations effort to impose economic sanctions on Libya until Libya surrendered the two indicted intelligence agents charged with 1988 bombing of Pan Am flight 103 and bombing French UTA flight 772 in 1989.

On April 28, 1999, the United States ended the ban on commercial sales of food and medicines to Libya; humanitarian transfers of food and medicines to Libya were not affected by the commercial ban. (See *Federal Register* vol. 64, no. 147, August 2, 1999, p. 41789.)

President Reagan instituted a travel ban on Libya in 1981, which forbids using a U.S. passport to travel to Libya. The travel ban most recently was renewed for one year on November 25, 2000.

## Past Incidents in U.S.-Libyan Relations

**1973 Libyan Territorial Water Claim.** On October 11, 1973, Libya notified the U.S. State Department that the Gulf of Sidra was to be a closed bay and part of Libya's territorial waters. Under international practice the opening across a closed bay can be no more than 24 miles; the Gulf of Sidra opening claimed by Libya was over 300 miles across. Also, under international practice, Libya must have demonstrated continuous and open control over the bay that was recognized and accepted by other nations, conditions not met in the Libyan claim. The United States rejected the Libyan claim on February 11, 1974.

**1979 U.S. Embassy Burned.** On December 2, 1979, a mob, apparently inspired by the Iranian seizure of the U.S. embassy in Teheran the month before, attacked and burned the U.S. embassy in Tripoli; no U.S. citizens were killed or injured. The press reported that Libyan authorities did nothing to stop the mob. The embassy was closed permanently in May 1980, after a series of Libyan assassinations of Libyan dissidents in Europe. The U.S. Ambassador to Libya had been withdrawn in 1973 and not replaced.

**1980 Air Incident.** On September 16, 1980, a Libyan fighter aircraft fired at but missed a U.S. EC-135 reconnaissance plane over the Mediterranean. The United States took no retaliatory action.



**1981 Libyan Diplomatic Mission in Washington.** On May 6, 1981, the United States ordered the Libyan diplomatic mission (called the Libyan People's Bureau rather than embassy) in Washington closed because it was suspected that Libyan diplomatic personnel were involved in a wide range of illegal (or at least undiplomatic) activities, including terrorism and intimidating Libyan dissidents in the United States.

**1981 Air Battle.** On August 19, 1981, 2 Libyan SU-22 aircraft fired an "Atoll" air-to-air missile at 2 U.S. F-14 aircraft from the carrier Nimitz over the Gulf of Sidra. The Atoll missed but the F-14's did not; the U.S. Navy pilots shot down both Libyan aircraft. On October 15, 1981, the United States deployed 2 AWACS planes to Egypt to patrol the Egyptian-Libyan border area.

**1981 Assassination Attempts.** Shortly after the August 1981 aircraft incident, the press reported that Libyan "hit squads" had entered the United States to assassinate President Ronald Reagan. On October 25, 1981, U.S. Ambassador to Italy Maxwell Rabb was withdrawn from his post after U.S. intelligence sources discovered a plot to kidnap or assassinate the Ambassador. In November, someone fired at U.S. Ambassador to France Christian Chapman. Secretary of State Alexander Haig told a congressional committee that he suspected it was Libyans that fired the shots. (An earlier suspected Libyan assassination plan reportedly targeted U.S. Ambassador to Egypt Hermann Eilts in 1977.) Also in November, it was suspected that Libya was responsible for explosives discovered in music speakers for a U.S. embassy sponsored dance in Khartoum, Sudan. On December 10, 1981, President Reagan banned U.S. travel to Libya and requested that all U.S. citizens leave Libya to avoid a hostage situation similar to Iran in 1979.

**1983 Air Incident.** On February 1983, the United States despatched 4 AWACS planes to Egypt to watch the Libya-Sudan border and monitor Libyan flights toward Sudan. 2 U.S. Navy F-14 fighters intercepted 2 Libyan fighters over the Gulf of Sidra in June 1983, but neither side fired shots. In August, President Reagan deployed 2 AWACS planes and 8 F-15 interceptors to defend the AWACS to Sudan to monitor Libyan flights.

