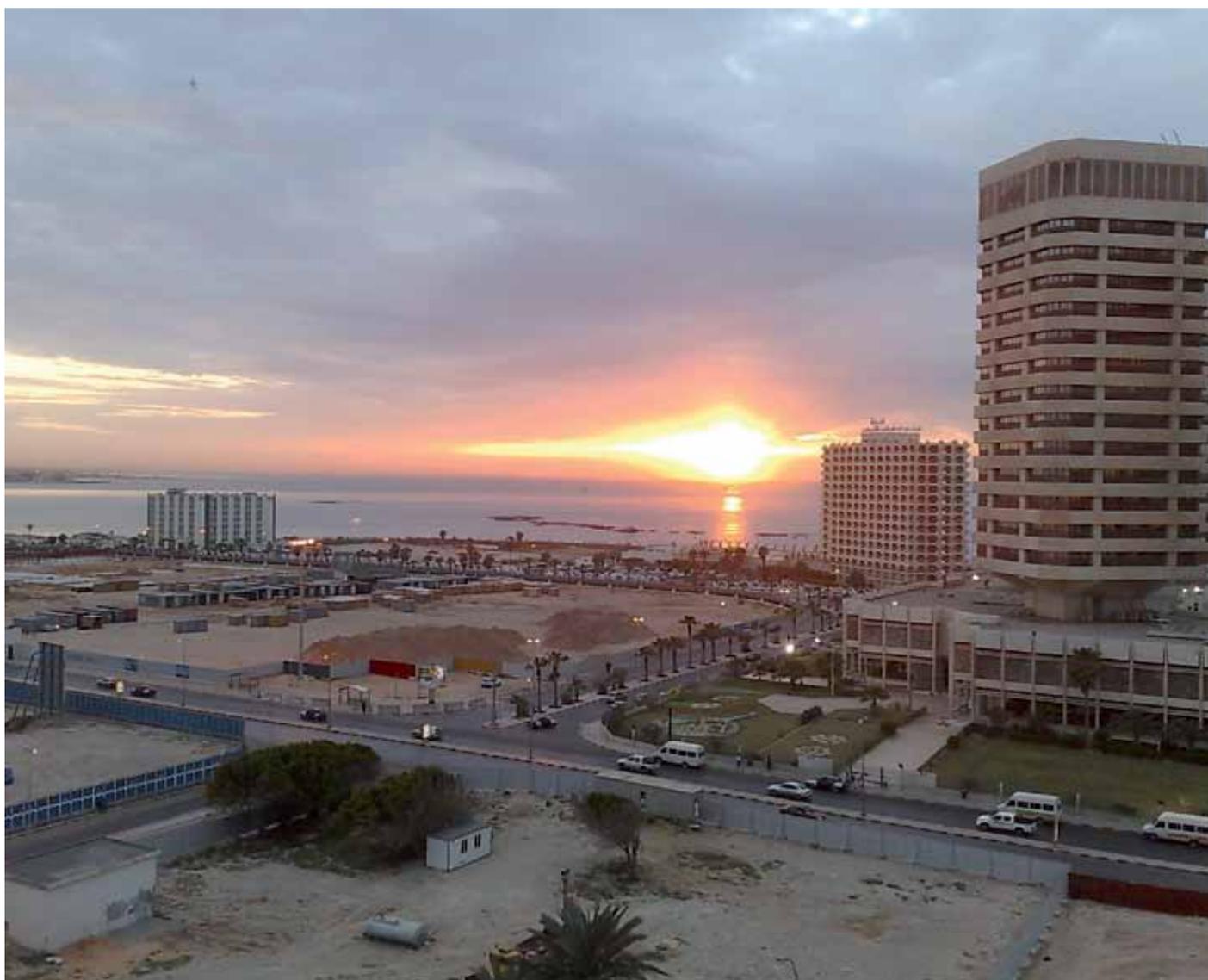




# Civil society and foreign donors in Libya

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## Introduction

In Libya, political civil society is a novelty. Mostly banned under Muammar Gaddafi, non-governmental organisations (NGOs) have mushroomed in post-2011 Libya thanks to newly acquired freedoms. The influx of foreign donors to the previously isolated country, providing technical and financial assistance, has contributed to building up the capacities of the Libyan NGO sector.

