

NON-STATE MILITARY ACTORS: THE CASE OF THE 2011 LIBYAN CONFLICT

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ABSTRACT: Non-state military actors (i.e. private military companies, contractors and/or militias) form an inherent part of the present global system. In many cases, however, the role and participation of non-state military actors appears to be rather ambiguous and unclear. In order to illustrate the activity of such actors we address the 2011 Libyan rebellion and focus on the increasing sphere of influence of non-state military actors, especially contractors and private military companies, in the Dزامahirija region. Specifically, this study analyses the reasons behind the decision of certain non-state military actors to participate in the rebellion. The time period covered in the study is divided into three phases: pre-conflict, conflict and post-conflict phases. Analysis concentrates on the participation of particular types of non-state military actors and their activities over a specific period of time.

KEYWORDS: Military and Militant Non-State Actors, Contractors, Private Military Companies, Libya

INTRODUCTION

The present global system is overloaded with various forms of non-state actors. Since the 19th century, when non-state actors first appeared, they established themselves in domains where states were most keen on preserving their monopoly of power. States have always focused on seeking security and wealth and on balancing power in the sphere of international relations. Now, for the first time in history, we can witness a process of privatisation of security on a large scale. The current trend is a reaction to the end of the Cold War and to the bi-polar confrontation during the 1980s–1990s. Interventions in Afghanistan and Iraq at the beginning of the 21st century demonstrate a very dramatic increase in the transfer of security agenda to private hands. In Iraq itself, the number of private mili-

tary contractors involved in the conflict increased enormously from 20,000 in 2004¹ to the estimated 100,000 in 2006. On the basis of the US Department of Defense census data it can be concluded that 180,000 private military contractors were deployed in Iraq (compared with a total of 160,000 US troops deployed there at the same time). However, even these figures are believed not to be exact. In 2007, no precise figures regarding the number of individuals fighting in Iraq were available.²

States and state representatives are increasingly more enthusiastic about delegating their security agenda to the private sphere. The privatization of security is a way of transferring the most important and until recently exclusively state-dominated business activity to private hands. This trend is related to the current development in the international relations arena in which the state power is being transferred to other (non-state and hence non-transparent) actors. This process signifies not only the privatization of security but also, and more importantly, the privatization of power. The participation of private military companies in the domain of state security is a result of lobbying efforts of those who want to enhance their own interests and power via the most strategic domain, i.e. security inside the boundaries of states.

The process of privatization of security is accompanied by a total restructuring of security apparatus and by the monopolization of private military industry. The military industry is highly complex and the less transparent it is, more likely it is to abuse its non-transparent nature. Secret agreements are being concluded among dozens of seemingly unrelated entities while in reality, there is only one such entity, which operates under many different names and which pursues various objectives, the most important of which is profit, or the so-called war profiteering. We are facing a very important moral and ethical dilemma. In democratic systems, wars should only be conducted for a just purpose and not for personal profit. However, it is precisely this personal profit, which occupies the main rationale in the current war making and the world's most powerful armies are becoming increasingly more dependent on private military companies.

The privatization of security is a de-facto natural process of making the most profit from a war and is being adopted by both democratic as well as authoritarian regimes. When there is a con-

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flict of interests, where on one hand there is an effort to uphold democratic principles and on the other a tendency to conduct wars for the sake of increasing one's sphere of influence, the responsibility is being transferred to private, i.e. irresponsible hands. Hence, the privatization of security creates a legitimate vacuum in the sphere of security. A similar trend can be observed in authoritarian regimes, which find it disadvantageous to rely solely upon the loyalty of their state armies since there is a very thin line between loyalty and potential betrayal. However, the loyalty of private military contractors, who are not interested in the reasons of a conflict but only in the financial benefits they can reap, can be bought. When powerful democratic countries delegate their security to the private sphere, we talk about the privatization of security or transfer of responsibility to private hands, namely to private security companies. These can be defined as entities providing services outside their homeland, such as consultancy and training, which are also capable of using lethal weapons.³ When security is delegated to the private sphere by authoritarian regimes, we talk about hiring of contractors, who are defined as individuals hired for economic purposes to fight in a conflict they are indifferent to.⁴ As for other non-state military actors trying to exercise their influence in conflict-ridden regions, they are referred to as militants, i.e. irregular armed forces operating in a territory where the power of the state is absent or only very limited.⁵