**1985 Rome and Vienna Airport Attacks.** On December 27, 1985, 20 civilians, including five U.S. citizens, were killed by simultaneous terrorist attacks at the Rome and Vienna airports. U.S. officials asserted that Libya was involved in the attacks.

**1986 Air and Sea Battle.** The U.S. Navy began a naval exercise on January 23, 1986, in the Mediterranean north of the Gulf of Sidra. (The United States followed accepted international procedures and notified all interested countries, including Libya, of the exercise.) During the week of February 11-15, 1986, Libyan and U.S. aircraft had more than a dozen encounters, although neither side fired shots. On March 24, 1986, Libya fired 6 SA-5 high altitude, long range, slow speed, surface-to-air missiles and 2 SA-2 low altitude, short range, high speed surface-to-air missiles at U.S. aircraft; all missed their targets. A-7 aircraft from U.S. carriers knocked out the SA-5 installations, and repeated the attack 4 hours later after the installation resumed activity. Also, A-6 carrier based aircraft attacked and sank or damaged four small Libyan attack boats that approached the U.S. ships.

**1986 Attack on Libya.** A terrorist bomb killed three people (two of whom were U.S. Army personnel) and wounded 200 (60 of whom were U.S. citizens) in the LaBelle nightclub in Berlin on April 5, 1986. At his April 9 press conference, President Reagan said there was

“considerable evidence” that Libya was responsible for the explosion. On April 15, some 100 U.S. aircraft — including U.S.A.F. F-111s from the United Kingdom, carrier based A-6, A-7, F/A-18, and F-14 aircraft, communications, reconnaissance, and electronic warfare aircraft, and refueling tankers — attacked two military complexes, two air bases, and a port in Libya. Libyan sources said 70 people were killed in the attack, including Qadhafi’s infant daughter. Two U.S.A.F. officers were killed when their F-111 was shot down. Later on April 15, Libyan patrol boats fired two missiles at a U.S. Navy communications station on the Italian island of Lamedusa, but the missiles fell short and the station suffered no damage. In a message to the nation following the April 15 raid, President Reagan cited, as the justification for the U.S. air raid on Libya, intercepted radio messages between Libya and the Libyan embassy in east Berlin discussing the April 5 Berlin nightclub bombing.

In November 1997, three men (one Libyan, one Lebanese, and one German of Lebanese origin) and two women (both German) went on trial in a Berlin court for the April 1986 nightclub bombing. On April 20, 2000, one Lebanese was quoted as saying that Libyan authorities arranged for the LaBelle bombing in retaliation for the January 1986 air-sea confrontation. A German judge found four of the accused guilty on November 13, 2001, but stated that charges were unproven that Libyan leader al-Qadhafi personally ordered the bombing.

**1989 Air Incident.** Two U.S. Navy F-14 fighters from the carrier John F. Kennedy shot down two Libyan MiG-23 aircraft some 70 miles north of the Libyan coast after the Libyan aircraft displayed what the Department of Defense described as “hostile intent” on January 4, 1989. Libya claimed its two aircraft were on routine patrol and were attacked by the United States. The U.S. claimed the two Libyans continued pursuing the U.S. aircraft despite taking five separate evasive actions.

## Other Libyan Foreign Relations

### United States of Africa

On August 20, 1999, al-Qadhafi proposed that the African nations confederate into a united states of Africa and that the new confederation eliminate their military establishments and focus on development. At the March 28, 2001 Arab summit meeting in Amman, Jordan, al-Qadhafi proposed that the Arab states join the united states of Africa.

### Saharan Economic Union

On August 16, 1997, Chad, Niger, Burkina Faso, Mali, and Libya announced the formation of an economic union within the Organization of African Unity. The leaders of the five states expected Nigeria to join at their planned September 1997 summit meeting, but Nigeria did not join. Libya offered to provide Mediterranean port facilities to the other four states. Libya, Chad, Mali, Niger, Sudan, and Burkina Faso signed another economic cooperation agreement on February 3, 1998.

