

# An Onerous Endeavour

## Navigating Libya's Political Quicksands

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Since 2014, perhaps the only constant characterizing the Libyan conflict has been a continuous reassertion of the need for peace and reconciliation, almost simultaneously accompanied by actions seeking to perpetuate or escalate the intractable conflict. Today, the country is mainly viewed through the lens of national security of EU and neighbouring states due to the perceived potential negative repercussions of Libyan developments on the EU and at the global stage. Recently, Libya has gotten more Western media attention after the last 6 months saw the main protagonists of its political quagmire hosted by two European governments, France in May 2018<sup>(1)</sup> and Italy<sup>(2)</sup> in November 2018. On one side, the Government of National Accord (GNA) – the Tripoli-based UN-backed government - headed by Fayez El-Sarraj – on the other, Khalifa Haftar, and commander of the Libyan National Army that controls the east of the Country. Also taking part in these two conferences were Agila Saleh, President of the House of Representatives (HoR) and Khaled Al-Mishri, the newly elected head of the High State Council.

In May 2018, these Libyan stakeholders gathered in Paris and verbally agreed to hold elections in December 2018, a deadline that the government of France's President Macron was intent on meeting despite the risks of igniting a nation-wide conflict<sup>(3)</sup>. The 'Paris Agreement'<sup>(4)</sup> verbally agreed to by the Libyan parties also outlined the need to set a constitutional basis for elections and host a national conference. However, conditions were not deemed appropriate to hold elections, as explained by Ghassan Salamé<sup>(5)</sup>, the Special Representative

of the Secretary-General of the United Nations in Libya. Several other states such as Italy and the United States shared the same view. In a bid to remain in power, the HoR purposely failed to adopt the referendum law in order to organize a vote on the Libyan Constitution and end Libya's transitional process by paving the one for new elections. This would not only have allowed a potential unification of the country under one government, but it would also have de-facto rendered the political elite benefiting from the status quo redundant.

Furthermore, a series of clashes in September<sup>(6)</sup> in Tripoli that induced a ministerial reshuffle<sup>(7)</sup> of the GNA as well as a wider mobilization of Haftar's LNA (Libyan National Army) towards the Libyan South (Fezzan)<sup>(8)</sup> furthered the impression that the situation was not conducive to holding elections. As virtually no tangible steps were taken to implement the Paris agreement due to a lack of political will amongst Libyan parties, another political roadmap was needed.

In July 2018, Italian Prime Minister Conte visited President Trump in the United States and held a Joint Press Conference during which Trump reasserted that Italy has a leadership role in stabilizing Libya<sup>(9)</sup>. In early October, the Italian government announced it would host another conference that would bring together Libyan stakeholders, this time, in the city of Palermo. Though the conference was widely regarded as a political maneuver by Italy's government to reclaim ownership of the Libyan initiative from France, it renewed the commitments of Libyan parties to hold elections in spring of 2019, as per Salamé's original UN Action Plan<sup>(10)</sup>.

1. Wintour, P. (2018) Libyan factions agree to hold elections on 10 December. ([www.theguardian.com/world/2018/may/29/macron-hosts-libyan-factions-in-paris-in-push-to-secure-elections](http://www.theguardian.com/world/2018/may/29/macron-hosts-libyan-factions-in-paris-in-push-to-secure-elections)).

2. Laessing, U. (2018) Libya rivals arrive for Italy summit after December election shelved. ([www.reuters.com/article/us-libya-security-conference/italy-hosts-libya-conference-to-push-new-u-n-peace-plan-idUSKCN1NH010](http://www.reuters.com/article/us-libya-security-conference/italy-hosts-libya-conference-to-push-new-u-n-peace-plan-idUSKCN1NH010)).

3. Diplomatie – Gouv. (2018) Libya – Visit by Jean-Yves Le Drian (23 July 2018). ([www.diplomatie.gouv.fr/en/country-files/libya/events/2018/article/libya-visit-by-jean-yves-le-drian-23-07-18](http://www.diplomatie.gouv.fr/en/country-files/libya/events/2018/article/libya-visit-by-jean-yves-le-drian-23-07-18))

4. Irish, J. and Pannetier, M. (2018) Libyan factions agree to December 10 elections at Paris talks. ([www.reuters.com/article/us-libya-security-meeting/libyan-factions-agree-to-december-10-elections-at-paris-talks-idUSKCN1IU188](http://www.reuters.com/article/us-libya-security-meeting/libyan-factions-agree-to-december-10-elections-at-paris-talks-idUSKCN1IU188)).

5. Mahmoud, K. (2018) Salame affirms difficult to hold elections in Libya. ([aawsat.com/english/home/article/1334201/salame-affirms-difficulty-hold-elections-libya](http://aawsat.com/english/home/article/1334201/salame-affirms-difficulty-hold-elections-libya)).

6. Elumami, A. (2018) Tripoli clashes leave 115 dead, 383 injured – health ministry. (<https://uk.reuters.com/article/uk-libya-security/tripoli-clashes-leave-115-dead-383-injured-health-ministry-idUKKCN1M30PE>).

7. Zaptia, S. (2018) Serraj conducts controversial ministerial reshuffle. (<https://www.libyaherald.com/2018/10/08/serraj-conducts-controversial-ministerial-reshuffle/>).

8. Zaptia, S. (2018) Haftar launches Murzuq Basin military campaign in south. (<https://www.libyaherald.com/2018/10/24/haftar-launches-murzuq-basin-military-campaign-in-south/>)

9. White House (2018) Remarks by President Trump and Prime Minister Conte of Italy in Joint Press Conference. (<https://www.whitehouse.gov/briefings-statements/remarks-president-trump-prime-minister-conte-italy-joint-press-conference/>).

