

LIBYA, BACK TO SQUARE ONE?

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1 NOVEMBER 2022



EXPERT BRIEF
REGIONAL POLITICS

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After nearly two years of relative de-escalation, the situation heated again in Libya by the end of the summer. The gradual and anticipated escalation peaked in August, with clashes inside the Libyan capital resulting in dozens of deaths and injuries. The deadlock of political track under the auspices of the UN, and the failure to hold the promised elections by the Government of National Unity, have resulted in the reconfiguration of two parallel governance in the West and East of Libya led by ambitious Libyan rivals.

The deadlock in the political process

Cautious optimism prevailed in Libya in February 2021 with the beginning of a new political phase that was built on a fragile ceasefire. Under the auspices of the UN and its Support Mission in Libya (UNSMIL), Libyan delegates voted in Geneva for three members of the Presidential Council and for a prime minister. Mohammed al-Manfi became the head of the Presidential Council, and the businessman Abdulhamid Dbeiba became a prime minister for what was designed to be an 'short-term' Government of National Unity (GNU). The elected politicians were supposed to lead Libya until the elections on the 24th of December of the same year. The elections were seen as the way to ending this 'interim' governance and establishing stability and unity in Libya, at least this was the plan.

The new political body, which was widely welcomed, was the outcome of the Libyan Political Dialogue Forum (LPDF) convened by the UNSMIL while not terminating the Libyan Political Agreement (LPA), which was signed in December 2015 in Skhirat, Morocco. The LPA has led to the formation of the High Council of State (HCS) based in Tripoli, which co-existed with the House of Representative (HoR) based in Toruk. For a couple of months, the new agreement and the GNU promised hope for Libyans who have been suffering instability for more than a decade. Yet, few have recognized that the new deal was not the outcome of the goodwill of the Libyan political elite. Rather, the new path was only possible thanks to the delicate balance of power established by the Turkish and Russian interventions, which ended Haftar's military offensive on the Libyan capital Tripoli in April 2019. Haftar's failed attempt to capture Tripoli and topple the Government of National Accords (GNA) had put an end to the endeavours of previous UNSMIL head Ghassan Salame to convene a national conference¹.

However, the hope did not last for long. The political process hit the wall following the disagreement on the criteria of candidates and their eligibility requirements. The elections, which were, by design, the only window out to mark the end of the transitional phase of the GNU, became a matter of dispute. Neither the HoR in the East nor the HCS in Tripoli could claim the sole mandate to draft the legal framework for the elections. In September 2021, the HoR and its head Aguila Salih ratified legislation that would govern the elections,

the step which was refused by the High Council of State (HCS) of Tripoli. Haftar and Aguila Saleh seemed to “manipulate electoral laws and requirements to their advantage”². HoR took a further step by withdrawing the confidence from the GNU, in another blow to the UN-backed process³. From its side, the UNSMIL continued to pressure different parties to adhere to the timeline and held the election on the 24th of December, and the GNU continued to emphasize its commitment to holding the elections; Yet, the attempts to reach an agreement on candidates’ criteria did not bear fruits.

Meanwhile, candidates for the presidency showed up. However, as controversial as the names were, the elections looked impossible. Among the candidates, there was no more than Khalifa Haftar, who failed to capture Tripoli by force two years ago and who is accused of torture and crimes against humanity. Haftar has both political influence through the HoR and de facto rule over Eastern Libya, which would make the election, had it convened, questionable in Eastern Libya. Haftar was not the only candidate accused of crimes against humanity; there was also Saif al-Islam al-Ghaddafi, son of Muammar and the wanted by the International Criminal Court (ICC) for his crimes. What complicated the scene more was the intention of Abdul Hamid Dbeiba, the head of the UN-backed Government of National Unity (GNU) to run for the presidency. Dbeiba was initially supposed to run the ‘interim’ GNU and stand down when the elections are held.

Dbeiba’s decision to run for the election was unwelcomed, not only by the rivalry Eastern camp, but also by Fathi Bashagha, the former interior minister, who was preparing for the presidency. Bashagha, the former interior minister, had run for the offices of the GNU in Geneva, but his list lost the election. From his side, Dbeiba worked on enlarging his electoral base through several announced popular projects, like the initiative of helping young people wanting to get married, steps which his opponents questioned,⁴ and on strengthening his ties with armed groups in the capital.