## Algeria

Algeria mediated the 1989 peace agreement between Chad and Libya. And, Algeria and Libya found themselves on the same side supporting the Polisario against Morocco in the dispute over sovereignty in the Western Sahara. Libya proposed a merger of Libya and Algeria in June 1986 and submitted a more formal proposal in June 1987, but all that came of the suggested union were a series of industrial development agreements beginning in March 1988.

## Central African Republic

Libyan troops arrived in Bangui on November 5, 2001, to assist CAR armed forces loyal to President Ange-Felix Patasse put down what appeared to be a coup attempt by military commander Gen. Francois Bozize. Libyan armed forces had performed a similar role in May.

## Chad

In late 1980, several thousand Libyan troops intervened on the government side in the Chad civil war. In November 1981, the Chad government requested the withdrawal of the 7,000 to 10,000 Libyan troops, to be replaced by peacekeeping forces from the Organization of African Unity. Libyan forces withdrew except for the Aouzou strip, the uranium and mineral-rich territory along the Chad-Libya boundary seized by Libya in 1973. In June 1982, the pro-Libyan Chad government fell to a French supported rival faction, and many of the government officials and forces sought sanctuary in Libya or Libyan-protected territory in northern Chad. Following more fighting in 1983, Libya and France agreed to withdraw their troops from Chad and allow the Chadians to resume control over their own affairs. French forces withdrew in 1984 but Libyan forces did not, retaining control over the northern 40% of the country and adding to Libya's untrustworthy reputation.

In 1986, the former President of Chad announced from his Libyan exile that he was willing to negotiate with the new government, a move that split the Libyan-based rebels (the former government) and led to the house arrest of the former President. In the ensuing fighting, the new Chad government and its rebel faction, supported by France and the United States, fought against Libya and its rebel faction, supported by the Soviet Union. In August 1989 Chad and Libya signed an Algerian-brokered peace accord, although the Libyan incursions into Chad continued through 1990. In August 1990, Chad announced that the two sides had agreed to submit the Aouzou strip controversy to the International Court of Justice. In December 1990, the Chad government was overthrown by rebels friendly to Libya. In early 1994, the IJC decided in favor of Chad, and the two countries agreed that Libya would begin withdrawing in May 1994. Under the eyes of a 15-member U.N. Aouzou Strip Observer Group, the Libyans began withdrawing on May 4 and completed the withdrawal on May 30, 1994. UNASOG withdrew the next day.

The December 1990 coup freed some 2,000 Libyan prisoners of war, but left another 700 Libyans in Chad who reportedly had been training under the auspices of the U.S. Central Intelligence Agency. According to press reports, one-half of the Libyans decided to return to Libya, and the other 350 traveled to Zaire and Kenya before entering the United States where they allegedly continued their military training. (See, for example, John Goshko, U.S.

Accepts 350 Former Libyan Soldiers. *Washington Post*, May 18, 1991: A18.) Unconfirmed press reports suggested that some of the CIA-trained Libyans were involved in the March 1996 fighting.

On January 7, 2002, after three days of al-Qadhafi-led negotiations in Tripoli, the Security Minister of Chad and the leader of the rebels signed a peace agreement to end the civil war.

## **Egypt**

Three months after the 1969 coup, the RCC proposed a merger of Egypt, Sudan, and Libya, and later added Syria. Despite the 1970 death of Qadhafi's hero, Egyptian President Nasir, the Libyan leader pursued the merger. Egypt, Syria, and Libya — Sudan had dropped out — voted in September 1971 to approve the constitution of the Federation of Arab Republics. The Federation existed, at least on paper, until Egypt withdrew in October 1984 after suspecting that Libya was responsible for planting mines in the Gulf of Suez and the Red Sea. Qadhafi proposed a separate union of Egypt and Libya in 1973, but the merger fell apart after one month when Qadhafi criticized Egypt's conduct in the October 1973 war. Al-Qadhafi did not approve of the Egyptian-Israeli 1975 and 1976 cease-fire agreements, and the increasing bad relations led to border clashes in 1977. Later that same year, Libya denounced Egyptian President Anwar al-Sadat's November trip to Jerusalem and the ensuing Egyptian-Israeli peace treaty in 1979.