In general, non-state military actors are combatants who participate in conflicts within territories they are not originally from and whose motivation is purely materialistic. As these private contractors are drafted from many different nationalities, they do not know and cannot trust one another. Therefore, the phenomenon of a mutually shared trust is absent. Private contractors are not usually given a proper military training either, which normally is very thorough when it comes to regular state armies. Since their past is generally unknown and they are not subjected to any psychological testing, it can be hard to determine whom to prosecute for potential war crimes. This alienation of contractors from the motives of the conflict is a very crucial and absolutely essential phenomenon. Their fighting is not based on the loyalty towards their state and on the classical struggle for state and personal security. Their loyalty is bought. The alienation from the real motives of the war goes hand

in hand with the irresponsibility for one's acts committed during the war. The question is who will be responsible for the nature of the conflict and/or for war crimes. It is not likely to be the army of the sovereign state but rather those anonymous, irresponsible contractors and hard-to-trace-down security companies. States' loss of ability to control the nature and the direction of war and the absence of the necessary motivating factor on the part of these private military contractors may have devastating consequences for civilians, who are not part of the conflict but who may become its main victims. The primary feature of the privatization of security, i.e. the loss of state's control over the war waged on its territory, is one of the most pressing and dangerous problems we must come to terms with. Contractors belong to a specific entity of a transient nature and hence legitimate principles cannot be upheld. Transferring contractors from one entity to another is fairly easy and depends solely on the amount of reward. Therefore, the likelihood of cooperating with a terrorist group and/or transferring valuable know-how is only a question of money and not of moral principles. As states transfer their security agenda to private security companies or to contractors and militants, they also give up their responsibility. The blood does not stain the governments or their armies, but those who are anonymous and hence not subject to prosecution. Alienation from the conflict combined with the issue of money contractors receive, creates a very dangerous precedent for their future motivation. What will be their role after their contracts expire? Will they be hired to fight in another conflict? What will happen if the contracting side does not want to engage in a new conflict? Actually, these contractors may be hired by any non-state entity, including radical and terrorist groups. This presents a real challenge for the collective security in the 21st century since neither the military nor the militant non-state actors are accounted for in the present collective security system that only accounts for conflicts conducted among states.

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The following case study demonstrates the penetration of non-state military actors, mainly contractors and private security companies, into the military-security sphere of Libya. The case study focuses on the participation of non-state military actors in the 2011 Libyan conflict as well as in its aftermath. The period covered in the case study is divided into three parts: the pre-conflict period,

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the conflict period and the post-conflict period. The three phases are divided according to the nature of involvement of non-state military actors in the conflict. The first phase covers the period of the beginning of the Gaddafi regime in 1975 to the eruption of the uprising in February 2011. The second phase covers the period from the beginning of the Libyan uprising (February 17, 2011) to the fall of the Gaddafi regime in October 2011. The third phase covers the period from October 2011 to February 2012. The first two phases can be labeled as “Libyan” while the third as “Sahelian,” according to the geographical region the violent non-state actors operated in.

PART I: THE PRE-CONFLICT PHASE

The presence of informal military-security apparatus in the Libyan political system under Gaddafi was not a new phenomenon. The first impulse towards the establishment of such structure can be traced to 1975 when Gaddafi, as head of the victorious side in the rift within the Libyan Revolutionary Command Council, changed professional and technical criteria for army recruitment in order to prevent the threat of disloyalty. This way, the number of members of his tribe – later his family – appointed to security and military posts increased significantly.⁶ The army’s top brass was also being regularly re-shuffled. Gaddafi had slowly drawn his power support from groups whose members were of non-Libyan and non-Arabic origins and who were not part of the official armed forces, which Gaddafi did not trust. Some members of the non-Libyan and non-Arabic groups underwent the naturalization process, were given Libyan citizenships and formed an elite force within the Libyan army.⁷ These informal units were active on two levels: the internal and the external. On the internal level, Gaddafi wanted to establish loyal armed forces which he recruited from his own tribe and which he could rely upon since he did not trust the official Libyan army. On the external level, Gaddafi was trying to appear as an important actor projecting Messianic visions for the African continent. In reality, however, he interfered in the internal affairs of the neighboring countries by supporting both the government and the anti-government movements depending on his current needs⁸ (for example, Gaddafi’s mercenaries actively participated in genocides in Liberia and Sierra Leone).⁹ Such policies allowed Gaddafi to create a mas-

sive network of relations and mutual obligations. For his financial and political support, Gaddafi was, in return, able to demand support, which paid off during the 2011 uprising when those that he previously supported formed the backbone of his units.