Having been subjected to propaganda about foreign ‘conspiracies’ for decades, Libyan society is slowly adapting to the idea of development assistance from abroad as a friendly means to help the country’s democratic transition. A highly politicised issue in Egypt and Tunisia, the topic of ‘foreign funding’ and how it is addressed in Libyan public debate differs from its neighbouring countries in several ways. Libya’s economic wealth, while not yet mobilised to build up civil society capacities as such, sets the stage for popular attitudes regarding external support to building Libya’s new order. Unlike in Egypt (where the Muslim Brotherhood has suffered a major reversal with the removal of President Morsi by the army following massive street protests, but remains a strong political movement and contender for power) and Tunisia, Libya’s Islamist parties are relatively weak. It follows that the anti-Gulf sentiments on the rise in several North African countries – motivated mainly by the Gulf’s alleged backing of Islamic forces – are less widespread in Libya. The great importance that tribal structures and decentralised governing models could have in the future is already affecting the impact potential of donors based in Tripoli. At the same time, the country’s fragile security situation significantly limits the scope for both domestic and external actors to venture beyond the big cities.

Based on a series of interviews carried out in Libya in early 2013, this paper examines how the issue of foreign funding is perceived by donors and local stakeholders, focusing on how local attitudes have changed in the post-Gaddafi era.

# 1. Civil society under Gaddafi

Since coming to power in 1969, Gaddafi frequently discredited Western and other foreign actors as hatching hostile plots against Libya and seeking to interfere in the country's internal affairs. The Colonel's anti-Western stance was further strengthened in 1986 when the United States launched airstrikes against Libya in retaliation for the country's sponsoring of terrorist acts against US troops and citizens. Gaddafi continuously stressed his preference for in-depth relations with African and Arab countries. Even though the Colonel's official renunciation to develop Weapons of Mass Destruction (WMDs) in December 2003 led to improved relations with the West (in particular with France, the United Kingdom, Italy, but also the United States), he remained cautious about Western states and their allies, including from the Arab world. Accusations of foreign conspiracies also targeted non-state actors such as al-Qaida. The outbreak of the Libyan uprisings in February 2011 quickly led Gaddafi, in a number of fiery televised speeches, to portray them as the result of a hostile 'foreign plot'.<sup>1</sup> When the initial uprisings turned into a civil war, however, Gaddafi's 'foreign plot' rants failed to impress his opponents. Following Gaddafi's death, there was no indication that the kind of anti-Western propaganda used by the pre-revolution regime continued to play an important role in political discourse.

Under Gaddafi, the legal framework for civil associations in Libya was among the most restrictive in the region, effectively impeding the emergence of a genuine civil society. Under the 1971 Association Act, NGOs were formally tolerated, but very few existed.<sup>2</sup> Law 19 of 2001<sup>3</sup> imposed further restrictions on freedom of association. Registering a new association could take up to two years, with no guarantee of obtaining a permit. Associations had to be approved by the security apparatus and had to include government representatives among their leadership.<sup>4</sup> Partly as a result of these constraints, only 22 NGOs were registered prior to the February 2011 uprisings.<sup>5</sup> Regarding foreign funding, Law 19 of 2001 (Art. 14) banned cooperation with organisations whose headquarters lay outside of the 'Great Jamahiriya', including receiving financial donations not cleared by the Secretariat of the General People's Committee. While access to foreign funding was not completely prohibited under the law, these restrictions and the climate of fear that prevailed during most of Gaddafi's tenure largely dissuaded civil society from seeking foreign financial support. In January 2010, one year before his fall, Gaddafi stated that the idea of civil society had no place in his country and sought fully to ban NGOs in Libya.<sup>6</sup>

<sup>1</sup> See for example <http://www.dailymail.co.uk/news/article-1360343/Libya-Gaddafi-blames-Osama-bin-Laden-hallucinogenic-pills-Nescafe-uprising.html>

<sup>2</sup> *Bertelsmann Transformation Index (BTI): Libya Country Report*, Bertelsmann Foundation, 2012, available at: <http://www.bti-project.de/fileadmin/Inhalte/reports/2012/pdf/BT1%202012%20Libya.pdf>

<sup>3</sup> Law 19/2001, full text (in Arabic) available at: <http://www.icnl.org/research/library/files/Libya/19-2001-ar.pdf>