Poor Egyptian-Libyan relations and improving U.S.-Egyptian relations led to conjecture at the time that Egypt would act as the U.S. surrogate to attack and occupy Libya to end al-Qadhafi's support for terrorists and his meddling in other nations' affairs, but such conjecture was denied by Egypt and the United States. Egyptian-Libyan relations remained poor until a May 1989 reconciliation between al-Qadhafi and Egyptian President Mubarak reopened their border and re-established normal relations. In April 1995, Egypt offered to fly Libyan pilgrims to Saudi Arabia after the U.N. rejected Libya's request for direct flights. Mubarak flew to Libya with U.N. permission in August 1998 after al-Qadhafi injured his hip. Egyptian President Mubarak meets periodically with al-Qadhafi to discuss regional affairs.

## **Israel**

Since the 1969 coup, Libya has been a leader of the Arab world anti-Israeli forces, and a strong advocate of the Palestinian cause. Libya has supported Palestinian armed opposition to Israel and has opposed negotiated or mediated settlement. Al-Qadhafi provided bases, arms, training, and financial support for the more radical of the anti-Israel Palestinian groups, such as Abu Nidal.

On May 30, 1993, 192 Libyan religious pilgrims, denied air flights to Saudi Arabia for the Haj because of the U.N. air embargo, set off across Egypt in buses bound for al-Aqsa and the Dome of the Rock mosques in Jerusalem. They were welcomed at Rafah on the Egyptian-Gaza boundary by the Israeli Minister of Tourism, and on May 31, 1993, the group prayed at the two Muslim shrines in Jerusalem. A planned tour of Jericho, Bethlehem, Hebron and other religious and historical sites was cut short after a Libyan statement that Jerusalem should be the capital of a Palestinian state infuriated Israelis. The Libyans left Israel on June 2, leaving in their wake rumors that Libya and Israel would establish

diplomatic relations and that al-Qadhafi would visit Israel. The visit left the Arab world confused over al-Qadhafi's reasoning.

## **Malta**

Libya offered economic support to Malta during the 1972 U.K.-Malta negotiations over British bases on the island, and the two signed an economic cooperation agreement in 1984. Libya-Malta relations remain cordial despite a rejected Libyan offer of union and a dispute over territorial waters finally resolved in Libya's favor in 1985 by the International Court of Justice.

## **Morocco**

Morocco and Libya broke diplomatic relations after King Hassan suspected that al-Qadhafi supported the July 1971 coup attempt against the throne. The two nations restored relations, but Libyan recognition of the Polisario claim to sovereignty over Western Sahara led to a new break with Morocco in April 1980. The August 1984 Treaty of Union between Morocco and Libya surprised everyone because it joined the moderate and steadfast King Hassan of Morocco with the radical and mercurial al-Qadhafi. The union began falling apart when Libya signed a 1985 alliance with Iran, and ended in August 1986, when King Hassan abrogated the treaty after al-Qadhafi criticized the King for meeting with Israeli Prime Minister Peres. Al-Qadhafi has criticized Morocco for establishing diplomatic relations with Israel in 1995.