10. Laessing, U. and Lewis, A. (2018) U.N. launches new plan to end Libya's post-revolution turmoil. (<https://www.reuters.com/article/us-libya-security/u-n-launches-new-plan-to-end-libyas-post-revolution-turmoil-idUSKCN1C12QD?il=0>).

This paper will aim to look at Libya's political process and challenges ahead of potential elections as per the sequencing of the UN Action Plan. We look in particular at the viability of elections as a tool for a potential political solution as well as the National Conference and the legislative impediments associated with it. Will also consider the potential difficulties that lie ahead in terms of unifying the Libyan army and highlights the risk of increased militarization in South Libya and the rationale behind it.

## A tumultuous political process ahead

### 1) Palermo and elections a double-edged sword

The summit held in Palermo brought together the head of the Presidential Council Fayez Al-Sarraj, the head of the LNA Khalifa Haftar, the head of the High State Council Khaled Mishri, and the President of Libya's House of Representatives, Aguila Saleh.

Different working sessions were held, with a focus on security arrangements, economic reforms, Libya's political situation and a general international conference that Haftar refused to attend<sup>(11)</sup>. Instead, the head of the LNA prioritized attending at an international security working session held at the sidelines of the main conference. Nevertheless, the communiqué issued at the end of the conference reiterated all participants' commitments to adopt a referendum law, undertake institutional responsibilities to prepare for elections and respect their results after they would be held. Not unlike the Paris Agreement,

the Palermo communiqué<sup>(12)</sup> considered elections to be the panacea<sup>(13)</sup> to Libya's political deadlock.

The addition the Palermo Summit brought to the Libyan political equation was a renewed push for elections in 2019. Unlike the Macron-brokered Paris' Summit, it can be argued that Palermo's political agenda did not seek to subvert the UN Process. Ghassan Salamé, Special Representative of the Secretary-General at UNSMIL, used it as a platform to 'resuscitate'<sup>(14)</sup> the UN roadmap in 2019 and encourage Libyan actors to commit to supporting a process that will ultimately lead to elections being held in the "spring" of 2019<sup>(15)</sup>. The "spring" deadline may be ambiguous (which can also be said of the type of elections planned for), but it offers Salamé time to steer the process based on contextual developments. Unfortunately, this window of opportunity may also be used by different parties to sabotage the process. Nevertheless, the Palermo conference was also an opportunity to reorient the mediation process based on recent developments while renewing the commitments of Libyan parties to a new process in 2019. The combination of events and processes outlined in Salamé's plan to hold elections in mid-2019 is also, in theory, appropriate. It was also another important precedent that UNSMIL and Salamé recognized the importance of timing the elections appropriately as a stepping stone to transition from political instability into democratic governance.

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11. Mada Masr (2018) Haftar invited to Tripoli, plan for 2nd Italian conference to discuss 2019 Libyan elections. (<https://madamasr.com/en/2018/11/13/feature/politics/palermo-conference-haftar-invited-to-tripoli-plan-for-2nd-italian-conference-to-discuss-2019-libyan-elections/>).

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12. Palermo Conference For and With Libya Conclusions (2018). ([http://www.governo.it/sites/governo.it/files/conference\\_for\\_libia\\_conclusions\\_0.pdf](http://www.governo.it/sites/governo.it/files/conference_for_libia_conclusions_0.pdf)).

13. Kristina, I. (2018) Libyan Elections in 2018: A Potentially Ruinous Endeavour. (<https://icsr.info/wp-content/uploads/2018/08/ICSR-Feature-Libyan-Elections-in-2018-A-Potentially-Ruinous-Endeavour-1.pdf>).

14. Miller, E. (2018) One Year Later, the UN Action Plan for Libya is Dead. ([www.atlanticcouncil.org/blogs/menasource/one-year-later-the-un-action-plan-for-libya-is-dead](http://www.atlanticcouncil.org/blogs/menasource/one-year-later-the-un-action-plan-for-libya-is-dead)).

15. Laessing, U. (2018) Libya should start process for elections in spring: U.N. envoy (<https://www.reuters.com/article/us-libya-security-un/libya-should-start-process-for-elections-in-spring-u-n-envoy-idUSKCN1ND305>).

Moreover, domestic voter registration, as it currently stands, is at its highest with a cumulative figure of ~2.5 million registered Libyans and significant participation of women and youth. Although there are potential flaws in the voting system<sup>(16)</sup> and that there is a risk of low voter turnout when elections are actually held, this corroborates the statement in HD's National Conference Process report<sup>(17)</sup> highlighting that a multitude of Libyan participants have emphasized the need for transparent and fair elections. The fact that the High National Election Commission was attacked by ISIS in May 2018 may, on one hand, be interpreted as a sign that a pool of spoilers will seek to undermine the electoral process but also as an indication that terrorist and insurgent groups may feel threatened by the prospect of a unified Libya.

In any case, it is important to note that that the Palermo conference brought little to facilitate a solution to the Libyan political deadlock and that the "Spring 2019" deadline to hold elections may end up as relevant as the previously outlined December deadline that parties had committed to in Paris in May 2018.

The fact that the date for elections was deliberately kept ambiguous signals that UNSMIL is wary of setting more deadlines that they cannot guarantee Libyan parties will abide by. It is also an implicit sign that there is a collective lack of political will amongst the international community to hold Libyan stakeholders accountable, as shown by the inability to hold parties to promises made concerning the December 2018 elections. Moreover, the fact that Haftar, head of the Libyan National Army, decided to boycott the conference and

only attend a security-themed meeting with Libya's neighboring countries forebodes further entrenchment that may impede the creation of an environment conducive to elections, which are largely dependent on domestic coordination and mutual respect. The boycott may be explained by the fact that Haftar does not recognize the other Libyan stakeholders present at Palermo as 'legitimate' but also foreshadows he may not commit to the conference's outcomes, including the plan for elections.