<sup>4</sup> See Foundation for the Future, 'Assessing needs of civil society in Libya: an analysis of the current needs and challenges of the civil society in Libya', November 2011, available at: <http://foundationforfuture.org/en/Portals/0/PDFs/ASSESSING%20NEEDS%20OF%20CIVIL%20SOCIETY%20IN%20LIBYA.pdf>

<sup>5</sup> Mercy Corps and The Governance Network, 'Beyond Gaddafi: Libya's governance context', August 2011, available at: [http://www.mercycorps.org/sites/default/files/capacity\\_to\\_govern-libya\\_26\\_aug\\_2011.pdf](http://www.mercycorps.org/sites/default/files/capacity_to_govern-libya_26_aug_2011.pdf)

<sup>6</sup> Gaddafi says no to NGOs', *News24*, 29 January 2010, available at: <http://www.news24.com/Africa/News/Gaddafi-says-no-to-NGOs-20100128>

There were some, although rare, attempts by foreign actors to promote projects in Libya in partnership with local civil society before the fall of the Gaddafi regime. For example, the United States was an active promoter of cultural and youth-related projects, in particular under US Ambassador Gene Cretz from 2008 to 2012. But fears of public accusations of collusion with the US dissuaded Libyans from implementing projects on the ground.

## 2. The post-Gaddafi era

In the aftermath of Gaddafi's fall, numerous new associations were set up. Most of these new NGOs seek to improve Libyans socio-economic living standards by building infrastructure, improving the health and education sectors, creating growth and employment, or promoting the study of foreign languages. Others focus on more political issues, such as strengthening citizens' rights, raising awareness about electoral participation, or giving input for the drafting of the new constitution. In the absence of official statistics, quantitative estimates of the number of NGOs range from several hundreds to thousands. According to the Libyan High National Election Commission (HNEC),<sup>7</sup> by May 2012, 374 'political entities' (including political parties, unions and associations, among others) had been officially registered, but given that many associations have not sought official registration, the actual number is estimated to be much higher. Around 100 political parties are currently registered in Libya, of which 63 are represented in the General National Congress (GNC).<sup>8</sup> The growth of the associative sector has been very uneven across Libya, with urban centres such as Tripoli and Benghazi registering the largest numbers of new associations, unmatched by other regions or towns such as Sebha or Mesrata. With Libyan civil society being built largely from scratch, developing organisational capacities constitutes a major challenge.

After the fall of Gaddafi, many foreign donors took the opportunity to establish a presence in Libya. Although the Ministry of Culture is formally entitled to allocate funds to support civil society activities, hardly any of this money is actually disbursed due to the Ministry's dysfunctional organisation and opaque practices inherited from the Gaddafi era. The unavailability of domestic public funding for civil society and the lack of involvement of the state in local development projects provide considerable room for international donors to fill this niche. Aside from humanitarian aid in the immediate aftermath of the civil war, large part of foreign aid to Libya (if not explicitly earmarked for civil society capacity-building) is channelled through civil society.<sup>9</sup> In the early transition context, support to the political process, including the monitoring of elections, organising public opinion, and technical support to constitutional debates, has received special attention. However, the fragile security situation has discouraged many foreign actors from expanding their activities geographically beyond Tripoli and, in part, thematically.



<sup>7</sup> *The Libya Report*, 24 May 2012, available at: <http://www.thelibyareport.com/taxonomy/term/12/80-electorate-register-vote>

<sup>8</sup> There are 6 political forces in the GNC, given that the Alliance of National Forces is composed of 58 political parties.

<sup>9</sup> A list of humanitarian pledges, commitments and contributions to Libya for the year 2012 can be found at: [http://fts.unocha.org/reports/daily/ocha\\_R10c\\_C121\\_Y2012\\_asof\\_\\_1306100204.pdf](http://fts.unocha.org/reports/daily/ocha_R10c_C121_Y2012_asof__1306100204.pdf)

### 3. The current legal framework

While Libya's young civil society is flourishing, a formal legal framework that regulates the sector's activities is still lacking. However, various implicit red lines delimit the work of civil society organisations (CSOs), such as not threatening Libya's national security, or avoiding sectarian rhetoric. Until a law on associations is finally adopted, NGOs can organise freely and benefit from any type of aid, as long as these red lines are not overstepped. The freedom resulting from this lack of regulation has facilitated the rapid growth of Libya's NGO sector in the past two years.

