

ASSESSING NEEDS OF CIVIL SOCIETY IN LIBYA

An analysis of the current needs and challenges of the
Civil Society in Libya

November 2011



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Introduction: the Foundation's mission to Libya

As Libya was progressively shifting from a period of open conflict to a period of transition, the Foundation for the Future decided it was time to pay a first visit to a population which would probably be facing new needs and support. An assessment mission was consequently conducted by the Foundation's President, Ms. Nabila Hamza, and Ms. Nadia Moussa, Grant Officer for North Africa Region, accompanied by a team of consultants whose task was to establish a need assessment report for the Libyan civil society.

The exploratory mission to Benghazi and Tripoli, from Oct. 31 to Nov. 5 2011, was intended to get an understanding of the shape in which Libya's civil society is at the moment, and to assess the needs of Libyan CSOs which are mainly in an early phase of existence. In the course of this mission, our team acquired reasonable knowledge about civil society under Gaddafi's regime and under the new and current governing authorities. In this regard, particular attention was paid to the previous and current legal framework regulating CSOs. An emphasis was also given to collecting information on the needs for technical and financial support as well as on the challenges facing CSOs.

The mission proved particularly fruitful as our team succeeded to meet with civil society activists who could share first-hand knowledge of the challenges and opportunities for CSOs in today's Libya. The week-long trip comprised two large meetings, one in Benghazi with representatives from around 25 CSOs, and one in Tripoli, co-hosted by the University of Tripoli's *Programme for Rebuilding Libya*, which was attended by representatives of about 35 CSOs. The rest of the time was dedicated to smaller meetings in both cities. For better outreach, and in order to maximize the allotted time, the team split into two groups and consequently met with representatives of about 60 CSOs as well as with scholars, political delegates and consultants to the National Transitional Council (NTC). Our team was positively impressed with the variety of actors present on the ground as they met with young people newly involved as well as with women and members of the Diaspora who came back with the intent to seize such an opportunity to rebuild their country.

The Foundation for the Future's representatives met with CSOs working on most aspects of its mandate, that is to say human rights protection and promotion, civic participation and empowerment, women empowerment and protection, in addition to children's rights promotion, economic and social development, and so forth.

In order to accurately and clearly present the findings and recommendations emanating from this assessment mission, this report is divided into three parts. One part will introduce Libya's political and societal situation and challenges; one will be situating CSOs in this context, and one will underline pressing priorities for the civil society.

1. A context of political and social transition

► A difficult political transition

In February 2011 was initiated in Libya an uprising which progressively opened and transformed the country's political and societal spectrum. Namely, the removal of the 42-years-long dictatorship undid an extremely restrictive legal and political framework which was prohibiting, among other, any sort of gathering of the civil society.

It is impressive to note that as soon as the field of possibilities expanded, that is to say as soon as Benghazi fell under the control of the opposition, CSOs started mushrooming, accounting for a genuine craze of the population to take part in the reconstruction and development process needed in Benghazi and more generally in the country. In this regard, emerging CSOs were principally focusing on emergency response providing medical supplies and food to populations in dire need due to the ongoing conflict and halt of the economy.

The quest for Gaddafi's removal, and the resulting state of armed insurgency, produced a number of armed factions which now represent a potential destabilization factor which will have to become a focus for the authorities as well as for civil society. As fighting was put to an end, with the concrete removal of Gaddafi, a new task surfaced: collecting weapons to disarm the various militias accounting for an unprecedented number of heavily armed ex-combatants with no clear understanding of what their future could be and how their reintegration into the society could happen. Solving this issue is key to prevent future revival of violence. Resurgence of hostilities would indeed be a terrible destabilizing factor not only for Libya but also for the region. Hence the necessary mission for authorities as well as for civil society to rehabilitate combatants and to work on a cohesive dialogue to bring back national unity.

It was noticed that one of the major political challenges for Libya now that a transitional period has begun is to reach national unity and cohesion. Indeed, the NTC movement was initiated in and by people from Benghazi, yet it now has to prove a united and coherent front in order to be representative of the whole country and to extinguish any risk of intestine conflict or worse, civil war, over power between various tribes and/ or political and regional coalitions.