Equally as important, the recent realignments and ministerial reshuffle spearheaded by the GNA (for instance, the appointment of Misurata's Bashagha at the helm of the Ministry of Interior and of Ali Essawi as Economy Minister) with UNSMIL's support to stabilize the west of Libya will further complicate relationships between antagonist Libyan parties<sup>(18)</sup> and compound aforementioned challenges. The zero-sum lens through which the Libyan political elite has continuously viewed dialogue not only explains Haftar's boycott of Palermo, but also foreshadows that the road beyond Palermo is riddled with challenges.

## 2) The ambiguity of the National Conference

One challenge, in particular, will be the role that the National Conference will play in Libya's political process. With reference to the UN Action Plan, its first component, as announced by Salamé, will be holding a National Conference in January 2019 that will symbolize Libyan reconciliation. However, it will also allegedly serve as another consultative platform to seek Libyans' feedback regarding the need for a constitutional basis for elections in 2019. In preparation for the National Conference Process, UNSMIL, with the help of the

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16. Lewis, A. (2018) Libyan party chief warns of 'fake voters' due to ID card scam. (<https://uk.reuters.com/article/uk-libya-security-identity-numbers/libyan-party-chief-warns-of-fake-voters-due-to-id-card-scam-idUKKBN1JV20K>).

17. Center for Humanitarian Dialogue (2018) The Libyan National Conference Process Final Report. ([https://www.hdcentre.org/wp-content/uploads/2018/11/NCP-Report\\_English.pdf](https://www.hdcentre.org/wp-content/uploads/2018/11/NCP-Report_English.pdf)).

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18. Aljazeera (2018) East Libya forces reopen probe into Abdel Fattah Younes killing. (<https://www.aljazeera.com/news/2018/10/probe-rebel-commander-killing-threatens-libya-stability-181016154718338.html>).

Center for Humanitarian Dialogue, organized 77 public meetings across Libya where more than 7000 Libyans were consulted regarding the future of the country. Though the recently released report highlights that Libyans asserted that “the constitution must guarantee a fair division of powers and regulate the balance of the relationship among these powers”<sup>(19)</sup>, it is also important to recognize the equivocal nature of this statement as well as the stark differences in Libyans’ views concerning the powers that civil and military authorities should hold. The National Conference’s success will require effective planning and transparent management as part of a wider reconciliation strategy for Libya. Ensuring the inclusion and representation of all Libyan parties in one conference will be extremely difficult, especially considering the plethora of groups that perceive the need to be represented. It will also be particularly complex to balance the role of the National Conference as a forum for reconciliation as well as a politically charged event where groups of different backgrounds would give feedback on long-standing grievances and political opinions on the road forward. This discrepancy is illustrated in the Center for Humanitarian Dialogue’s report itself, as some participants expressed “their discomfort with the term components” when referring to the diverse ethnic and tribal groups that exist in Libya, preferring the society to be regarded as one.

There is, therefore, a risk that the National Conference would be lost in symbolism due to an effort to implement the initiative without controversy. Though Paris and Palermo were “top-down” initiatives that were held abroad with Libya’s political elite, it is important to consider that the National Conference would be virtually the first time that Libyan stakeholders from very different backgrounds and with

very distinct needs intend to meet inside Libya<sup>(20)</sup>. Though the National Conference consultative process run by HD from April to July 2018 brought a wide array of Libyans’ views together in a single report, the process was highly decentralized. It can be argued that a hyper-focus on a “bottom-up approach” without any means of garnering the feedback (if any) from those participating and incorporating it into the political process’ sequencing may therefore cause disillusionment amongst local communities. In addition, the failure to meet the wider Libyan society’s aspirations for change and the inability to deter spoilers from preserving the status quo will impact the potential participation of citizens in a referendum on the constitution or in future elections. Lastly, failure to guarantee the enforcement of outcomes decided at the conference and safeguard the process would not only impact Libya’s political process negatively, but it would also be another blow to the credibility of ‘democracy’ to most Libyans.

### 3) Legislative impediments

One of the main hurdles that the UN Action Plan has faced was the inability to coerce the HoR into ratifying the LPA and including it in the constitutional amendment<sup>(21)</sup>. As per the current plan, the electoral process will hinge upon the House of Representatives’ ability to reach a quorum and its ability to amend the constitutional declaration in order to approve the electoral law that would allow a referendum on the Constitutional Drafting Assembly’s draft constitution to be held. So far, the HoR has repeatedly shown its ineptitude and its

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19. Center for Humanitarian Dialogue (2018) The National Conference Process Report, p.60 ([https://www.hdcentre.org/wp-content/uploads/2018/11/NCP-Report\\_English.pdf](https://www.hdcentre.org/wp-content/uploads/2018/11/NCP-Report_English.pdf))

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20. Tomassini, V. (2018) Interview with Ahmed Gaddafi El-Dam, Speciale Libia (<https://specialelibia.it/2018/11/17/esclusiva-ahmed-gaddafi-al-dam-parteciperemo-attivamente-alla-conferenza-nazionale/>).

21. Zaptia, S. (2018) HoR fails again to vote on referendum law. Saleh threatens to bypass HoR and organize elections for a temporary president (<https://www.libyaherald.com/2018/08/28/hor-fails-again-to-vote-on-referendum-law-saleh-threatens-to-bypass-hor-and-organize-elections-for-a-temporary-president/>)

unwillingness to move forward with this process, as that will de-facto translate into HoR members relinquishing the power they hold and their ability to hijack the political process. The need for a constitutional basis for elections was also a point of contention between France and Italy, as the latter was adamant about the need to approve a constitution prior to any elections being held, while France suggested skipping a national conference and the constitution in order to meet the original December 2018 deadline.