At the time of writing, a draft law on associations (*Mashru' Qanun bi-Shaan al-Jam'iyat*) is being debated in the General National Congress.<sup>10</sup> The current draft allows associations to develop their activities freely, and without interference by the authorities unless by judicial decision (Art. 8). Associations must respect 'democracy, civic values, equality, human rights, transparency, the fight against corruption, national laws and international conventions' (Art. 1). Article 5 bans any distinction based on race, gender, language, or ethnical or tribal affiliation. Some interpret this article as excluding the possibility of developing projects based on communitarian identities or cleavages, depriving tribes and clans of a claim to a specific legal status.<sup>11</sup>

At the moment, the draft law allows associations to receive both public and private funding in the form of 'gifts, donations, and loans'. While details on domestic public funding still need to be determined at this stage, associations have the right to receive money from international donors (Art.13). Transparency is a pre-condition for the receipt of foreign funds: the draft law states that any foreign donation to a Libyan NGO must be published in a Libyan newspaper and declared on the association's website within a month after funds are received. While the draft law does not explicitly seek to regulate the presence of foreign NGOs on Libyan soil, Article 15 mentions the possibility for foreign associations to extend their activities to Libya and open local branches in the country. It is likely, however, that the draft law will be further amended before its adoption.

The far-reaching freedom for Libyan associations contrasts strongly with the strict legal provisions for political parties. Laws governing political party funding tightly limit parties' fundraising options, to a degree that has been criticised as distorting political competition by favouring some parties over others. A controversial decision taken by the former National Transition Council (NTC) on 24 April 2012 to ban all parties organised along religious, regional, tribal or ethnic lines was lifted soon after. In May 2012, the NTC adopted Law No. 4 on the foundation and activities of political parties<sup>12</sup> in preparation for the GNC elections held on 7 July 2012. Since then, the HNEC has been working on the draft of a new, comprehensive electoral law.<sup>13</sup>

<sup>10</sup> Draft Law on Associations, full text (in Arabic) available at: <http://www.icnl.org/news/2012/draft-libyan-law-on-associations-AR.pdf>

<sup>11</sup> Decentralisation should be one of the priorities of the GNC. Tribal politics poses serious challenges, notably in the south of the country. While this issue is often underestimated by the media and research reports, a brief but useful reading on the matter can be found at V. Stocker and K. Mezran, 'The Libyan southern front: between conflict and dialogue', Atlantic Council, May 2013, available at: <http://www.acus.org/viewpoint/libyan-southern-front-between-conflict-and-dialogue>. See also Cyrenaica's declaration of autonomy at: <http://allafrica.com/stories/201306050902.html>.

<sup>12</sup> See: <http://h nec.ly/en/modules/publisher/item.php?itemid=7>

<sup>13</sup> 'HNEC being re-organized for constitution committee elections', *Libya Herald*, 11 February 2013, <http://www.libyaherald.com/2013/02/11/hnec-being-re-organized-for-constitution-committee-elections/>

According to the legislation in force, foreign funding to political parties is prohibited (Art. 39). There are currently no public domestic funds available for parties, and the use of private domestic funds is highly regulated. HNEC regulation No. 85-2012, issued in June 2012, sets spending limits for the campaign activities of both individual candidates and political parties, based on the population of a given electoral district. Limits range from 90,000 to 400,000 Libyan dinars (€53,000-235,000 Euros) for parties and from 25,000 to 150,000 Libyan dinars (€15,000-88,000) for individual candidates.<sup>14</sup> A detailed expenditure statement, including the total revenue both during and outside electoral campaigns, specifying funding sources and nature, must be submitted to the HNEC within 15 days of the announcement of the final election results (Art. 25). Candidates may not use public funds for electoral campaigns (Art. 39). Art. 24 also includes the requirement to deposit campaign donations in a bank account and to provide regular updates on the use of funds to the HNEC. However, infringement of this monitoring provision merely leads to imprisonment of up to one month or a fine not exceeding 300 Libyan dinars (approximately €177).<sup>15</sup>

Forbidding parties from accessing public domestic funding and limiting their funding options to private domestic donations, membership fees and other private domestic revenues pose severe constraints on Libya's young political party landscape, as it favours parties with business connections and greater media exposure. Opening access to public funds to parties on the basis of membership numbers and/or electoral results – in line with international standards – would contribute to building a more efficient and representative environment, where equal opportunities are given to a wider range of political forces. Provisions to provide public funding to political parties are currently under debate.