The practice of employing non-state military actors in the services of the Jamahiriya [the full name of the country was the Socialist People's Libyan Arab Jamahiriya] can be traced back to the 1970s. The first mercenaries were American CIA agents Frank Terpil and Ed Wilson who Gaddafi hired as his security advisors and who in time brought other Americans to Libya.¹⁰ The power of the Libyan mercenary forces was strengthened due to unrests in the neighboring countries, i.e. the Chad-Sudan conflict or the unrest in the south of Algeria. Gaddafi benefited from such conflicts by trying to win rebels to his side.

Gaddafi's relationship with Chad and with the President of Chad Idriss Déby was very important for the formation of Gaddafi's mercenary units and in fact, Chadians formed a significant part of the Libyan mercenary units. Gaddafi supported Déby in his armed struggle against the then President Habré. In 1980, Gaddafi's army intervened in Chad in order to depose Habré from power, which did not occur until 1990 despite Libya's continuing provision of military and financial support to Déby. Gaddafi continued to support Déby after he was elected as President. Déby repaid his "debt" to Gaddafi in the 2011 Libyan rebellion and it is believed that two Chadian generals were in command of Gaddafi's mercenary units. Another country, which facilitated the formation of the mercenary structures in Libya, is Sudan, namely the Darfur region where Gaddafi supported the separatist movement vying for independence from Khartoum. Sudanese separatists later helped Gaddafi to set up mercenary units.¹¹ For years, Gaddafi had also tried to win over individuals from mercenary units operating in other African countries such as in Algeria, Mauretania, Niger and the Central African Republic (CAR).¹² By appointing Chadian generals as heads of professional command forces and by acquiring consulting-training services from non-African professional instructors, Gaddafi had a well-functioning private army at his disposal, which kept him in power for decades and which enabled Libya to act as a regional power.

Among other Gaddafi's tactics was his policy vis-à-vis the nomadic people in the Sahara, whose loyalty he was trying to win for a long

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time.¹³ Conflicts in the Sahara-Sahel region effectively decreased the control sovereign states had over their territories, a situation which played into the hands of terrorist organizations, such as Al-Qaida, as well as into the hands of various nomadic tribes in conflict with states whose territory they occupied.¹⁴ The most important among these nomadic tribes were the Tuaregs, whose role is significant with regards to their participation in the Libyan uprising as well as with their long-term conflict with the Mali government.

Gaddafi was well aware of the fragile life existence the uprooted rebels led. He provided them with a comfortable base, which earned him their loyalty. They [rebels] were well aware that should Gaddafi fall, so would they. This mutual usefulness made Gaddafi's mercenary system very ruthless and cruel and there was no space left to sympathize with its enemies. Gaddafi thus gradually created a parallel army from non-Libyan rebels and non-Libyan desert tribes. Unofficial armed structures enabled Gaddafi to control the political life in the country and to meddle effectively in the internal affairs of other African states. In the 1970s, al-Failaka al-Islamiya, or Islamic Legion, was set up, which was an experimental Islamic army formed by African and Arabic volunteers that Gaddafi used for his territorial ambitions to expand.¹⁵ In the 1980s, Gaddafi planned to create the "Sahara Army", which was supposed to be set up by Sudanese President Al-Bashir's forces. This project, however, did not materialize.¹⁶ Gaddafi had at his disposal both the non-state armed "international brigades" types of units as well as regular armed elite forces. Besides rebels and nomads, Gaddafi also acquired security forces such as advisors and instructors from non-African regions. Since this acquisition of personnel probably required some degree of cooperation among secret services, it is very difficult to obtain evidence that it actually took place. There are no openly accessible sources available to conduct an in-depth research.

We can now summarize the main points of Gaddafi's strategy. First, ever since the rift in the Libyan Revolutionary Command Council, Gaddafi did not trust his own people, which is why those he relied upon were of non-Libyan descent. Second, Gaddafi took advantage of the fact that his parallel-armed structures did not have a Libyan Arab identity. He made use of the mercenaries' estrangement from the Libyan people and of their dependence on his regime. These mercenaries served Gaddafi as an instrument of

power.

PART 2: THE CONFLICT PHASE

The second phase of the conflict can be divided into two parts. The first part maps the activities of non-state military actors on the Gaddafi side, while the second part maps the activities of non-state military actors on the anti-Gaddafi side.

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First, let's discuss the mercenary units and private security companies operating on the Gaddafi side. Mercenaries were divided into three groups. The first group comprised of competent and well-trained African mercenaries and of professionals from Eastern and South-Eastern Europe fighting for financial reasons. The second group comprised of Gaddafi's formal as well as informal security units, including naturalized Libyans as well as non-naturalized individuals, mercenaries of various warlords and desert nomads from the Sahel region fighting mainly for political reasons. The third group comprised of masses of individuals from the entire African continent who were given to Gaddafi from various rulers for political reasons. Many of those were forced to fight involuntarily. In the better case, they would be subjected to a short military drill; in the worse case, they would be used as human shields.¹⁷ There is no exact data regarding their numbers. It can be implicitly inferred that the second group was more numerous than the first one but that the decisive force on the battlefield belonged to the first group. From the above, it can be concluded that there were no non-state military actors of the Libyan origin fighting on the Gaddafi side.