## **Sudan**

In July 1971, after a coup-in-progress briefly removed Sudanese President Numayri from office, Libyan leader al-Qadhafi forced down a BOAC airliner carrying the new President-designate back to Khartoum, and turned the would-be ruler over to Numayri's troops for execution. Numayri was restored to the Presidency, and Libya and Sudan enjoyed good relations for one year before Sudan accused Libya of involvement in a series of coup attempts and broke relations. Libya considered joining Ethiopia in an alliance against Egypt and Sudan after Sudan supported the 1978 Camp David agreements. Sudan hosted anti-Qadhafi radio transmitters and Libya provided funds and supplies for anti-Numayri rebels. Following Numayri's ouster in 1985, the new government mended fences with Libya and allowed Libyan forces to operate from Sudan in supporting the Chad rebels. After the 1989 change in Sudan's government, the two countries considered a merger and formed a joint General Peoples' Congress in 1990. But in the early 1990's, Libyan-Sudanese relations became strained over Sudan's support for militant Islamic reformers. Sudan signed the February 1998 economic cooperation agreement with Libya and four other Sahel states. In late 1999, Libya supported the al-Bashir governments' emergency regulations intended to stop parliament Speaker al-Turabi from challenging al-Bashir's authority.

## **Tunisia**

Relations between Libya and Tunisia improved gradually after initial Tunisian hesitation to accept the 1969 coup. In 1970, al-Qadhafi proposed a merger of the two countries, but Tunisian President Habib Bourguiba rejected the proposal. Tunisia and Libya

announced a merger in January 1974, but the referendum approving the union was delayed and never held. Al-Qadhafi denied Tunisian government accusations that he was behind the Tunisian rebel raid on Gafsa in January 1980. One month later, in February 1980, a mob burned the French embassy in Libya, apparently in response to the French offer to aid Tunisia against a Libyan-sponsored rebellion. By 1982, the two countries were on good terms again and signed a cooperation agreement. The amicable relations lasted only 2 years, when in 1984 al-Qadhafi accused Tunisia, Sudan, and the United Kingdom of supporting a rebel attack against his military barracks. In August 1985, Tunisia broke diplomatic relations and expelled 280 Libyans accused of spying, and Libya retaliated by expelling some 30,000 Tunisian workers from Libya. Tunisia and Libya restored diplomatic relations in December 1987, and participated in the June 1988 meetings that led to the Maghrib union. Libya has been critical of Tunisian diplomatic overtures toward Israel since the 1993 Palestinian-Israeli agreement.

## **United Kingdom**

In December 1971, Libya nationalized British Petroleum Company's Libyan operations because the United Kingdom did not stop Iran from seizing the Tunbs islands in the Persian Gulf that were claimed and occupied by the United Arab Emirates. Libya stated that the United Kingdom should have used military force to expel the Iranian invaders. Also in 1971, Libya supported Malta in its negotiations with the United Kingdom over the future of British bases on the Mediterranean island. In March 1984, Libyan agents tried to blow up dissident Libyans in Manchester, U.K. British police on the trail of the bombers surrounded the Libyan embassy in London, and on April 17, 1984, shots fired from inside the embassy killed one British police woman and wounded 11 other people. After more negotiations, Libya withdrew from the embassy on April 27. The United Kingdom joined the United States in supporting U.N. Resolutions 731 and 748 applying economic sanctions against Libya until Libya extradited the suspects in the Pan Am 103 bombing. Eleven British subjects died in the Pan Am 103 crash. Britain and Libya reestablished diplomatic ties on July 7, 1999, following the progress in the Pan Am 103 trial and Libya agreement to cooperate in investigating the 1984 embassy shooting.

## **Mediation Efforts**

Al-Qadhafi mediated the cease-fire agreement signed in Sirte on April 18, 1999, between Congo President Laurent Kabila and Ugandan President Museveni that was intended to end the war between the Uganda/Zambia supported Congo rebels and the Kabila government. Libya sent troops and transported Chadian forces to Congo on May 27 to serve in the peacekeeping force that occupied the eastern Congo borders.

Al-Qadhafi has held meetings with the Presidents of Zambia, Eritrea, the Central African Republic, and Chad seeking to end the Congo strife. In early 2000, Libya sent three officers to serve in the U.N. peacekeeping force in the Congo. The Libyan forces were pulled out after one year. Qadhafi mediated a dispute between Sudan and Uganda in May 2001.