As for foreign funding, despite legislation forbidding funding from abroad to political parties, several loopholes, coupled with the lax control over cash flows, allow foreign actors to channel money into the country with relative ease. This has led to a number of allegations and mutual accusations among political parties of benefiting of opaque sources of funding from abroad, notably in the run up to the 2012 elections.

## 4. Local views on foreign funding

In Libya, while to a lesser extent than in other neighbouring countries, the issue of foreign funding is still sensitive since both the government and the population are afraid of a possible foreign interference in internal affairs and the fragile transition process. Local views range from those who welcome foreign assistance and openly work with foreign actors, to those who consider that Libyan NGOs must rely exclusively on domestic financial and technical resources. Foreign financing of political parties is rejected.



<sup>14</sup> Project on Middle East Democracy, 'Backgrounder: previewing Libya's elections', 5 July 2012, available at: <http://pomed.org/wordpress/wp-content/uploads/2012/07/Previewing-Libyas-Elections.pdf>

<sup>15</sup> It is important to note that strict provisions against political party funding from foreign sources must be seen against the background of the presumed connections between some Libyan political parties and regional political actors, namely Qatar. Despite Libyan Islamist parties' relatively meagre electoral results, Islamists exerted strong influence in the NTC.

After decades of regime discourse hostile to external powers, interviews conducted for this study suggest the existence of a general feeling that foreign money aims primarily at fostering foreign government agendas. As a result, connections between local NGOs and their foreign supporters are at times viewed negatively. Several foreign donors report facing difficulties when working with Libyan individuals and NGOs, especially those based outside of Tripoli, where contact with foreigners has been minimal. On the contrary, the elites and the urban youth, mainly residing in the capital, are typically keen to develop ties and relations with Western and other foreign donors. In this context, while security conditions remain highly volatile, the series of violent assaults on foreign missions – including the killing of Ambassador Christopher Stevens and other US embassy staff in September 2012, the attacks on the French embassy in April 2013, and the shots fired against the Italian consul's car in January 2013 – should be considered as the initiatives of extremist groups, rather than the expression of a generalised anti-Western feeling. In addition, interviews and local media reviews did not reveal any significant difference between local perceptions towards foreign powers who participated in the 2011 NATO intervention, and those who did not.

Perceptions on foreign funding vary according to both the destination of the funds – NGOs or political parties – and the geographic origin of such funding. Technical and financial assistance to/via Libyan civil society by foreign donors, Western and Arab alike, is often met with mild scepticism in non-urban areas. Tribal conservatism and the legacy of Gaddafi's anti-Western rhetoric play an important role in this regard. On a practical level, many local stakeholders consider foreign language deficits as an important obstacle when liaising with international donors. While the literacy rate is high in Libya (around 90 per cent of the population),<sup>16</sup> knowledge of English is rather limited, due to Gaddafi's 1986 decision to exclude English from the curriculum in Libyan educational institutions.<sup>17</sup> After the revolution, language institutes were quickly established in Libya and some foreign donors offer language sessions (such as the UK through the British Council, one of the few Western institutions whose activities date back to pre-revolution times).

Foreign donors and Libyan activists alike consider that cooperation with Libyan NGOs is obstructed by the lack of knowledge among the latter regarding international fundraising and project management standards, including how to answer calls for tenders and develop attractive project proposals. Some foreign donors, such as the United States Agency for International Development (USAID), have sought to overcome this obstacle by organising meetings with civil society, consulting them on the country's needs and taking their suggestions into account so as to formulate more tailor-made proposals. Such initiatives are welcomed as they allow Libyan NGOs to develop their skills while at the same time advance on concrete projects.