Gaddafi's deployment of mercenaries gained a totally new and an entirely unprecedented dimension. Their power grew and they became the main force for his regime to eliminate civilian revolt, especially after the UN Security Council Resolution 1973 of March 17, 2011, which effectively paralyzed the Libyan air forces. The task of mercenaries was to kill as many rebels as possible: thanks to their indifference, mercenaries began unscrupulously attacking Libyan civilians, thus allowing Gaddafi to conduct such operations, which a regular Libyan army would never be able to carry out. Professional fighters from Chad, Mali and Niger who had been living in Libya for a long time, had in a week's time trained novices how to handle arms and helped integrate them into the mercenary units. On the

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basis of this information it can be inferred that mercenaries were divided into fighters who had lived in Libya for years (or had been deployed outside Libya on Gaddafi's orders) and those fighters who entered Gaddafi's forces (even involuntarily) at the beginning or during the uprising to suppress the rebels (Gaddafi's son Khamis Gaddafi and Tuareg fighters' leader Aghali Alambo actively participated in this).¹⁸ Gaddafi's sons took control of the highest command of mercenaries.¹⁹ The Gaddafi regime asked loyal African presidents and governments to recruit fighters to join Gaddafi's forces in order to help suppress the rebellion. Gaddafi's emissaries contacted leaders of many countries. Nearly all these countries complied with Gaddafi's request to send fighters to Libya.²⁰ There is evidence of deployment of Guinea fighters²¹ and of construction of an air bridge between Niger and Libya through which a large number of African mercenaries came into Libya though most of them entered the country as "tourists".²² Gaddafi also got support from outside the official African governmental structures, mostly in the form of professional mercenaries, warlords' warriors and African fighters trained by intelligence agencies. These were predominantly from South Africa, who, after the fall of the apartheid, worked for the infamous Executive Outcomes. There were also [Sierra Leone former rebel leader Foday] Sankoh's units and mercenaries fighting in the uprising in Tunisia and supporting President Ben Ali.²³ In the last case, there are speculations about the role of France in the training of Chadian units and about a taciturn French agreement with their deployment in Libya to fight for Gaddafi. The presence of individuals or groups from other parts of Europe cannot be ruled out, either. For instance, Serbians and Bosnians partially operated in Libya before the uprising. Veterans of the Yugoslav conflict were hired very soon after the Libyan uprising via Bosnian and Croatian intermediaries.²⁴ They operated within ground forces and it has been speculated that they were used as fighter jet pilots to bombard civilians. Another group consisted of citizens of former Soviet Union, mainly Ukrainians and Belarusians, who were allegedly in Libya on Minsk's approval, which the latter denies. These were mostly former members of the 334th unit of the elite forces of Belarus who had some experience fighting in Afghanistan. They did not participate in combat but they worked as advisors in Libya.²⁵ Before the escalation of the conflict, there were rumors that they numbered around 500. It

is likely, however, that their numbers increased in the course of the uprising.²⁶ Lastly, it is necessary to mention the citizens of the European Union. These were mostly individual professional mercenaries who did not represent an organized and institutionalized form of cooperation as in the previous cases. These experts in heavy combat technique, strategy and combat management came from Belgium, United Kingdom, France, Poland and Greece and numbered a maximum of one or two hundred.²⁷

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Nomadic desert tribes such as Tuaregs and Berbers from Polisario [rebel national liberation movement fighting for the independence of Western Sahara from Morocco] formed another part of Gaddafi's units.²⁸ As said before, the participation of Tuaregs will be discussed in part 3. However, it should be pointed out that their previous Libyan involvement made them an effective force that could easily be tapped into by Gaddafi. Relations between Gaddafi's units and nomadic warriors were loose as the latter were recruited only when Gaddafi needed it. Sometimes their cooperation was stronger as in the case of Mali Tuaregs, whom Gaddafi granted Libyan citizenship. These so called "cadres reserves" were called upon during the Libyan uprising. Although they were partially living outside Libya, Gaddafi called them back and armed them.²⁹

As far as the remuneration of mercenaries is concerned, there were considerable differences. Mercenaries were promised between 1,000 and 12,000 USD or 1,000 USD per week for every killed rebel (data is not consistent). They were promised cars, houses and money for their families – all which, however, remained largely unfulfilled. This is mostly the case of black French-speaking mercenaries who were sent to Libya on the orders of their governments and thus fought for free. The situation for European "specialists" is different – their rates were in the range of several thousands dollars a month, if not a week.³⁰

There is some disagreement concerning the number of mercenaries. If we rule out the very low estimate of 5,000 or very high estimate of 150,000, most sources agree on 30,000–50,000 mercenaries.³¹ The majority of mercenaries were recruited from the untrained, French-speaking Africans of black complexion. On the other side of the spectrum there were the European advisors who did not take part in the fights.