Furthermore, until, and even after, elections are held and an interim government appointed, the country has to be built from scratch. There is indeed no parliament or electoral supervision body in Libya. The scars from Gaddafi's regime are numerous as the regime was probably one of the most repressive to have been overthrown in the region this year—no political parties whatsoever, no trade unions, no independent press or CSOs.

Those are just some of as many challenges with which authorities are faced today, but which have to be equally taken into account by the civil society as issues to get involved in, not only for the sake of Libya's future, but also because when those issues are resolved, CSOs have a base on which to thrive.



2. Newly constituted CSOs in a newly developing environment

It is quite safe to say that since they emerged at the same time, the CSOs which have survived their first few months of operation have all reached a similar level and are all facing issues, challenges and opportunities that are consistent.

As such, currently the dominating Libyan organizations are mostly related to the personalities of their founders, while most of the small and youth-led ones are still far from getting enough support and access to CSOs networks and capacity building opportunities. On the other hand, a large number of organizations stopped their activities mainly because they couldn't come up with a clear agenda and mandate due to lack of experience, gradually decreasing motivation after the end of the revolution, or because they had to resume their regular occupation (work, studies) and could not find enough extra time for non-profit work.

It was noted that although most CSOs seem to suffer from a real lack of funds, they share a common skepticism about international donors, which they fear will earmark their donations in order to promote their hidden agenda. They consequently claim they will only accept international donation if it is completely unconditional. Local sources of funding, however, are quite limited and only available through members' contributions and individuals' donations. The latter are particularly scarce at the moment since people have a tendency to focus on their own economic survival. Another source of income CSOs hope to be relying on would be government funding.

There was a consensus among representatives met in November that in the end training and transfer of experience is much more important at this time than pouring money onto the Libyan civil society. They did acknowledge thereby that they desperately need the "know how" to actually manage and use funds efficiently and that funds should be mainly directed at building the capacities of CSOs to be able to transform their ideas into professional and meaningful projects. In order to do so, they requested support to build their organization's vision, mission and goals, as well as strategic planning, project development and management, leadership and consensus-building, training of the trainers, civic and political education, advocacy campaigning, corruption and government monitoring, English language, and computer and new social media skills, and so forth.

► CSOs' Legal Framework

The legislative framework which governed civil society under Gaddafi's regime was embodied by the law number 19 of year 2001 which was drastically restrictive and arbitrary. The vetting process to register a CSO would take up to two years and the CSO could still be rejected. The existing associations had been approved by the security apparatus and had to include members of the government among their executive board or leadership. Incidentally, several women associations' representatives recalled that they tried to be registered under the previous regime yet failed, even after lengthy registration battles and constant questioning about motives by authorities. One activist was asked by authorities why she would want to set up an organization to support poor people when there were officially no poor people in Libya¹.

Since the revolution, the registration process has been facilitated, with only little limitations on ethical aspects. It cannot be said, however, that a clear legal framework exists and it is now to hope that the future interim government rules on a clear and fair CSO law. The NTC has apparently been working on a new law for associations which is said to meet international standards. At the moment, the only requirements are the presentation of by-laws and a minimum of 15 members. 361 organizations have consequently been registered in Benghazi, with around 60 of them still truly active. Additionally, more than 500 were registered in Tripoli in the past 6 months. It is worth noting that 240 of the Benghazi-based CSOs have a humanitarian mandate. Furthermore, in Tripoli, 270 CSOs were registered in less than three months after the city's liberation from Gaddafi's troops. This mushrooming effect surrounding the creation of CSOs will likely diminish as the political situation settles and the population goes back to strengthening the country's economy.



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3. Libyan CSOs in 3 themes and 3 priorities

Libyan CSOs are faced with challenges of their own and, as previously underlined, they include the internal development of knowledge in order to become professionals and to survive on the long-term. Externally, the challenge for CSOs is to remain focused on holding the new authorities accountable so that they vote on a fair CSO law. Finally, and in a very near future, many Libyan CSOs have to succeed their conversion from emergency-driven organizations to development-driven ones. Looking towards the future, CSOs have 3 broad themes of focus in mind and 3 priorities to succeed developing these themes.