Donor concentration, both in terms of partners and geographically, is considered a major challenge. Over the past two years, very few associations – 1libya, H2O, Phoenix, Voice of Libyan Women, the Free Generation Movement and al-Liqaa – have positioned themselves as important actors in Libya's transition process. Local observers report that these organisations

<sup>16</sup> Index Mundi, available at: <http://www.indexmundi.com/facts/libya/literacy-rate>

<sup>17</sup> 'Learning English in Libya: a long-suppressed ambition', *The Tripoli Post*, 25 September 2012, available at: <http://www.tripolipost.com/article/detail.asp?c=5&i=9206>

have received most funds, largely due to the fact that many of them have been established by individuals who have been educated abroad and who have better skills, experience and knowledge of English than average citizens, and can therefore better connect with donors. One interviewee referred to the foreign-educated founders of the most prominent NGOs as the '3Gs' (third generation), pointing to the fact that many were born abroad and/ or had lived abroad before returning to Libya after the fall of Gaddafi. Reportedly, these NGOs hardly develop their activities beyond Tripoli. While the '3Gs' constitute an important asset for the country's young associative landscape, it was stressed that donors' initial focus on them must be systematically broadened.

Donors' geographical focus on Tripoli was another frequent theme mentioned in the interviews. The fragile security conditions (including threats on foreigners through militia violence, kidnappings and demands for ransoms) have turned the capital into a relatively safe haven compared to the rest of the country. Most foreign donors are thus reluctant to work in a decentralised manner. Some NGOs (such as Civil Initiatives Libya and the Agency for Technical Cooperation and Development – ACTED) have conducted polls regarding the needs and priorities in the rest of the country, but such efforts are rare. According to interviewees, aside from security concerns, the concentration of initiatives in the capital was rooted in the lack of absorption capacity of civil society in the countryside. However, this is the same reason why, it was argued, it is in small towns and rural areas where capacity-building and aid are most needed. Only a few donors, such as the Libya branch of the United Nations Development Programme (UNDP), were praised by NGO representatives for their efforts to reach out to Libya's remote regions.

In terms of thematic focus, some Libyan civil society representatives felt that donors have been focusing too much on a handful of topics of their own preference, while neglecting others that are deemed crucial locally. Government policies of the past 42 years neglected fundamental socio-economic issues such as health, public infrastructure, sanitation, and access to water and education, and many locals feel that this is where the associative sector's most immediate contribution should lie. According to some interviewees, aside from elections, foreign funds allocated to civil society until now have mainly focused on capacity-building and women's empowerment. While these topics are considered important, concentrating too strongly on these and similarly narrow areas will not contribute to Libya's development at large. Donors' focus on civil society support, some argue, contrasts with the population's priorities: employment, economic development, and improving living standards. While continuing to work on civil society empowerment, it is argued, donors should widen their thematic scope to include in particular those socio-economic areas that are likely to have a concrete impact on citizens' living standards. Libya's youth, it was repeatedly stressed, is the country's strong card, and thus deserves more attention. Donors, in turn, defend their current focus by arguing that decades of authoritarianism have left Libyans passive, waiting for ready-made initiatives and projects from donors, rather than submitting concrete project proposals (including on socio-economic themes) themselves.

Donors' bureaucratic requirements are another challenge for Libya's emerging associative sector. The European Union's (EU) considerable support to Libya's transition is acknowledged but, echoing long-standing criticisms from other countries in the region, various Libyan stakeholders feel that the EU's complex procedures pose a serious obstacle to Libya's inexperienced civil society. According to some interviewees, very few local NGOs are able to

benefit from EU funding, given the heavy requirements of tenders. Some local partners also reported difficulties in obtaining appointments with EU representatives to discuss matters related to joint projects, and stated that EU project implementation needed closer systematic monitoring and follow-up.

Unlike Western efforts, Arab foreign contributions to Libya's transition have come less in the form of development cooperation and more in the form of trade and investment.<sup>18</sup> While Arab countries' focus on business and infrastructure could be argued to better match the priorities expressed by the civil society interlocutors interviewed for this study, perceptions of Gulf governments pursuing their own business interests to the detriment of local development needs often prevail. In terms of political influence, rumours about Arab funding to Libyan political parties abound.