The impasse on the political track recharged the rivalries on the ground. The inability to hold elections was official with the dissolving of poll committees by the High National Election Commission in December 2021⁵, days before the awaited elections. Furthermore, intra-Libyan negotiations held over several rounds in Cairo failed, though the UN advisor to Libya Stephanie Williams had warned before the talks that “there is no room for failure”⁶. The Geneva talks between the HoR and the HCS shared the same fate. The failure of Libyan partners to reach any result in both Cairo and Geneva’s meetings pushed Libya back into the tunnel of uncertainty.

Opposing Dbeiba's candidacy or his staying in the office, Bashagha and Aguila Salih, the speaker of the House of Representatives (HoR) came together. This rapprochement resulted in the assigning of Fathi Bashagha to form a government by the HoR, which is based in the eastern city of Tobruk under the military and political auspices of Haftar. HoR had already withdrawn confidence from the GNU. Bashagha presented his Government of National Stability to the HoR on the 3rd of March, 2022. The cabinet consisted of more than 40 members, with 30 ministers, 8 ministers of state, and 3 deputies of the prime minister⁷. This sizeable cabinet came as a result of Bashagha's consideration of the three Libyan regions, Cyrenaica, Fezzan and Tripoli, and his attempt to please all the parties that voted for his government in the HoR. While Dbeiba opposed this move totally, the President of the Presidential Council, Muhammad al-Manfi, seemed to be in an uncomfortable position, as he tried to stand at the same distance from the two parties.⁸ From his side, Khaled al-Meshri, the head of HCS moved also against Bashagha's government, after what was perceived as initial approval⁹.

Two rival governments gradually emerged on the ground, and both claim legitimacy, while public services have significantly deteriorated throughout Libya. This political and service failure prompted the hopeless Libyan youth to take the streets and protest the political elites in many Libyan cities. In Tobruk, in the far east of Libya, the demonstrators stormed the parliament building and set it on fire, while in Tripoli, the protestors reached unprecedented numbers in the last years.

Bashagha versus Dbeiba

Fathi Bashagha's government has deepened the Libyan political crisis and even institutionalized it. Unable to replace Dbeiba, Bashagha became the head of a parallel government. Coming from Misrata, the strong city of the West, Bashagha's step succeeded create factions within the western camp. Bashagha, however, was unable to convince the Libyans in the west that he represented a better alternative than Dbeiba, given his alliance with Haftar on one hand, and the extensive government he formed, on the other. Bashagha also failed to convince the international parties to recognize his government as an alternative to the government recognized by the United Nations. Except of Egypt and Saudi Arabia, which prized the formation of Bashagha's cabinet arguing that the HoR is the elected legislation body in Libya¹⁰, no international actor supported Bashagha plainly. The UN Secretary General urges Libyan parties to "refrain from actions that undermine stability"¹¹ right after the swearing-in of Bashagha's government.

Hoping to topple Dbeiba, Bashagha tried to enter Tripoli, even if by force. His first attempt was on the 10th of March, and was repulsed by Dbeiba-affiliated forces. The second attempt of Bashagha was after one week, on the 17th of March, this time with the support of the “Al-Nawasi Brigade”, one of the armed factions in the Libyan capital, but was also unsuccessful. By the end of August, a new round of clashes was expected, in particular after what was perceived as a threat message from Bashagha to Dbeiba¹². On the 27th of August, forces supporting Dbeiba launched a ‘pre-emptive’ operation against groups loyal to Bashagha in the Libyan capital¹³. August’s clashes in the Libyan capital were the last round of the Dbeiba vs Bashagha confrontation. The clashes that took place in densely populated neighbourhoods resulted in dozens of dead and wounded. This attempt, as well as its predecessors, ended with the loss of Bashagha’s camp party and the strengthening of Dbeiba and groups loyal to him in Tripoli.

The August clashes have led to significant results regarding the balance of power between the armed groups in the capital, Tripoli. The Tripoli Revolutionaries Group led by Haitham Al-Tajouri and the Al-Nawasi Forces lost their positions in the capital, Tripoli, in favour of the expansion of both the Deterrence Forces and the Stabilization Support Organisation, or what is also known as the Ghaniwa Forces. The battle also marked a dramatic end for Major General Osama Al-Juwaili, the former Director of Intelligence.¹⁴ In the same line of rewarding loyal groups came the recent announcement of PM Dbeiba to appoint Emad Trabelsi as the deputy minister of interior.