Al-Qadhafi mediated a peace agreement between Chad rebel leader Yussuf Togoimi and Chad Security Minister Abd al-Rahman Musa on January 7, 2002.

## Historical Background

Phoenicians, Greeks, Romans, Egyptians, Vandals, and Byzantines, conquered and colonized Libya and its indigenous Berber peoples before the Arab invasions of 643 A.D. transmitted the cultural and religious foundation to Libya that survives to the present. Various Arab dynasties ruled Libya from Damascus, Baghdad, Qayrawan (Tunisia) and Cairo, until the arrival of the Ottoman Turks in 1517. The Ottoman seaport colony at Tripoli sheltered the pirate kingdoms that harassed Mediterranean trade in the 16th through early 19th centuries. During the Arab and Ottoman periods, local rulers, such as the Karamanlis in the 17th and 18th centuries, often controlled parts of Libya while remaining under ostensible Arab or Ottoman regency. In 1843, a new Libyan era began when Muhammad ibn Ali al-Sanusi established the first of his eventual 150 “lodges” espousing an austere Islamic revival movement that featured a return to the simple and orthodox Islam of the Prophet, and rejected Islam based on emotional experiences as practiced by the Sufis. The Sanusi puritans converted the inland tribes and soon controlled most of Libya.

In 1911, Italy invaded and occupied Libya during a conflict with the Ottoman Turks and their Sanusi allies, and in 1912, annexed Libya after the Ottomans declared the territory independent. The Sanusis continued the war against the Italian invaders, which placed them on the side of the Central Powers and against the Allies in World War I. When the Sanusi leader Ahmad fled to Turkey after losing a battle against Italian and British forces, his nephew Idris assumed command of the Sanusis and signed a truce with Britain in 1917. A 1920 Italian-Sanusi agreement recognized Idris as the Amir of the Libyan interior, and an autonomous subject of the Italians along the Mediterranean coast. Despite the arrangement, armed Sanusi resistance to Italian rule continued until 1931, when the Italians executed Umar al-Mukhtar, a guerrilla leader and ally of Idris. In 1940, Libyans from the interior declared their support for the Allies when Italy entered World War II on the German side. After the war, the Allies could not agree on Libya’s fate, eventually agreeing in 1949 to a United Nations General Assembly Resolution calling for Libya’s independence in January 1952.

In 1954, Libya agreed to accept U.S. economic assistance in exchange for U.S. rights through 1970 for an air base (Wheelus) near Tripoli. The United Kingdom made similar arrangements for access to Tubruk, and other military facilities in Libya. Ten years later, after the discovery of oil and the end of Libya’s need for U.S. and British aid, King Idris requested that the United States and the United Kingdom surrender all military bases, and the British began moving from some of their facilities in 1966. After the 1969 coup, both Britain and the United States agreed to leave Libya in 1970.

On September 1, 1969, some 70 Libyan army officers and enlisted men seized control of the government, abolished the monarchy, and declared Libya a republic. A 13-man Revolutionary Command Council (RCC) appointed a mixed civilian-military cabinet of technocrats to administer the country under the collegial guidance of the RCC.

## Government

The 1951 constitution established a federal system of government with the central authority vested in King Idris I, a Prime Minister and a Council of Ministers, and a bicameral legislature composed of an elected 103 member Chamber of Deputies and a one-half appointed, one-half elected 24 member Senate. The first election was held in February 1952, one month after independence. In 1963, King Idris replaced the Federal system of government with a unitary monarchy that gathered more power to the throne and diminished the authority of the states. The three states of the federal system, Fezzan, Tripolitania, and Cyrenaica, were replaced by 10 governorates.