► Women Participation

Meetings held in Benghazi and Tripoli underlined the encouraging fact that many activists are fully committed to advocating for political and social participation and empowerment of women. Many activists such as journalists, judges, leaders or representatives of movements and networks have, for instance, explained how they wanted to **combat social exclusion of women** and the system of traditional culture, obstacles to women's participation in politics as voters and candidates, and advocate for the role of women in the political sphere. It is indeed a sphere women want to be included in, as government employees and representatives, but also as elected members of assemblies (They call for quotas to be set up). The women met also requested trainings on constitutional matters in order to be able to voice their demands as the new constitution is drafted. In fact, at least half of the people met were highly motivated women eager to fight for their rights and remain as involved in the transitional period as they were during the insurgency.

However, those women are not necessarily representative of all women and classes where much work remains to be done. There is indeed, for instance, a certain lack of knowledge among the Libyan women with regard to their rights as prescribed in international agreements and conventions. Moreover, in the Libyan male-dominated patriarchal society, women leadership is very weak and close to being un-advocated or un-lobbied for. Furthermore, with the recent episodes of violence, violation of women's rights has escalated, with numerous accounts of violence strategically targeting women and girls (use of rape, intimidation and persecution as a weapon of war).

Women of all ages have been an integral part of the uprising. Thus, the promotion of the role of women will be central to the post-conflict stabilization of the country and the creation of an inclusive civil society in Libya. Although, as noted by the University of Tripoli "The transitional authorities have made women's empowerment a priority and also have promised a bigger role

for women in public administration”², and two ministries have been allocated to women, there is a need to remain vigilant and to hold new governing authorities accountable.

In this context, the Foundation will seek to organize a conference, in cooperation with the University of Tripoli, which will gathering a coalition of women’s representatives, leaders and civil society organizations of women actively engaged in public sphere to come out with propositions and recommendations for the government.

► Youth Education

It is only recently, when relief and humanitarian emergency became secondary, that the civil society realized that supporting and advocating for a democratic foundation was to become a priority. As this conclusion spread through civil society, the involvement of young people in project linked to the future of Libya dramatically increased. International NGOs have even been impressed by the “volunteering spirit” demonstrated in Libya and the ability to mobilize, organize, and start new organizations from scratch³. Yet, Libya’s youth has never witnessed an election or taken part in any sort of civic participatory mechanism. The need for education on topics of democracy and civic duties and rights is so enormous that even, and especially, the youth itself yearns for guidance and training.

Furthermore, many young people have idealistic expectations of rapid transformation of the country and expect immediate and durable improvements in politics as well as economic inclusion. If disappointed, this massive fringe of the population could lead the country to instability and unrest. Their call for advocacy and training on what democratic values entail and on the steps and drawbacks that should be overcome in order to create such a political system therefore needs to be heard and taken into account. Indeed, the return in Libya of highly educated and socially engaged young members of the Diaspora from the West will not be sufficient to quench the youth’s expectations.

In the light of meetings with youth organizations, the Foundation has established that it will undertake several capacity building workshops, study groups and youth exchanges with civil societies across the region in order to support youth in Libya to face the new challenges of transition, in particular how to support the participation of youth who have been pushed aside by the preceding regime.

² Strategy Outline for the Programme for Rebuilding Libya, University of Tripoli, *November 2011*

³ “Libya: Civil society breaks through”; IRIN, 16 August 2011.

► Political and civic participation

Libya's current authorities have decided to conduct –within eight months of the declaration of Liberation- an election to establish a National Conference which will form an interim government and a body to draw up a new constitution. At the moment, it is foreseen that this commission will produce a draft constitution within sixty days which will, in turn, be submitted to the National Conference for approval and presented to Libyan citizens in a referendum requiring, for approbation, a majority of two-thirds of the electorate.