Given the results of these clashes on the ground, it can be said that the recent clashes did not bring a breakthrough at the political level. Nevertheless, Dbeiba strengthened his position, and Bashagha lost the initiative. As an illustration of the new reality, the Libyan Military Prosecutor issued an arrest warrant against Bashagha, who later admitted his failure and announced that he has relocated his cabinet’s activities to Benghazi and Sert¹⁵.

Although Bashagha was unable to topple the GNU, he succeeded, willingly or not, in transferring the conflict in Libya between the Eastern and Western camps to be a conflict inside the Western camp itself, which was evident through the intermittent clashes that took place in Tripoli in the past days. At the end of the day, these clashes differed from what happened in 2020, Haftar’s attempts to storm Tripoli by force; As these clashes took place within what was known at the time as the Western camp, that is, between the forces that fought in the same front against Haftar.

No appetite for regional escalation

While Libyan rivals were ready to fight for power, the regional actors were not willing to invest in the intra-Libyan fight this time. The ongoing regional desecration among the regional players has led to less investment in the armed confrontation inside Libyan territory, which was manifested in the limited regional support for the fight. This was not the case in 2019 when Haftar was backed by regional and international actors when he tried to storm the capital Tripoli.

In this vein of the regional de-escalation, both Turkey and Qatar, the allies of the Tripoli government, have launched a new political phase of openness toward Eastern Libya. The Turkish president received the speaker of HoR Aguila Salih in Ankara on the 2nd of August¹⁶. The Turkish ambassador in Tripoli had already visited Benghazi in January 2021 and has recently announced that Turkey is willing to open its Consulate in Benghazi¹⁷. Bashagha himself, following his failed attempt to topple down the GNU, visited Turkey in later August. Bashagha's visit came while the prime minister of the GNU Dbeiba was also in Turkey, which led to many speculations about the possibilities of Turkish mediations between the two rivals¹⁸. Similar steps were followed in Doha, where both the Dbeiba of GNU and Aguila Salih of HoR visited the Qatari capital on the 8th and 10th of September, respectively. While Turkey and Qatar are open toward the East, the United Arab Emirates, the regional ally of the HoR, seemed to have less interest in the Libyan file and has notably decreased its involvement.

Meanwhile, the global political agenda is busy dealing with the Russian invasion of Ukraine, and less intention has been paid to years-lasting crises like Libya, Syria and Yemen. A new crisis in energy-exporter Libya, with the largest oil reserves among the African countries, is the last thing that the European countries are willing to see amidst their confrontation with Russia.

Conclusion

Uncertainty has prevailed again in Libya after a short-lived hope that the roadmap of 2021 will lead to a way out of the tunnel. The lack of desire among the regional actors to flame another proxy war has helped keep the confrontation at the local level; yet, no stability is also expected, as no party can prevail. Even though the GNU remains the internationally recognized government, prime minister Dbeiba seems to overextend his mandate. The more that the promised elections are postponed, the more that Dbeiba's legitimacy, and hence, the legitimacy of the GNU is eroded.

This uncertainty and political impasse revived the question of whether Libya was ready for a general election when the country had been de-facto divided; moreover, whether the election would be the right and shortest way to re-establish stability in Libya. Instead of focusing on power sharing and prioritizing the election, which “have not prevented conflicts from lingering on or violence from breaking out again¹⁹”, the UNSMIL must first look for an agreement on the legal and constitutional framework. The UN and the international community should stay committed to the political process and stand against the actors who oppose it. Otherwise, the fate of any political initiative would not be different from the Shkirat political agreement or what remained of the Geneva political map.

While a new comprehensive UN-backed political dialogue is hard to expect in the short run, and UNSMIL has been struggling even to have a new special envoy for almost nine months, the regional actors, and Turkey in particular, may have the chance to play a more constructive role. The ongoing rapprochement between Ankara and Cairo on the one hand and Cairo and Doha on the other may positively impact the situation in Libya. Abu Dhabi, from its side, seems to have reduced its active involvement in Libya, while its relations with Ankara and Doha are on the normalization track. If the regional rapprochement continues and the external actors in Libya speak in one voice the odds of Libyan parties to reach a middle ground will rise.

On the ground, the option of negotiations between Dbeiba and Bashagha and between HoR and HCS looks to be the most viable solution, at least theoretically. The regional de-escalation could back this option. However, as long as the rival Libyan parties do not put aside their ambitions and prioritize the common interests of all Libyans, Libya will not have a way out of its decade-long tunnel of illegitimacy and instability.

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