Though Libyan delegations at the Palermo conference allegedly committed to “adopt a referendum law with a view of completing the constitutional process”, it remains highly unlikely that the HoR will suddenly approve the law unless it guarantees the institution’s continued relevance in the short to medium future of Libya’s political process. Salamé has been increasingly critical of the HoR and the HSC in his latest UNSC briefings<sup>(22)</sup> (accusing them of attempting to ensure their longevity by obstructing the political process), yet it remains unclear how Libya’s political elite could be bypassed in the political process or in the constitutional one without creating an additional government whose power would be contested by the existing factions, potentially triggering another violent conflict.

The above legislative predicament warrants a clear and transparent discussion, especially since, if approved, the constitution would be the fundamental reference document upon which the Libyan state would operate for the upcoming few years. Moreover, it is important not to ignore the impact of bilateral initiatives such as the Egyptian brokered Cairo Process<sup>(23)</sup> to unify the Libyan army on the constitutional process. In turn, it is important to outline whether the National

Conference will serve as a consultative forum to approve the constitutional draft while bypassing existing political bodies, or whether the HoR will remain the sole authority through which progress on constitutional matters could be achieved. Both options present advantages and drawbacks, though a third option would be to focus on holding a referendum on a law outlining the framework for elections while postponing a full referendum on the draft until elections are held.

Though the path chosen may appear as a mere technicality, the previous paragraphs on legislative challenges outline its importance to the advancement of the political process. Perhaps just as crucial in the sequencing however is the economic track, which will be a determining factor for the success of Libya’s political process.

#### **4) Compartmentalizing political, security and economic tracks**

Although the political track is often dissociated from progress on the economic level, it is worth considering the impact of economic reforms and their viability on the wider Libyan political situation. The contestation concerning the Central Bank’s governor position<sup>(24)</sup> and the desire to access resources through CBL channels have been the main issues of contention surrounding both the oil crescent clashes in July<sup>(25)</sup> as well as the September conflagration in Tripoli<sup>(26)</sup>. It is therefore unrealistic to compartmentalize the economy and

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22. Zaptia, S. (2018) Salame talks tough in his latest Libya brief to UNSC (<https://www.libyaherald.com/2018/09/06/salame-talks-tough-in-his-latest-libya-brief-to-unscl>).

23. State Information Service (2018) Egypt’s efforts to resolve Libya Crisis (<http://www.sis.gov.eg/section/0/93396?lang=en-us>).

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24. Laessing, U. (2017) Eastern Libyan parliament approves new central bank governor (<https://www.reuters.com/article/libya-cenbank/eastern-libyan-parliament-approves-new-central-bank-governor-idUSL8N1OJ417>).

25. International Crisis Group (2018) After the showdown in Libya’s oil crescent (<https://www.crisisgroup.org/middle-east-north-africa/north-africa/libya/189-after-showdown-libyas-oil-crescent>).

26. Zaptia, S. (2018) Ceasefire breaks down as militia fighting reignites and indiscriminate shelling continues in Tripoli’s militia war (<https://www.libyaherald.com/2018/09/02/ceasefire-breaks-down-as-militia-fighting-reignites-and-indiscriminate-shelling-continues-in-tripolis-militia-war/>).

dissociate it from politics, or to ignore that the current economic reforms or the prospect of a CBL audit<sup>(27)</sup> will not have any impact on security or politics. Although the economic reforms and the financial audit that GNA's PM El-Sarraj requested in July 2018 are, to a certain extent, reactive measures, they were also a direct implication of events that were politically motivated in nature.

One of the main reflections of the political divide has been on the authority of the Tripoli-based Central Bank, which is continuously contested by the Beyda's Central Bank in the east of the country. The latter has resorted to raising capital through the sale of treasury bills to banks in its locality but also printed the equivalent of over 9 billion LYD banknotes in Russia<sup>(28)</sup> as a response to the shortage in cash. Although the Central Bank of Libya has been "insulated" from a complete institutional divide through the top-down pressure exerted by nation states and institutions such as the US Treasury and the World Bank<sup>(29)</sup>, concrete domestic political will also be decisive in terms of fully unifying the central bank and establishing a transparent budget structure all parties would be accountable to.

Understandably, a political deal may not be contingent upon a CBL audit or economic reforms. However, the protraction of the monetary crisis and delay of an audit will certainly prompt actors to take action, either to disrupt or sustain the status quo, as seen in July in the oil crescent and in September in Tripoli. Moreover, conducting an audit of both "Central Banks" would go a long way

in increasing trust in Libya's fiscal system as well as actually setting a stepping stone for a complete unification of the institution. Without an audit, the unaccounted unlawful borrowings and Russian banknotes in circulation through the eastern-based bank will be an impediment for any type of rapprochement and will also ultimately limit the geographical scope of the economic reforms that the GNA has set in motion<sup>(30)</sup> to Tripoli at worst or west of Libya at best.

The main takeaway from the above is that it is counter-productive to compartmentalize the economic, security and political tracks. Libya's war economy is symptomatic of the linkages that exist between these 3 facets in the country's landscape. It is therefore important that any solution, even if inherently political, should consider making progress on the economic and the security tracks in tandem with efforts exerted at the political level. The Palermo agreement outlined parties' commitment towards "launching an enhanced dialogue on fiscal transparency and budget execution, in order to answer the Libyan call for accountability, and for a transparent and equitable resources distribution" as well as supporting an audit of the Central Bank and its eastern branch. Though in Libya's case, elections are considered as an adequate tool to overcome the political divide, the UN Action Plan should also take into account the contextual developments surrounding the Libyan scene and integrates the sequencing of elections within a wider framework that ensures progress in the economic and security fronts.