At the very end of the Libyan conflict, Gaddafi's reliance on his

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unofficial fighters turned against him. His last triumph was to come from his own tribe, the al-Gaddafi. Gaddafi's son Moatasem Gaddafi recalled about 400 of them to the besieged town of Sirt. However, their numbers decreased day by day as some of them died in combat and some tried to disappear. Eventually, those who remained, dressed as civilians and ran away.³²

MERCENARY UNITS AND PRIVATE SECURITY COMPANIES ON THE ANTI-GADDAFI SIDE

The participation of non-state military actors on the anti-Gaddafi side in no way equals the intensity of participation of non-state military actors on the pro-Gaddafi side. This is due to the limited mandate of the UNSC, which did not allow deployment of ground troops but approved air strikes. If deployment of ground forces were to take place, it would have to be a secret mission with specific targets and goals. As far as the number (the quantitative aspect) and the variety (the qualitative aspect) of non-state military actors on the anti-Gaddafi side is concerned, it is limited to dozens of individuals from private military companies whose participation in the conflict had two main motives.

First, private security companies represented the interests of governments of intervening states who could not deploy their armies in Libya. Yet, the existence of contracts between private military companies and state actors is difficult to prove. These non-state actors were hired in a non-transparent way and both the governments and the private military companies deny [the latter's] participation in the conflict. It is very likely that the activities of private security companies were coordinated by secret services.³³

The possibility that some private security companies wanted to offer their services to both sides of the conflict cannot be ruled out entirely.³⁴ Private security companies found it attractive to offer their services to rebels because in the absence of ground forces deployed by the intervening armies, rebels could capitalize on the private military companies' know-how in terms of managing combat operations and using arms technology. Private military firms were also capable of boosting rebels' strike force combat operations and/or ensure the protection of strategic places (such as important public facilities, oil fields, oil pipelines, etc).³⁵

It has been speculated that some French, British and Qatar private military companies had provided their services to Gaddafi himself.³⁶ The most obvious example is the French firm Secopex, whose presence in Libya during the uprising is unquestionable. However, it cannot be sufficiently verified if the firm provided services to Gaddafi or to rebels or if it was sent to Libya by the French government. The last version is not all that unthinkable, as it is known that Secopex has contacts with the French secret services.³⁷ The French state was very likely involved in Secopex's establishment in Libya. Under the head of Pierre Marziali, Secopex planned to set up a liaison office and provide services to rebels. On February 18, 2011 a group of people working for Secopex arrived in Benghazi to sign a contract with representatives of the Libyan National Transitional Council. However, the group was attacked by the Katiba brigade and Marziali was shot dead. The remaining members of the group were interned and charged with supporting Gaddafi. After two days they were extradited to Egypt. The reason behind the incident could be Marziali's previous conflict with Gaddafi as well as the rivalry between the National Transitional Council and the Katiba.³⁸ Leakage of information about Secopex's presence in Libya probably made the French secret services uncomfortable. By preventing the planned cooperation between Secopex and the National Transitional Council, speculations about the French engagement in Libya could be declared groundless. This may also suggest that the French secret services are so discreetly established in Libya that no further information leaks to the public.

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A completely different case is the involvement of the group around Jean-Pierre Chabrut, the former chief of Département protection et sécurité du Front National, the security unit of Le Pen's National Front. Chabrut's goal was to "clean the space" before the arrival of foreign missions into unstable Libya and consequently offer protection to official representatives. The official Western representatives, who were gradually setting up their headquarters in Benghazi, were protected not only by special units but also by Chabrut's group. Jean-Pierre Chabrut's men were armed directly by the Libyan National Transitional Council.

To conclude this sub-chapter, all evidence suggests that private military companies on the anti-Gaddafi side operated in a highly non-transparent manner and with the aim to withhold information

from the international public in order to:

Secure interests of foreign governments in Libya:

- provide assistance with military and security activities to rebels who could be used in the rear as well as on the front-line,
- offer protection to foreign dignitaries,
- boost their own influence by assuming an ambivalent position by offering their services to both sides of the conflict (immoral financial motivation).

