

30 May 2019

Phone a friend: Switzerland's problem with Qadhafi



Sir Vincent Fean's 39 years of diplomatic experience include serving as Consul-General in Jerusalem, Ambassador to Libya (2006-10), and High Commissioner to Malta. An Arabist, he has engaged in senior policy-making, government affairs and negotiation in Whitehall, the Middle East and Western Europe. He now chairs the Libyan British Business Council (www.lbbc.org.uk), with over 100 member companies, building business bridges with Libya.

Switzerland enjoyed a strong, discreet business relationship with Libya until July 2008, when Colonel Qadhafi's psychotic son, Hannibal, was arrested in a Geneva hotel for physical abuse of his servants. A photo of Hannibal in handcuffs went round the world. The Swiss police let him go soon after – too late to avoid retaliation. Qadhafi senior slapped Hannibal's face, then exacted revenge. The Swiss respected the Marquess of Queensberry rules, with which Qadhafi was not acquainted. Switzerland thought she could get by alone. It didn't work. Eventually, she phoned a friend – the EU. Vincent Fean was British Ambassador to Libya when the crunch came.

API: Your thoughts when Switzerland hit trouble?

There but for the grace of God go I. Hannibal was guilty (though the servants were bribed not to press charges). This was compounded by the undeclared presence of armed Libyan bodyguards in his suite when 20 Swiss police came knocking. The Swiss acted by the book, not for the last time. Maybe the police in Bern, the capital, would have handled it differently... I think the Metropolitan Police would have consulted the FCO early on.

The retaliation was sudden and harsh. The authorities in Libya immediately detained two innocent Swiss citizens (working for ABB and Nestle) on trumped-up immigration and tax evasion charges, just as China did recently to Canadians after the Huawei extradition arrest in Canada. For 52 days the two Swiss were denied family contact. Swiss Ministers, diplomats and businesses went through purgatory. Their truly excellent Arabist Ambassador had to leave. Switzerland had obtained half its oil from Libya. Supplies stopped. Air links were cut. Libya withdrew \$billions from Swiss banks, and refused visas to all Swiss applicants. When Switzerland retaliated, putting 188 Libyans on the Schengen warning list – including Qadhafi family members – Libya stopped all Schengen member state citizens entering Libya.

API: What happened to the two Swiss detainees?

Qadhafi knew how to exert pressure on a democracy: the Swiss Government bent over backwards to get its people out – and for nigh on two years it failed. If they weren't in jail, they were forbidden to leave the country. The pair spent 19 months living in the Swiss Embassy. There were tortuous bilateral negotiations. In May 2009 Libyan PM Baghdadi met the wives of the two men.

Access. Engagement. Resolution.

Nothing came of it. In August 2009 Swiss President Hans-Rudolf Merz and Baghdadi signed an agreement in Tripoli envisaging normalisation of relations within 60 days. As part of the deal Merz apologised publicly for Hannibal's arrest. Qadhafi ignored both the apology and the deadline. With Switzerland now desperate for European solidarity and Schengen states troubled by the Libyan visa ban, new talks began – this time involving Germany, and Spain as EU Presidency (two EU states with major oil interests in Libya).

API: What role did Britain play?

We readily shared information with the Swiss, whose Embassy was decimated. I do not recall the Swiss Government asking us to mediate – after failing bilaterally, they took their business to the EU Commission, the EU Presidency of the day and (at Libya's behest) Germany. Perhaps they thought we had enough on our plate already - including the Lockerbie bombing and the fate of convicted bomber Megrahi, the murder of WPC Fletcher and the abduction to Libya from Wigan of young Briton Nadia Fawzi by her Libyan father (Libya proving helpful with Nadia's retrieval). There was less top level contact between the UK and Libya than when Tony Blair was PM.

In July 2009 Berlusconi invited Qadhafi to Italy for a G20 summit, and a half-hour bilateral meeting was held between Qadhafi and PM Gordon Brown before the plenary session. I recall two things from that meeting. First, Qadhafi's Head of Protocol rang me beforehand and asked me to confirm the start time. When I said 08.30 I heard a howl of anguish at the end of the phone. It was Qadhafi. They had put me on loud speaker so he could hear the time from me rather than from them. He was an owl, not a lark... Second, I waited an hour after the meeting then rang Private Office to ask how it went. Tolerably well... but I was told in the same breath that Qadhafi at that moment was addressing the G20, calling for Switzerland to be dismantled: the French speaking part to go to France, etc etc. I sighed.

API: The crunch?

One Sunday evening in February 2010 I was home after a day's work when the Austrian Ambassador rang. "We're all over here at the Swiss. Please join us!" said Dorothea Auer. We both knew the line was bugged, so I didn't ask questions. Not much point in consulting London either – I knew more than they could know. When I got there, the Swiss Embassy was floodlit all the way round from army trucks, with Libyan soldiers surrounding it. Cameras flashed as I went in, to be greeted by the Swiss Charge d'Affaires. The company was good: Austria, France, Spain, Poland, Germany...

We ate Swiss cheese and drank Swiss wine. And waited. The threat was that if Switzerland did not deliver the bailed Swiss detainees for re trial, the troops would storm the building to get them, in breach of the Vienna Convention. It didn't happen.

At 10 pm, all EU Heads of Mission plus the US and Russian Ambassadors were summoned to the Foreign Ministry by Musa Kusa. We wondered if it was a trick to get us out of the building, but it wasn't. We obeyed and waited an hour, during which Libyan TV turned up to film the meeting. Kusa warned that Libya would break diplomatic relations with Switzerland if the detainees were not handed over within 12 hours.

We went home – I to report back to the FCO, and so to bed. Overnight, the Swiss Government caved in. One detainee was acquitted; the Austrian Ambassador ensured he got out. The other,

Max Goeldi, served 4 months and left on 10 June 2010, having been held in Libya against his will for 23 months.

API: Lessons learned?

If you cross a vindictive dictator, phone all your friends, early and often.

And the EU matters. It's where our like-minded friends are.

Access. Engagement. Resolution.

The Ambassador Partnership LLP is a **unique specialist** partnership of former Ambassadors with unrivalled networks of influence in almost 100 countries. We provide discreet services to resolve your international problems and to improve your capacity to operate effectively wherever you need to.

We are **dispute resolution** specialists and **political risk** experts.

To discuss how we can help you to manage your political risk please call:

Tracey Stewart

Partnership Secretary

+44 (0) 7950 944 010

tracey.stewart@ambassadorllp.com

www.ambassadorllp.com