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27. Zaptia, S. (2018) UNSMIL confirms Tunis CBL Governors' meeting between El-Kaber and Hibri on auditing the CBL (<https://www.libyaherald.com/2018/08/28/unsmil-confirms-tunis-cbl-governors-meeting-between-el-kaber-and-hibri-on-auditing-the-cbl/>)

28. Assad, A. (2018) Libya's parallel central bank admits printing 9.7 billion dinar banknotes in Russia (<https://www.marsad.ly/en/2018/11/20/libyas-parallel-central-bank-admits-printing-9-7-billion-dinar-banknotes-russia/>)

29. Zaptia, S. (2018) Libya's economic reforms have been successful (<https://www.libyaherald.com/2018/11/24/libyas-economic-reforms-have-been-successful/>)

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30. International Crisis Group (2018) Libya's Economic Reforms Fall Short (<https://www.crisisgroup.org/middle-east-north-africa/north-africa/libya/libyas-economic-reforms-fall-short>).

## A gradual militarization looms

### 1) A clash of values and interests

One aspect that could explain the high turnout from Libya's neighbouring states, as well as regional and Western powers at both Paris and Palermo, is that the Libyan state is largely viewed through the lens of their own security and national interests. Though this presents itself as an opportunity to capitalize on, it is often the unfortunate reality that whether it be in terms of counter-terrorism efforts to root out ISIS and other insurgent groups<sup>(31)</sup>, potential bilateral cooperation to secure shared borders<sup>(32)</sup> or tacit support provided unilaterally (and often tacitly) to particular armed groups<sup>(33)</sup>, the notion of pragmatism and individual state interests often supersede the articulated need for a peaceful solution. This has often resulted in most countries adopting a "dichotomized approach" to the Libyan conflict, namely one where value-based ideals are promoted through diplomats while a separate "hard-security" strategy, often shaped through defense ministries with the help of intelligence services, deals with the pragmatic realities on the ground. For instance, the lack of political will from the international community to condemn the continuous violations of the arms embargo in Libya is symptomatic of this chasm<sup>(34)</sup>.

It is therefore paramount to recognize that the adoption of this utilitarian approach was and may continue to be detrimental to the UN process and to the articulated plan parties have committed to at Palermo. The convenience of the approach in the way it accommodates armed groups' illegal activities and provides a safe line from condemnation is illustrative of the developments in Tripoli's security sector following the arrival of the GNA in 2016. The 'Tripoli Militia Cartel'<sup>(35)</sup> has, despite actively being involved in crime through different illegal practices, built its own bilateral relationships with foreign states, whether within the framework of counter-terrorism efforts or capacity building provided to them in exchange for security provision. Instrumentalizing their control of territory and an anti-crime narrative, the different actors capitalized on this utilitarian approach. The Tripoli groups may have maximized their rent-extraction activities by capturing the heavily centralized state through territorial control, however, the fact that they were dealt with as the 'reality on the ground' emboldened them beyond what many in the international community would have expected<sup>(36)</sup>. The 'competitive advantage' of being able to operate in Tripoli and monopolize opportunities to be provided a safe line by the international community despite documented crimes<sup>(37)</sup> also explains the animosity that emerged between the groups in western Libya.

In the wider Libyan social sphere, this phenomenon has already contributed to normalizing nepotism and political patronage. Another side-effect is that,

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31. Airwars (2018) The Last Days of ISIS' Libya Stronghold (<https://www.thedailybeast.com/the-last-days-of-isis-libya-stronghold>).

32. Zaptia, S. (2018) Libya, Niger, Sudan and Chad agree to create joint operation centre to strengthen border security (<https://www.libyaherald.com/2018/08/12/libya-niger-sudan-and-chad-agree-to-create-joint-operation-centre-to-strengthen-border-security/>).

33. Lewis, A. (2017) Covert Emirati support gave East Libyan air power key boost: U.N. report (<https://www.reuters.com/article/us-libya-security/covert-emirati-support-gave-east-libyan-air-power-key-boost-u-n-report-idUSKBN1902K0>).

34. Zaptia, S. (2017) UN reports numerous Libya arms embargo violations on both sides of the conflict (<https://www.libyaherald.com/2017/06/12/un-reports-numerous-libya-arms-embargo-violations-on-both-conflicting-sides/>).

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35. Lacher, W. (2018) Tripoli's Militia Cartel: How Ill-Conceived Stabilisation Blocks Political Progress, and Risks Renewed War ([https://www.swp-berlin.org/fileadmin/contents/products/comments/2018C20\\_lac.pdf](https://www.swp-berlin.org/fileadmin/contents/products/comments/2018C20_lac.pdf)).

36. Stocker, V. (2018) How armed groups are plundering Libya's banks (<https://www.middleeasteye.net/news/libya-bloodshed-how-spoils-war-are-divided-tripoli-451507400>).

37. Human Rights Watch (2015) Interview: The Dark Inside of Libya's Prisons (<https://www.hrw.org/news/2015/12/03/interview-dark-inside-libyas-prisons>).

while the central government's legitimacy is waning, some armed group's ability to provide services (e.g. overseeing the disbursement of cash or providing equipment to hospitals, as seen in Tripoli during Palermo<sup>(38)</sup>) has effectively placed them "above the state". Armed groups may have sought legitimacy through the state until a few years ago, but thanks in part to flawed diplomacy, they are now seeking to manufacture their own.

The above shows that this clash of 'values and interests' caused further fragmentation in western Libya that, in turn, reflected negatively on the ability to negotiate a ceasefire and security arrangements once a flashpoint was reached in September 2018<sup>(39)</sup>.

## 2) Economic and security-based interests influence Libya's political process

The recent clashes that erupted in Tripoli in September forced UNSMIL to take on an unprecedented role to broker an agreement to implement a ceasefire and spearhead security arrangements in the capital. This furthered the impression that the Government of National Accord is a weak entity that cannot guarantee stability within its own constituency, let alone nationwide. Whether security arrangements stabilize the capital or the situation further devolves, what seems certain is that, without an ability to influence powerful Western military actors, the GNA does not qualify as a reliable partner that can ensure security on a large territorial scale.