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As shown, the typology of deployed mercenaries differs on both sides of the conflict. The typical feature of Gaddafi's tactic was to use a whole plethora of non-state military actors with diverse motivation, while the "anti-Gaddafi coalition"/rebels exclusively used private military companies whose motivation was mainly financial. The difference is also in the number of individuals deployed (tens of thousands on the pro-Gaddafi side compared to dozen, maybe hundreds, on the other). The most significant difference lies in the reason of their deployment. For Gaddafi, mercenaries were used primarily as the main fighting force used in combats against rebels. For rebels, private military companies fulfilled a more delicate role of providing passive defense and executing highly specialized and sophisticated operations. A certain overlap can, nevertheless, be found. The operations of non-state military actors on both sides of the conflict were non-transparent and were conducted in a secret manner. Neither side admits to having deployed these violent non-state actors. When asked, they remain silent or at most, give diplomatic answers.

PART 3: THE POST-CONFLICT PHASE

In the last phase of the Libyan uprising, i.e. after the fall of the Gaddafi regime, two facts are important. First, it is the involvement of mercenaries, namely from the Tuareg tribe, in the destabilization of the larger African territory, and second, a rather significant degree of influence of rebels on the (non) consolidation of power in Libya. These two facts significantly change both the typology and the character of non-state military actors' activities during the uprising.

The nomadic Tuareg tribes live on the borders between the Arab

and Black Africa and they move across state borders. Due to de-colonization, the territory they occupied fell under the administration of Algeria, Burkina Faso, Libya, Mali and Niger. The Tuareg population amounts to 1.5 million people (of which 850,000 live in Niger, 550,000 in Mali, 50,000 in Algeria and the rest in Libya and Burkina Faso).³⁹ The number of the Tuareg people living in Libya thus reaches tens of thousands at most (though their numbers can rise if conditions in their home countries in Mali and Niger worsen). Some of the Tuareg living in Libya permanently occupy the southern part of the country. They were not, contrary to the nationalized Tuareg people, part of the Gaddafi structures. Most of the Tuareg population (including those living outside Libya) did not cooperate with Gaddafi in any way. The Tuareg mercenaries are just a small minority of the total Tuareg population. Poor living conditions forced part of the Tuareg ethnic group to move to Libya. The main migration wave took place in the 1970s and 1980s and was caused by extreme draught. Another migration wave occurred in 1990 and the last one in 2006. The civilian population regularly falls victim to the feuding fractions of the rebelling groups.

Gaddafi supported the Tuareg in their struggles,⁴⁰ which meant that he stood against their governments. However, his support never reached such levels that the Tuareg could gain their independence. Gaddafi skillfully played both sides against each other in order to promote his particular objectives. The Tuareg, who fled to Libya, were forced to cooperate with Gaddafi. Those, who hesitated to cooperate, were threatened with violence. Others joined Gaddafi's armed forces, both as part of his regular army as well as of his elite units, and their numbers totaled about 2,000. Gaddafi had naturalized Tuaregs who migrated from Mali since the 1980s. Gaddafi deployed them in the Islamic Legion in conflicts in Chad and Sudan. These fighters also took arms against their governments in Mali and Niger.⁴¹ Tuaregs do not share the Libyan identity. The Arab majority does not accept them and associates them with mercenaries.

After the fall of the Gaddafi regime, the activities of non-state military actors expanded further into Africa and the security situation in the Sahelian Africa (hence in the larger part of the Sub-Saharan Africa) worsened. The Tuareg mercenaries, left without a purpose and equipped with no other but war-making skills, began to return to the countries of their origin, mainly to Mali and Niger.

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The naturalized Tuaregs, who formed part of the Gaddafi formal military units, also fled Libya because their fate was uncertain without Gaddafi's protection. State representatives in Mali and Niger are now faced with a very difficult situation. Governments in Bamak and Niamey are not able to handle the influx of mobile, armed and trained fighters.⁴² A tension is rising between the Tuareg mercenaries and the local Tuareg population, which creates a burden for the entire region. The governments of the Sahelian countries will have to:

- come to terms with the loss of the Gaddafi's mediating role in security, economic and humanitarian sphere,
- focus their energies on controlling mercenaries who are left without a purpose and who pose a significant security problem which could potentially destabilize their countries,
- confront the intensive activity of militants from the National Movement for the Liberation of Azawad,
- deal with the rising terrorist activity of The Al-Qaida Organization in the Islamic Maghreb (AQMI),
- address a very serious food situation.