One of the first acts of the Revolutionary Command Council after the September 1, 1969, coup was to abolish the monarchy and proclaim a republic. In December 1969, the RCC issued a constitutional proclamation that replaced the constitution and confirmed the RCC as the supreme legislative and executive authority in Libya. In 1973, Col. Muammar al-Qadhafi, leader of the RCC, proclaimed a “Popular Revolution” that was intended to involve the people in government through “Peoples’ Committees” to take over government agencies and run the country. Peoples’ committees were created in geographical areas, such as urban neighborhoods, rural villages, and rural zones beyond the villages, and in institutions, such as broadcasting, hospitals, companies, factories, schools, or universities. Zone, urban area, and village peoples’ committees elected municipal and regional peoples’ committees, which in turn elected provincial or governorate peoples’ committees. By mid-1973, there were 2,000 peoples’ committees in Libya. In 1976, al-Qadhafi issued the first volume of the three volume “Green Book” that outlined his vision of the government and economic system for Libya.

On March 2, 1977, al-Qadhafi officially changed the country’s name to the Great Socialist Peoples’ Libyan Arab Jamahiriyah — al-Qadhafi coined the word Jamahiriyah to mean “state of the masses” or “peoples’ authority.” On February 18, 1994, al-Qadhafi announced that Sharia (Islamic) law would be implemented in Libya, but it is not known how the change from secular to religious law has affected the country.

On January 20, 2000, al-Qadhafi adjourned the annual meeting of the General Peoples’ Congress because he said the proposed budget was too dependent upon oil revenues. After rewriting the budget, the General Peoples’ Congress reconvened on February 25. At the March 1 session, al-Qadhafi abolished 12 cabinet secretaries and reassigned their duties to the provincial committees. The Secretaries for foreign affairs, defense, justice, and finance will remain under the authority of the centralized General Secretariat. On March 2, 2000, al-Qadhafi told a political rally that Libya needed a “constitutional reference” that would provide for a head of state. Under the existing system, Libya does not have a head of state, and al-Qadhafi carries the unofficial title of “Guide of the Revolution.”

## Political Dynamics

The Revolutionary Command Council ruled Libya as dictators for the first 4 years after the 1969 coup. Much of the tribal and confederation politics present under the monarchy carried over to the new regime. Qadhafi’s creation of the Arab Socialist Union (ASU) in 1971, the “Cultural Revolution” and the creation of the people’s committees in 1973, his



surrendering of all his titles to become the revolutionary leader and guide in 1974, and the appearance of the “Green Book” in 1976, provided the structure for the popular democracy that Qadhafi expected to rule Libya, and, eventually, the Arab world. Qadhafi asserted that the ASU, copied from its Egyptian parent, would reflect Egyptian President Nasir’s Arab socialism and Arab unity, which would merge with Qadhafi’s linking of populism, Islam, socialism, and Arab nationalism, to produce perfect social justice in Libya. Qadhafi maintained there was no need for legal protection of freedom of speech because the people would exercise complete freedom of speech in their ASU and Peoples’ Committee debates on the issues; everything would be discussed openly in the Peoples’ Committees, leaving nothing unsaid that would require another forum with guaranteed freedom of expression.

But, Qadhafi was disappointed that the Libyan people did not seize these opportunities to govern themselves, and did not demonstrate a proper enthusiasm for the new structure. Also, RCC leaders Abd al-Salam Jallud, Abu Bakr Yunis Jabir, Mustafa Karrubi, and al-Kuwaylidi al-Humaydi Qadhafi, continued to operate as they had in 1969, as RCC dictators, often disagreeing among themselves and resorting to the tribal politics of old. Despite the popular democracy structure and the multilayered Peoples’ Committees, Libya is governed by the members of the RCC (although the RCC was dissolved officially in 1979).