However, evidence of foreign funding to political parties is hard to obtain given the sensitive nature of political contestation and the highly restrictive legal provisions in force. Qatar and Saudi Arabia are typically seen as forceful backers of Libyan Islamist parties, although so far accusations could not be proven. Concerns that politics may be influenced by foreign sponsors were particularly strong at the beginning of the transition process and during the campaign period for the 2012 elections.<sup>19</sup> Prior to the elections, some political parties had voluntarily disclosed the details of their funding, including the Justice and Construction Party (the 'Libyan branch' of the Muslim Brotherhood), and the al-Watan Party. Statements made on 30 June 2012 by Ahmed al-Chibany, founder of the Democratic Party, claiming that 'huge amounts of foreign and Gulf funds had reached Libya',<sup>20</sup> were discarded by the majority of stakeholders interviewed for this study as political statements of a candidate keen on drawing voters' attention ahead of elections. During the electoral campaign, some 'secular' political leaders accused Gulf countries of backing their Islamist rivals. Former NTC Deputy Prime Minister Ali Tarhouni was among those who acknowledged the existence of links between Qatar and the Justice and Construction Party, as well as other attempts by the Qatari government to exert influence on Libyan politics.<sup>21</sup> Reports about the close ties of some important political leaders' (such as Abdelhakim Belhadj, a military leader; and Ali Sallabi, the founder of al-Watan Party) to Qatar and other foreign countries gained much attention.

In early 2012, Qatar founded the 'Libya Qatar Holding', which focuses on development and reconstruction in Libya and Tunisia. The holding has fuelled concerns over the Emirate's reported intention to exert influence on Libyan politics by financing individual candidates. One interviewee argued that while Qatar's political influence in Libya had been 'obvious at the beginning of the revolution', the Emirate has found little opportunities to keep on influencing political developments after the fall of Gaddafi. He added that although Libyans acknowledged the Emirate's influence by jokingly renaming Algeria Square 'Qatar Square',

<sup>18</sup> In contrast to foreign funding to civil society, broad information is available on foreign investments and business-related issues in Libya. See for example the Libya Herald's special supplements on Libya's investments needs, November 2012 and April 2013.

<sup>19</sup> See International Crisis Group, 'Holding Libya together: security challenges after Qadhafi', *Middle East/North Africa Report* 115, 14 December 2011, available at: <http://www.crisisgroup.org/-/media/Files/Middle%20East%20North%20Africa/North%20Africa/115%20Holding%20Libya%20Together%20--%20Security%20Challenges%20after%20Qadhafi.pdf>

<sup>20</sup> See [http://www.anbalibya.com/article\\_details.php?article\\_id=332](http://www.anbalibya.com/article_details.php?article_id=332)

<sup>21</sup> S. Sotloff, 'Why the Libyans have fallen out of love with Qatar', *Time*, 2 January 2012, available at: <http://www.time.com/time/world/article/0,8599,2103409,00.html>

Qatar's financial reach did not achieve the level of political influence to which the Emirate appeared to aspire, as the electoral results seemed to confirm. Following a visit to Doha in January 2013, Libyan Prime Minister Ali Zeidan stated that Qatar had 'agreed to deal with the (Libyan) state only through bilateral agreements and will no longer deal as it did pre the formation of the state' with non-state actors in Libya.<sup>22</sup> While not providing evidence of any direct Qatari role in Libyan political affairs, this statement underlines the weight of such suspicions in Libyan public debate.

Accusations of foreign backing have not been limited to Islamist parties, however. Similar allegations have also been laid against Mahmoud Jibril's National Forces Alliance, which was accused of receiving funding from France, the United States and Qatar. Jibril has repeatedly distanced himself from both Qatar and the United States, rejecting the existence of any influence on his party or ideology,<sup>23</sup> and called on all political parties to publish their funding sources.<sup>24</sup> Accusations of foreign funding for Libyan political parties, however, largely subsided after the 2012 elections, in part due to the adoption of Law No. 4 banning all foreign funding to political parties, and Islamists' relatively weak results in the elections.

Unlike foreign support to specific political currents, international technical assistance for the organisation of the 2012 elections was well received. Monitoring by domestic and international observers positively contributed to organising and holding the elections in a relatively fair and independent environment, with a turnout of 62 per cent. The July 2012 general elections were monitored by the Shahed Network for Election Monitoring (SNEM), a domestic coalition of NGOs and individuals,<sup>25</sup> in cooperation with the National Democratic Institute (NDI). 2,200 observers were deployed over the 13 electoral districts to cover 78 per cent of polling centres and 34 per cent of polling stations.<sup>26</sup> They were complemented by international observers coming from the European Union and the US-based Carter Center,<sup>27</sup> as well as the African Union, the Arab League and Gender Concern International, amongst other groups<sup>28</sup>. One month before the elections, running parties also agreed to sign a code of conduct at the request of the HNEC. This process involved both NDI and the United Nations Support Mission in Libya (UNSMIL), who got 60 representatives from 40 parties to agree on 14 principles prior to the elections. These principles included abiding by all laws, regulations and procedures governing the electoral process, and accepting the final results of the elections as announced by the HNEC.<sup>29</sup>