In the past, Tuaregs never possessed a sufficient potential to be able to turn the victory in the uprisings to their advantage. Now, armed with Libyan weapons, they are suddenly able to turn the situation to their advantage. For the first time, they talk about their right to self-determination and even about their independence. Prompt military interventions suggest that the Sahelian countries are aware of the real threat of destabilization, which the ex-Gaddafi mercenaries may pose and thus resort to preventive measures and offensive operations.

However, the conflict assumed a tragic dimension. It gradually transpired that Tuaregs had hastily executed 82 people, probably Mali soldiers, maybe even civilians, by slitting their throats or by shooting them in their heads. As a result of this rampage, 4,000 civilians had to flee the city. The conflict gradually led to all-out migration of the population. Only in the first ten days of February 2012, about 30,000–50,000 people fled to neighboring countries. Another 60,000 people fled from the north of Mali to the center of the country. As of February 24, 2012 about 126,000 people left their homes, of which 61,400 are internally displaced and 65,000 became refugees in the neighboring countries. This is for the first time in

20 years, that such a high number of people were forced to flee. The number of refugees keeps rising at a rate of around 800–1,000 a day.⁴³ This illustrates an entirely new dimension of influence the violent non-state military actors possess. Given the food crisis, which struck the Sahara-Sahela region in October 2011, humanitarian catastrophe in the form of famine may potentially harm both the refugees as well as their hosts.⁴⁴ In addition to this, the Tuareg people living outside their traditional territories in the south of the country, including the capital Bamako, are open to attacks from non-Tuareg inhabitants who are angry for what the Tuaregs are doing in the north of the country.

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Besides the ex-Gaddafi Tuareg mercenaries, there are also militants from the Mouvement national pour la libération de l'Azawad – MNLA (The National Movement for the Liberation of Azawad)⁴⁵ as well as terrorists from the Al-Qaida au Maghreb islamique – AQMI (The Al-Qaida Organization in the Islamic Maghreb) fighting together against the Mali state. This trio also carried out the January 24, 2012 attack on Aguelhok. This is for the first time in history that cooperation between Tuareg warriors and Islamic terrorists has been documented.⁴⁶ The MNLA movement was established on October 16, 2011 by fusing the National Movement for the Liberation of Azawad, comprised of young intellectuals and militant politicians, with ex-warriors from the Alliance Tuareg Niger-Mali. The third component of the MNLA, the ex-Gaddafi Tuaregs, have in recent weeks contributed to an increase in armed activities in Azawad. The chief of staff of the military section of the MNLA is Mohamed Ag Najem, the former officer from the Libyan army.⁴⁷ The AQMI has several bases in the north of the country. Its politics is based on concluding marriages between its members (primarily Algerians) and Tuaregs, on recruiting unemployed Tuaregs and on bribing its population by promising very limited social programs. Such a policy pays off. An entirely new AQMI katiba (organizational unit), which consists exclusively of the members of the tribe, emerged in the Sahela-Sahara region.

In the post-Gaddafi Libya, the situation is far from settled. The weakness of the previous government and problems in the social sphere, which affect almost every Libyan, are to blame. The infrastructure does not work and neither do the police, the army or the state administration. The distribution of social benefits is sluggish,

the banking system is nearing a collapse and unemployment is rife.⁴⁸

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The situation is also deteriorating due to the existence of groups of armed rebels operating in a parallel power structure. Hence, these ex-rebels, once acting on the will of the majority, are now turning into so-called thowars, promoting the interests of the minority. Thowars provoke conflicts with the former pro-Gaddafi followers as well as among themselves. Heavily armed thowars commit illegal acts: they control strategic places in Tripoli, collect bribes at junctions and detain thousands of people. The United Nations estimates that there are about 8,500 people, whom the thowars suspect of collaborating with the ex-Gaddafi regime, detained in 60 detention centers across Libya where they are tortured. These detention centers are outside the control of the Libyan government. Entire tribes, which amounts to tens of thousands of people, are subjected to thowars' brutality.⁴⁹ Thowars are fragmented into hundreds of militants and there is no coordinating mechanism for negotiation with the power holders. Even if cooperation among the militia chiefs does take place, this usually only concerns regional groups. In order to resolve this situation, thowars would have to be integrated into the regular army system. A total of 200,000 thowars are expected to be incorporated into the army eventually. However, for the thowars to join the army, they would have to give up any ambition to hold political power and to give up their arms. So far, the transition has not been very successful. Since being armed is the only political influence thowars have, they are not likely to give up arms until a government of their preferences is formed. Until then (elections to a 200-member assembly are scheduled for June 2012), thowars will continue to voice their political demands. Furthermore, the opportunities to solve the problem regarding detention centers and armed incidents are still very limited.⁵⁰ The weakness of the Libyan state may pave the way towards the Islamization of the country and even towards creating a fertile ground for Islamic fundamentalists. Al-Qaida encourages the AQMI to undertake terrorist activities in Libya. Several terrorists are already inside the country, trying to launch terrorist attacks. Their position is, however, far from easy. A generally weakened Al-Qaida arrived in the wrong time to the wrong place. Its ideology is out of tune with the uprising and with the Libyan people, who, riding the wave of the Arab Spring's ideals and jubilant about the end of the dictatorship, do not