In hindsight, it can be argued that Italy's objection to Paris' plan to set elections in December was not exclusively based on a "selfless desire to promote liberal democracy", but rather on the perceived threat that potential elections could trigger a large-scale conflict in western Libya that could harm its interests. These can be framed within the context of migrants' departures from Libya's western coast<sup>(40)</sup> as well as ENI Oil and Gas' operations. Aside from the fact the oil giant produces the equivalent of ~360,000 barrels of oil per day (with recent plans to expand offshore drilling and exploration<sup>(41)</sup>), ENI is also heavily influential in Italy's approach to policy-making and is also interested in expanding to the east of the country.

At times, ENI has also proven suspiciously quick and resilient at resuming production in oil fields (e.g. El-Feel<sup>(42)</sup>) where pipelines were shut down in protest by armed groups. This suggests the groups in question were co-opted. This strategy would corroborate the claim that Italy often concocts co-option schemes to protect its interests in Libya, and would also not be far-fetched, considering the alleged deal that Italy had struck with Ahmed Dabbashi's brigade in August 2017 in order to halt migration departures from Sabratha<sup>(43)</sup>. Italy's rationale for readjusting its political stance to deal with "realities on the ground" is therefore, at least in part, a reflection of its economic interests in the east of Libya coupled with an imperative to maintain stability in the west of Libya.

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38. Mohammed Ali (2018) Tripoli Revolutionaries' Brigade De-Facto Commander Haitham Tajuri oversees cash disbursement at National Commerce Bank in Central Tripoli ([https://twitter.com/Mohammed\\_abdusa/status/1059214369257603072](https://twitter.com/Mohammed_abdusa/status/1059214369257603072)).

39. Zaptia, S. (2018) Heavy militia fighting in South Tripoli as ceasefire breaks down (<https://www.libyaherald.com/2018/08/30/heavy-militia-fighting-in-south-tripoli-as-ceasefire-breaks-down/>).

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40. Badi, E. (2018) Libya's Migration Deadlock and Modern-Day Slavery ([https://medium.com/@emad\\_badi/libyas-migration-deadlock-modern-day-slavery-b892622b2c1a](https://medium.com/@emad_badi/libyas-migration-deadlock-modern-day-slavery-b892622b2c1a)).

41. Jewkes, S. (2018) UPDATE 1-BP expects to start exploration in Libya with Eni in Q1 -Dudley (<https://www.reuters.com/article/bp-libya/update-1-bp-expects-to-start-exploration-in-libya-with-eni-in-q1-dudley-idUSL8N1X53FD>).

42. TradeArabia (2014) Libya's El-Feel oilfield resumes production ([http://www.tradearabia.com/news/OGN\\_260161.html](http://www.tradearabia.com/news/OGN_260161.html)).

43. Mannocchi, F. (2017) Italy accused of bribing Libyan militias to stop migrants reaching Europe (<https://www.middleeasteye.net/news/libyan-militias-being-bribed-stop-migrants-crossing-europe-2107168893>).

The above analysis implies that Libya's electoral schedule may have in part been adjusted based on the underlying interests of the Italian government as dictated by its domestic politics and national security. It was also a pre-emptive maneuver on the Italian government's part to ensure the stability of Tripolitania while looking into the possibility of building bridges with Haftar<sup>(44)</sup>, who, as previously explained, may present himself as a more convenient partner with regards to security than the Tripolitanian armed groups. Haftar's emphasis on territorial control as a tool to bolster his legitimacy as well as the prospects of a potential campaign to secure the south of Libya have, when juxtaposed with Italian efforts to curb migration from western Libya and ENI's intent on expanding to the east of Libya, contributed to Italy's government revising its stance on the Libyan political process. In short, Italy is embracing *realpolitik* in Libya, as evinced by its rapprochement towards Haftar.

### 3) The LNA: A single constant in a fractionalizing environment

When juxtaposed with the situation in eastern Libya, for all its momentary apparent fault lines and internal rifts, Haftar's Libyan National Army presents itself to many in the international community whose main concern is security, as a cohesive force that maintained its 'wholeness'. Covertly backed by the UAE, Egypt and an additional reconnaissance airplane provided by France's intelligence service<sup>(45)</sup>, Haftar's latest operation to "liberate" the once Islamist-held city of Derna is, at the moment of writing, in its final stage after it

began in May 2018<sup>(46)</sup>. Another operation to liberate the Libyan south (Fezzan) was announced in September 2018. The consecutive military operations (done in the context of an arms embargo) are the reflection of several realities. First, Haftar largely relies on an expansive approach for territorial control to bolster his international legitimacy, as that differentiates him from other Libyan stakeholders. Secondly, maintaining a constant state of combat readiness allows Haftar to crack down on dissent and weaken potential or perceived threats within his own camp (an example would be his appointment of Wanis Bukhamada, arguably one of LNA's most prominent figures and commander of LNA's Al-Saiqa brigade, as head of the Operation Room in the South for the Murzuq Basin Operation<sup>(47)</sup>, de-facto "sidelining" him).

Nevertheless; while Haftar's LNA is indeed an amalgamation of military and tribal units, it is not regarded as a Libyan military force representing all actors, especially by hardline revolutionaries and Islamist figures in western Libya, specifically in Misurata<sup>(48)</sup>. Moreover, the UNSC has also documented his use of mercenaries from Chad and Sudan, which demonstrates his lack of domestic military capacity. This has prompted Egypt, one of Haftar's main supporters, to seek to unify Libya's military (purportedly under Haftar's leadership) by reaching out to western military factions through its Cairo process.

Despite at times finding Haftar's whims troublesome to deal with, Egypt's geographic juxtaposition with eastern

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44. Alwasat (2018) Italy's Foreign Minister Milanese meets with Khalifa Haftar in Benghazi (<http://en.alwasat.ly/news/libya/219095>).