22 'Qatar will now only deal through the Libyan State', *Libya Herald*, 19 January 2013, available at: <http://www.libyaherald.com/2013/01/19/qatar-will-now-only-deal-through-the-libyan-state-prime-minister-ali-zeidan/>

23 Since November 2011, Jibril has voiced strong criticism against Qatar. While acknowledging the Emirate's role in the fall of Gaddafi, he also accused Qataris of trying to exert influence on Libyan domestic politics. See 'NTC leadership divided over Qatar's Libya role', *The Peninsula Qatar*, 11 November 2011, available at: <http://www.thepeninsulaqatar.com/qatar/172245-ntc-leadership-divided-over-qatars-libya-role.html>

24 See for example *Al-Nahar Egypt*, 27 June 2012, available at: <http://alnaharegypt.com/t76549>

25 CIGI Junior Fellows, 'Furthering democracy in Libya with information technology: opportunities for the international donor community', *Policy Brief 4*, September 2012, available at: [http://www.cigionline.org/sites/default/files/no4\\_0.pdf](http://www.cigionline.org/sites/default/files/no4_0.pdf)

26 Shahed Network for Election Monitoring, 'Statement on election day – Morning period', 7 July 2012, available at: <http://libyashahed.net/Library/Statements.pdf>

27 CIGI Junior Fellows, op. cit.

28 European Union Assessment Group, 'General National Congress Election', 7 July 2012, available at: <http://aceproject.org/ero-en/regions/africa/LY/libya-final-report-general-national-congress-2>

29 'Libyan Political Parties Sign Voluntary Code of Conduct; Call for Peaceful Elections', NDI, available at: <http://www.ndi.org/libya-parties-code-of-conduct>

## 5. Conclusion

Due to the near absence of independent civil society, political parties, and foreign donors in Libya under Gaddafi, building basic capacities from scratch and developing donor-recipient relations in Libya pose daunting challenges. Foreign donors have been able to establish an important presence in the country following the fall of Gaddafi, especially in terms of post-civil war humanitarian assistance and support for the political process. But donors have yet further to adapt their strategic outlook, coordination and thematic priorities to local needs and demands. Some reluctance among Libyan civil society to accept money from foreign governments, rooted in suspicions against ‘foreign agendas’ that are widespread across the Arab region, can on occasions pose obstacles to donors’ work. However, this does not appear to obstruct the overall positive contribution of donors to Libya’s transition.

Rumours and accusations against some Gulf States’ and especially Qatar’s presumed attempts to buy political influence by propping up specific political groups and currents are also widespread in Libya, but these have lost much traction in the aftermath of the 2012 elections. Unlike in some neighbouring countries, the weak showing of Islamist parties in the elections may have contributed to easing such concerns.

Libya’s oil revenues make the government largely independent from international financial assistance. Although public wealth still needs to be channelled to local development projects (including those managed by civil society) and has yet to trickle down to the population more systematically, many Libyan NGO activists take pride in their country’s financial wealth and would rather Libya did not significantly rely on foreign aid.

Libya has money; however, it lacks skills and training on all levels. Despite some reservations towards specific actors or approaches, there is a general awareness that the support provided by foreign donors during the early stages of the transition period is necessary so as to create the conditions for basic democratic governance. Contributing to the *savoir-faire* required to enable key Libyan governmental and non-governmental actors to build institutions, a strong civil society and an independent media is foreign donors’ – and particularly experienced EU and US donors – main added value. Local activists point out the priority of ‘bread-and-butter’ issues and the need for greater governmental engagement in local development and infrastructures. While a better balance between institution-building and socio-economic issues can be worked out, it is questionable whether donors should shift their focus to tackle specific policy issues neglected by the central government, as opposed to continuing to build institutions and capacities to enable government revenues to be used more effectively, based on local priorities.