sympathize with the Al-Qaida.⁵¹ Although the Al-Qaida's activities in Libya remain under the control of Western secret services, local Islamists have already established a rather significant degree of influence over the Libyan population and they have access to weapons collected by the Libyans during the uprising. Qatar is partially to blame for this.⁵²

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CONCLUSION

This case study has illustrated that non-state military actors of the Libyan origin operating on the Gaddafi side participated in the conflict in a limited way. If any Libyans took part in the activities of mercenaries, it was either the naturalized Africans (non-Libyans) speaking African languages and French but not Arabic, or the members of Libyan tribes loyal to Gaddafi. However, two questions come to mind: first, to what extent do these tribes form part of the Libyan national identity, and second, to what extent can people living in a tribal structure identify with the Libyan state? It can be inferred that Libyan citizens (civilians) were not directly involved in struggles on the Gaddafi side. They were either rebels or non-combatants.

There is a risk that some non-state military actors involved in the Libyan uprising may be responsible for the possible eruption of new military conflicts. Some former members of the Gaddafi units are still armed, though left without a purpose and having fled Libya, which means that they can be "recycled" for further use. Security situation in the Sahara-Sahela Africa is jeopardized because together with militants, a large amount of weapons and ammunition from the Libyan depositories ended up in Chad, Mauretania and Niger. The AQMI, Boko Haram and Al-Shabaab may tap into these human and material resources.⁵³ At the same time, it is obvious that the conflict attracted a whole plethora of non-state military and militant actors whose involvement in the uprising was outside the control of the Libyan civil society against whom their activities were, in fact, directed. The involvement of these non-state military and militant actors was also beyond the control of the international community, which now may be threatened by their activities. The Libyan uprising shows that authoritarian regimes and not only failed states, as thought previously, provide a fertile ground for non-state military and militant actors to operate in. In fact, authoritarian regimes

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may also use these non-state military actors against their civilian population. It can be inferred that there is a direct correlation between non-democratic states and the existence of violent non-state actors. This case study also suggests that the international community should strive to set up a mechanism to control the behavior of not only these actors but also of state actors who create the conditions suitable for violent non-state actors to operate within. If there were no undemocratic regimes (or failed states), there would be no space for these violent non-state actors to operate within. This may be taken as a challenge for the international community to think further about the responsibility to protect (R2P). However, it should also be emphasized, that democratic regimes' usage of private military companies is problematic and that the concept of "war profiteering" will become hotly debated in the future.

To conclude, this case study helped to illustrate that non-state military and militant actors have not only financial, but also political motivation and/or a combination of financial and political motivation to engage in violent activities. Violent non-state actors (such as mercenaries) attract other non-state violent actors, such as militants from Azawad or AQMI terrorists and together, they are able to strike a powerful blow to the sovereignty of a state. As negative non-state actors (armed militants-Tuaregs) try to ascertain themselves in the political arena, the positive non-state actors (political Tuaregs) try to obtain power by force. In other words, negative non-state actors alter the behavior (identity) of the hitherto positive non-state actors.

Table 1: Typology of violent non-state actors fighting on the Gaddafi side

Group	Financial motivation	Political motivation	A combination of financial and political motivation
Special units made of naturalized rebels from Chad, Liberia, Mali, Niger, Sierra Leone	X		
Fighters of the President of Chad		X	
Chadian people settled in Libya			X
Sudanese fighters fighting against the independence of South Sudan			X

Fighters sent by the President of Guinea		X	
Polisario Front fighters			X
Citizens of various African countries, formed and led by officers sent to Libya		X	
Mercenaries from Tunisia, previously in service to the President Ben Ali	X		
JEM fighters from Darfur			X
Tuareg fighters			X
South-East European mercenaries	X		
Mercenaries from the post-Soviet space	X		
Highly specialized experts from Western Europe	X		
Mercenaries from Asia	X		
FARC snipers			X
Child soldiers	X		

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