45. Africa Intelligence (2018) Macron and Haftar play CAE Aviation joker in Derna (<https://www.africaintelligence.com/mce/corridors-of-power/2018/05/31/macron-and-haftar-play-cae-aviation-joker-in-derna,108312154-eve>).

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46. Lewis, A. (2018) Libyan forces' battle for eastern city Derna in final stages – spokesman (<https://uk.reuters.com/article/uk-libya-security/libyan-forces-battle-for-eastern-city-derna-in-final-stages-spokesman-idUKKBN1J71M3>).

47. Libya Live Map (2018) LNA forms Souther Operations Group to combat trafficking... (<https://libya.liveuamap.com/en/2018/9-september-libya-lna-forms-southern-operations-group-to>).

48. Assad, A. (2018) Military official: We reject any initiative to unify Libya's army with Haftar included (<https://www.libyaobserver.ly/news/military-official-we-reject-any-initiative-unify-libya%E2%80%99s-army-haftar-included>).

Libya coupled with similitudes in Haftar and Egypt's President Sissi's meant the country had an incentive to support him. Both display an intransigent hostility towards the "Muslim Brotherhood" and have also established a governance model with an emphasis on increasingly involving the military in the economy. Haftar even went as far as asserting control over civilian institutions such as municipalities by appointing military figures as governors<sup>(49)</sup> in the areas he controls as well as the setup of eastern-based parallel institutions as a by product of the political dispute with the GNA. Nevertheless, Egypt recognizes that without the support of Western military actors, the threats emanating from Libya cannot be contained by Haftar alone.

Despite the genuine need for Libya to build a unified army, most influential military actors in western Libya (especially those considered hardline revolutionaries or Islamist-leaning factions) categorically refuse to be included in a "united army" under Haftar's command. Moreover, many military actors also distrust Egypt due to its overt support of Haftar and its involvement in air raids on the city of Derna<sup>(50)</sup>, which they view as a breach of sovereignty. Many also draw parallels between Haftar and President Sissi himself, a comparison that often translates in further polarizing views and has made Haftar a particularly divisive figure.

The above explains why the Cairo process is today in tatters as, after months of deliberation, it seems to have completely stalled. The intransigence of local actors coupled with a lack of international political will due to the aforementioned "utilitarian" approach adopted by nation states

(often bilaterally with local actors) have contributed to the perception that Libya could do without an army. However, due to the convergence of interests of multiple countries in securing the Libyan south (such as France and Italy), the Cairo process may be pursued with more efforts.

#### 4) All roads lead to the south of Libya

In a multi-dimensional conflict such as the Libyan one, exogenous influence is often to be looked at holistically. In turn, it would be reductionist to look at the Italian and French rivalry in Libya without considering the lenses of migration and border externalization. As previously explained, Italy may want to avoid any event that may disrupt oil production in western Libya but it also contemporaneously actively seeks to curb migration and arrivals from Libya, which France is virtually unaffected by. However, both countries have overlapping interests in terms of securing Libya's southern border due, on one hand, to Libya being the main gateway for the Central Mediterranean route to Europe, but also because of Libya's geographical juxtaposition with countries of the G5 Sahel.

The G5 Sahel states<sup>(51)</sup> (namely Burkina Faso, Chad, Mali, Mauritania, and Niger) where France's Operation Barkhane has a counter-terrorism force, have previously expressed interest in operating in Libya in December 2014<sup>(52)</sup>. Moreover, Italy has also sent troops to Niger in December 2017<sup>(53)</sup> for counter-terrorism purposes.

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49. Libyan Express (2016) HoR Chief of Staff appoints Brigadiers Gen. as Mayor of Al-Kufra (<https://www.libyanexpress.com/hor-chief-of-staff-appoints-brigadiers-gen-as-mayor-of-al-kufra/>)

50. Aboulenein, A. (2017) Egypt to press ahead with air strikes after Christians attacked (<https://www.reuters.com/article/us-libya-security/egypt-to-press-ahead-with-air-strikes-after-christians-attacked-idUSKBN18P0GP>)

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51. Diplomatie (updated 2018) G5 Sahel Joint Force and the Sahel Alliance (<https://www.diplomatie.gouv.fr/en/french-foreign-policy/defence-security/crisis-and-conflicts/g5-sahel-joint-force-and-the-sahel-alliance/>).

52. Wintour, P. (2017) New \$400m army to fight human traffickers and terrorists faces UN moment of truth (<https://www.theguardian.com/world/2017/oct/30/new-400m-army-to-fight-human-traffickers-and-terrorists-faces-un-moment-of-truth>).

53. Scherer, S. (2018) Italy approves military mission in Niger, more troops to North Africa (<https://www.reuters.com/article/us-italy-diplomacy-niger-libya/italy-approves-military-mission-in-niger-more-troops-to-north-africa-idUSKBN1F6270>)

Though they have usually opted to operate unilaterally, both France and Italy's interests concerning migration control, border securitization, and counterterrorism efforts converge in Libya's Fezzan (south). This may explain why, at Palermo, the security-themed meeting held at the sidelines brought together Libya's neighbouring nations, the G5 countries, the P5 of the UNSC, UNSMIL representatives along with stakeholders from the Libyan UN-backed government and Khalifa Haftar.

The latter has recently launched a military campaign (the Murzuq Basin Operation) in the Libyan Fezzan, which has been increasingly "abandoned" by the GNA. The move comes at a time where securing Libya's southern border is becoming a critical priority to European states within the frameworks of halting migration and countering terrorism. It is also a pressing matter to neighbouring southern states such as Sudan and Chad that seek to eradicate domestic opposition groups that use the border region as a base for their operation<sup>(54)</sup>. Moreover, citizens of Fezzan are also increasingly frustrated with the status quo and have even recently launched a movement dubbed the "Rage of Fezzan"<sup>(55)</sup> that advocates for the rights of the southern region. The operation may therefore; in theory at least, garner support from both neighbouring nations as well as part of the local population.