## **Muammar al-Qadhafi, A Profile**

Muammar al-Qadhafi was born into a humble Arabized Berber nomadic tribe, educated at Muslim schools as a boy, graduated from the Benghazi military academy, studied at Britain’s Royal Military Academy at Sandhurst, and led the September 1969 RCC overthrow of the Libyan monarchy as a 27-year-old army captain. Al-Qadhafi remains the most visible member of the RCC and the one most often identified with the regime. He usually is described as Libya’s dictator, despite the egalitarian and collegial nature of the RCC and al-Qadhafi’s shared leadership responsibilities. Many of his actions are paradoxical to Westerners: on one hand he introduced participatory democracy in Libya, provided for a more equitable distribution of Libya’s wealth, espoused family and religious values, has maintained high personal moral standards as a model for Libya, and advocated Arab world unity; but on the other hand, he intervened in the internal affairs of Sudan, Egypt, Chad, Zaire, Tunisia, and other countries, supported terrorist and revolutionary groups, dispatched assassination teams to kill Libyan dissidents, and with his RCC colleagues ran Libya as a private fiefdom despite the democratic facade. At times, he is flamboyant and gregarious, and at other times reclusive and retiring. He promoted himself from Captain to Colonel but shunned the title of President. Rumors circulate periodically that he suffers from and is treated for manic depression, schizophrenia, or narcotics addiction.

## **Economics**

Al-Qadhafi wanted Libya to become a socialist state with all state-owned, state-run businesses and industries operated through People’s Economic Committees. A good example of al-Qadhafi’s new economic plan were the state-owned supermarkets that were to replace individually owned small shops. But the supermarkets suffered from stock shortages, poor selection, bad organization, and bad management, and by the late 1980’s, were being replaced by small, individually owned free enterprise shops. Al-Qadhafi and the

RCC envisioned a Libyan economy operated by Libyans, but Libya continues to depend upon foreign workers for many menial jobs eschewed by Libyans and for high tech positions where there is a dearth of trained and experienced Libyans.

**Oil.** Commercial oil was discovered in Libya in 1957. In 1970, Libya opened two-year negotiations with its 20 foreign operating companies to negotiate an increase in the posted price upon which its oil revenues were calculated. Previously, oil companies set posted prices, so the Libyan move to negotiate the price, and other concessions won by Libya, such as freight, gravity, and sulfur differentials or training and investment set-asides, established new standards for the industry. The Libyan change coincided with other early 1970s oil industry changes: Indonesia, Venezuela, and Algeria had acquired a share of oil production from their operating companies, and Saudi Arabia was about to embark on a similar course. Oil producing states wanted a share of oil refining and marketing, and training for indigenous oil workers and technicians. The 1970-1971 Libyan negotiating victories also placed Libya in the continuing role as a “price hawk” among other oil producing and exporting nations.

Oil revenue represents one-third of Libya’s gross domestic product (\$34.5 billion in 1995), provides 99% of Libya’s export earnings (\$8 billion in 1995), but employs only 10% of Libya’s workforce. 95% of Libya’s oil is exported to Europe. Libyan oil is “sweet”; that is, high specific gravity and low sulphur (high specific gravity oil refines into larger quantities of high-in-demand light fuels, such as gasoline, kerosene, naphtha, etc., and low amounts of sulphur and other minerals means less refining to remove the impurities). European nations with refineries built to process Libyan sweet crude will not be enthusiastic about joining a boycott of Libyan oil.

**Agriculture.** Agriculture employs 20% of the one million person workforce, but produces only 5% of the gross domestic product. Libya imports 75% of its food. 95% of Libya is desert, with only 5% of the land fit for cultivation. Of the total land, only 1% currently is arable, but it is the goal of the government to expand cultivation through irrigation; at present only 10% of the cultivated land is irrigated. Libya’s primary crops are wheat, barley, olives, dates, citrus fruits, and peanuts.

**Water.** To ease the chronic water shortage, al-Qadhafi launched the Great Man-Made River Project in November 1983. When the 5-stage project is completed in 25 years, the \$25 billion scheme will carry 6 million cubic meters of water from 270 deep wells in the Sahara through a 4,040 kilometer long, 13 feet diameter, pipeline system to some 37,000 model farms along the Mediterranean coast. The first stage, inaugurated in August 1991, was intended to irrigate some 280,000 hectares (700,000 acres). Critics suggest that the project is too expensive for the very limited expected return, may waste ground water assets that could be used more efficiently, and may produce environmental problems. Others claim the project will be economical and efficient.