However, Libya has no experience in holding an election or in adopting a new constitutional framework. Neither does it have experience in organizing and participating in electoral and constitution-making processes such as those planned. Indeed, the public has never participated in any similar event and has little knowledge and understanding of such processes since only Libyans who are 60 years-old and more have witnessed parliamentary elections and have lived under a constitution. This is probably why some of the people met reckoned that going back to the 1951 constitution, while adding some amendments to it, would be the safest and fastest way out of the transition and into the future. Others, on the other hand, advocated for the use of a constitutional template to compensate for the lack of knowledge of most citizens.

Indeed, a number of lectures and workshops have lately been organized by local CSOs to educate the public about the constitution and elections, but these efforts remain superficial and on a small scale. This is especially accurate since transforming the political culture of a society who is deeply engrained by practices built-up over forty-two years is one of the most difficult aspects of any post-conflict transition. A number of extensive civic education, and engagement awareness campaigns, at a local and national level are therefore essential components of any strategy⁴ to be implemented.

Consequently, CSOs need at first to be equipped with tools, techniques and skills to understand what is at stake during the transition and the upcoming elections. Indeed, when well-informed and well-prepared, CSOs can play a key role in leading initiatives to build political awareness of the population. As such, they should be trained on the general political system, election monitoring, women's political participation, youth mobilization, and 'civic journalism'.

In this regard, the Foundation would be eager to conduct training for trainers, as those already implemented last year in Tunisia after the Revolution, to develop a sustainable value within the civil society sector and the country. The Foundation is also willing to engage people at grassroots levels, including youth and women, and reaching **popular areas** where expectations are high but political awareness is low. This strategy would help **sensitizing remote areas through community meetings**, focus groups and round tables that can easily be organized by

⁴ Strategy Outline for the Programme for Rebuilding Libya, University of Tripoli, *November 2011*

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leaders and representatives that will have been strengthened through trainings and capacity building workshops.

It also appeared in the course of this mission that political activists, who formed parties or intend to, are eager to learn about political party activities such as constituency-building, electoral campaigning, broadening membership, enhancing internal party democracy, supporting voter education and finding grassroots supporters. Finally, some activists also started to run roundtable discussions about building the state's institutions, transparency and fighting corruption. However, they are strongly asking for further education about these issues and about efficient ways to advocate for them.

The democratic life in Libya will commence with a constitution assuring a multi-party system and the election of president, parliament and local councils as a mean of peaceful transfer of power based on the well of the people. Based on this, the foreign assistance needs to build the capacities and maintain a participatory approach of the Libyan third sector but also to bring an expertise as well as best practices examples to the Libyan newly formed civil society. In order to achieve those three aforementioned themes, CSOs have three priorities: Unify the country through civil society mechanisms, build capacities (theirs as much as the Libyans'), and build integrated CSO networks to develop knowledge acquired from one another.

Priority 1 Uniting Libya

CSO activists met in Libya believe they are the main actors to build a sense of belonging and nationalism in order to avoid the danger of tribalism in political games. Emerging Libyan CSOs are keen to participate in building the state's institutions and constitution and dissolve tribal affiliation into the country's mainstream through engagement in civil work. In addition to creating a sense of common belonging beyond tribal cleavages, the civil society will also need to take part in disarming and rehabilitating former combatants. This issue is particularly complex as it tackles notions of transitional justice and gender. Indeed, justice and memory will be key issues to be dealt with in order to build a strong Libyan society.

Priority 2 Build capacities

As previously mentioned the need for building capacities is enormous, within CSOs and within the Libyan society at large, women, youth, activists, politicians, all Libyans.

Priority 3 Inclusive networking

Networking is a priority on a local, regional and international level. Locally, CSOs are demanding tools to communicate and establish dialogue in order to form an efficient web able to include all parts of the population. Local networks are also conducive to best-practices learning mechanisms. At the regional level, CSOs are asking to learn and share from fellow societies in transition following a dictatorial rule. Finally, internationally, Libyan CSOs expect to learn from experts and well-established CSOs.



4. Conclusions and recommendations

The issues facing civil society and the transition are very specific to Libya, a country where there has been no constitution, no political system, and no civil society. The tribal cleavages of the society will have to need to be toned down and kept out of politics in order to build a consistent government representative of the country as a whole. The role of the Diaspora, bringing fresh experiences and know-how, will also be decisive in helping the country get rebuilt and the civil society empowered.