Haftar's forces may, however, face challenges in their attempt to deploy south to secure the Fezzan region. The lack of military capacity of the LNA along with the sheer porousness of the southern borders may lead to shortcomings that prompt increased involvement from foreign states such as France, the UAE, Italy, Egypt, and G5 states to support the Murzuq Basin

operation. The presence of a multitude of armed insurgent groups from Sudan and Chad both pro and anti-LNA that have maintained a presence in the Libyan south will also contribute to an increased militarization of the southern border. The LNA military operation in Derna which was closely followed by the battle in the oil crescent<sup>(56)</sup> has shown that the LNA lacks an ability to conduct simultaneous operations at once without foreign support.

In addition, though he denies it<sup>(57)</sup>, Haftar actually relies on some 1,500 mercenaries from the Sudan Liberation Army – Minni Minawi<sup>(58)</sup> within the LNA ranks<sup>(59)</sup> (in large part to secure the oil crescent), which will also reflect negatively on LNA's ability to launch a wide-scale operation against "foreign forces" in the Libyan south. The fluid loyalties<sup>(60)</sup> amongst the Tebu tribes allied with Haftar enmeshed with the suspicions between N'Djamena and Khartoum that either may be supporting Darfuri armed groups involved in the different sides of the Libyan conflict also make the prospect of the Murzuq Basin operation being a success implausible on the long-term.

Nevertheless, Haftar's boycott of the Palermo conference and his focus on exclusively attending the security-themed meeting de-facto signals that he is aware that foreign states' national security

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54. Sudan Tribute (2018) UN urges implementation of border agreement among Sudan, Libya and Chad (<https://reliefweb.int/report/sudan/un-urges-implementation-border-agreement-among-sudan-libya-and-chad>).

55. Tomassini, V. (2018) La Rabbia Del Fazzan – SpecialeLibia (<https://specialelibia.it/2018/11/16/la-rabbia-del-fezzan/>).

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56. International Crisis Group (2018) After the Showdown in Libya's Oil Crescent (<https://www.crisisgroup.org/middle-east-north-africa/north-africa/libya/189-after-showdown-libyas-oil-crescent>).

57. Howes-Ward, T. (2018) Libya's Foreign Militias (<https://carnegieendowment.org/sada/76034>).

58. UN Panel of Experts (2017) Final report of the Panel of Experts on the Sudan established pursuant to resolution 1591 (2005) (S/2017/22) [EN/AR] (<https://reliefweb.int/sites/reliefweb.int/files/resources/N1700563.pdf>).

59. Lewis, A. (2017) Hundreds of fighters from Chad, Darfur feeding off Libya's turmoil: report (<https://www.reuters.com/article/us-libya-security-report-idUSKBN19I2HB>).

60. Tubiana, J. and Gramizzi (2017) Tubu Trouble: State and Statelessness in the Chad-Sudan-Libya Triangle (<http://www.smallarmssurveysudan.org/fileadmin/docs/working-papers/SAS-CAR-WP43-Chad-Sudan-Libya.pdf>).

interests in Libya often contradict diplomatic efforts, prioritize short-term stability and prevail over the official mediation process. His political gambit may prove fruitful as the current foreign interest may converge to create a perfect storm for militarization in the Libyan south. Although border externalization and counterterrorism are indeed important, prioritizing these issues at the expense of backing genuine progress in the Libyan political process may, on the medium to long-term, compound the very challenges that sought to be originally addressed.

## Conclusion

The road beyond Palermo for Libya's political process is therefore mired with challenges. The national conference in January has the potential of being a genuine turning point for Libya's political process, however ensuring its actual implementation is possible and its outputs respected will require simultaneous bottom-up and top-down efforts. Although it is unrealistic to expect the international community as a whole to develop a common position regarding the Libyan political situation, EU states should lead by example and avoid adapting to the fractionalizing Libyan environment by operating bilaterally. The Franco-Italian strife regarding the Libyan situation has resulted in each individual state to develop relations with competing Libyan parties. If leveraged appropriately towards a common goal, these bilateral relationships could be channelled into a unified stance on the role of the National Conference and the imperative that Libya's political elite abide by its outputs. This could also be a stepping stone to move the UN Action Plan forward, with a focus on long-term stability.

It must also be recognized that an amalgamation of foreign states' perceived security and economic-based interests in Libya risk supplanting the political roadmap and may lead to increased militarization in the country. The conflicts in July in the oil

crescent and in September in Tripoli epitomize the grievances this utilitarian approach produces as well as the flashpoints that it may induce. While countering terrorism and supporting integrated border and migration management in Libya is important for the country's stability, ensuring the methods used and actors partnered with to support the process do not undermine the political process should supersede short-term gains. Naturally, it would be impractical to assume that shifting from the current internecine conflict to an environment of developmental peace is possible. However, what is key is ensuring that policy options (and associated trade-offs) considered actually shift incentive systems and coerce spoilers while creating a conducive system to progress Libya's political process.

Finally, although efforts were made to implement economic reforms by the Government of National Accord, the compartmentalization of the political economy of Libya without integration in the political and security tracks will be detrimental to the country's future. Improvements in the country's security sector cannot be dissociated from reforms in the economic track, but a top-down enforced insulation of the Central Bank of Libya from complete dichotomization cannot be an end goal in and of itself. Compartmentalizing Libya's economic challenges from its other problems may seem intuitive, however this strategy protracts an untenable status quo that can bring about the country's partition. Perhaps Libya's most pressing challenge is actually reconciling the need for integrating economic reform within the political process now whilst recalling that Libyans' sole relationship to the state is actually in the form of oil disbursed through salaries. Though the latter may be considered normative of modern-day Libya, any strategy that ignores the reality that nation-wide socio-economic reform must underpin any reform process will be limited both in scope and in impact.

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