At the end, it is the greatest challenge for the civil society to create the democratic mindset in Libyan people from public officials to layman.

Some key conclusions emerged from the assessment mission to Libya. The can be summarized in just a few lines: The country is living a historic moment that is extremely precarious since all institutions, infrastructures and even the constitution have to be built from scratch. The Libyan civil society is in a similar shape as it needs training, building, strengthening, in other words shaping. However, and although the achievements to be accomplished are daunting to say the least, members of the civil society met in Tripoli and Benghazi proved and demonstrated enthusiasm, determination, motivation and commitment.

The hopes and vision of civil society need to be supported by experience and knowledge in order to form a vivid civil society. The Foundation for the Future has decided to focus its efforts on skills and capacity building to further the chances to develop a strong civil society in Libya. In order to do so, the Foundation is committed to identifying promising CSOs worthy of support and to provide them with the whole necessary agency.

As underlined in the course of this report, training is found to be the urgently needed for all CSOs. Based on the data collected from CSOs representatives, training programs are needed in almost every field related to the management of the organization and the implementation of community based projects. The Foundation therefore recommends that donors support:

Projects having to do with capacity building assistance

- **Good internal governance promotion** (defining mandate, drafting by-laws, building membership, elaborating strategy and planning activities, budgeting and financial sustainability, human resources management including volunteers, organizational memory, communication and information sharing, developing good organizational culture and values, Transparency and accountability towards beneficiaries and donors)

- Project development and management (e.g. logical framework approach, needs assessment and problem analysis, fund-raising, monitoring and evaluation, activity and financial reporting, managing grants, etc.)
- **Advocacy campaigning**
- Marketing and media relations
- Computer and social media tools
- **Interpersonal skills development** (leadership, conflict resolution and consensus building, dialogue and active listening, negotiation and facilitation, team working, etc.)
- **Teaching English language**
- Building **pedagogical skills** to train other people within the community (training of the trainer)

Projects supporting civil society network empowerment and CSOs networking

- Create **national networks of CSOs** in order to favor knowledge exchange and best-practices exchange.
- **Promote regional cooperation** through workshops sharing regional best-practices from the MENA region (virtual platforms, international workshops, training sessions in well-established foreign CSOs, work-shadowing, etc.).

Projects in favor of civic empowerment

- **Civic and political education** (e.g. democracy and human rights concepts and practices, constitution, elections, political systems, etc).
- Political party activities (e.g. constituency-building, drafting party platforms, electoral campaigning, managing resources, broadening membership, enhancing internal party democracy, supporting voter education and get out the vote activities).

Projects in favor of women empowerment

- Increase women's participation at all decision-making levels in national and regional institutions and in mechanisms for the prevention frames, management and resolution of conflict.
- Include a **gender perspective** in their peacekeeping and peace-building measures and address protection, rights and specific needs of women⁵.
- Undertake capacity building workshops to build and strengthen women's skills and capacities as well as leadership.
- Set up study groups and exchange of regional experiences and best practices to involve Libyan women in the political life and decision-making processes.

⁵ Strategy Outline for the Programme for Rebuilding Libya, University of Tripoli, November 2011

Projects in favor of youth empowerment

- Put an emphasis on **projects of civic education** and participation, community involvement, political awareness and participation, and empowerment activities.
- Set up introduction **workshops to democratic principles** as well as human rights concepts such as International Conventions workshops.
- Teach foreign languages (English, French...).

Based on the feedback from some activists who attended training programs provided by some international organizations, the following points should be taken into consideration:

- **Trainers** are preferred to be from Arab countries due to the language barrier and to the similarities in cultures of Arab countries.
- Selection of participants **should not exclude small CSOs** and youth. It should be ensured that the trainings do not benefit only the same persons.
- Training should be followed by a follow-up process and continuous support.

To conclude, the main challenge for Libyan CSOs will be to employ local and foreign know-how and resources to transform the energy released by the Revolution into concrete and efficient work that contributes to building a new democratic Libya.