



# INSIDE LIBYA

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## FOREWORD

The Regional Program Political Dialogue South Mediterranean (PoDiMed) of the Konrad-Adenauer-Stiftung (KAS) in cooperation with LIBYA DESK™ is delighted to continue our monthly reports on Libya for 2021. This format examines the most important political, economic and social developments of the previous month, which are of central importance for understanding the situation in Libya. The report is based on reliable Libyan sources and provides a summary and a contextualisation of developments in the wider Libyan context. The report is usually being published every first week of each month.

While much attention has been paid to the external and geopolitical dimensions of the situation in Libya, voices from within Libya are central to understanding local developments and the evolution of the Libyan conflict as well as its impact on the wider Mediterranean region. As an inclusive Libyan-led and Libyan-owned mediation with regards to the political, economic and military tracks are without alternative, these monthly reports emphasise the most important events within Libya and aim to give a better picture of what happens “Inside Libya”.

Based on existing KAS-PoDiMed formats such as the Libya Brief and the Libya Task Force, we consider it necessary to shed light on the dynamics within Libya and to emphasise the importance of continuing and facilitating a national dialogue process in the spirit of the UN-led Berlin process.

We hope that these monthly reports will give our readers a better picture of the dynamics of the ongoing Libyan conflict, its actors and multiple dimensions.

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## EXECUTIVE SUMMARY

- 1.** The second Berlin Conference demonstrated a united front in support of the timely holding of elections in Libya by December 24. However, the international community missed the opportunity to provide operational mechanisms for the removal of foreign forces from the country.
- 2.** Libya remains at a crossroads as deadlock on the military track and continued delays on the approval of a constitutional basis render the path toward elections more uncertain and dangerous.
- 3.** As national institutions fail to reach an understanding on the elections' legal process, Libya edges dangerously close to missing the July 1 deadline set by the High National Elections Commission (HNEC). This could lay the groundwork for military escalation by the Libyan National Army (LNA).
- 4.** Despite a challenging legal process, there is a determined push toward preparing for elections as Libyans are enthusiastic about democratic change.
- 5.** Efforts toward national reconciliation remain frail as the Presidential Council fails to consolidate its power as a strong, national authority from its current seat in Tripoli.
- 6.** Continuing stability in Libya elicits more global interest for the country's economic potential and provides greater areas of international cooperation.
- 7.** Three months after the unveiling of the first 2021 draft budget, the House of Representatives (HoR) is yet to approve the government's budget and has severely stonewalled government development projects.
- 8.** The sudden reopening of the coastal road ahead of the second Berlin Conference was welcomed as a positive sign for the military track, but actually reflects attempts to politicise the 5+5 Joint Military Commission (JMC).
- 9.** Armed clashes between militias in the west, extremist activity and the LNA's new counter-terrorism campaign in southern Libya are a stark reminder of the country's volatile security situation.
- 10.** Without increased assertiveness from the United Nations Support Mission in Libya (UNSMIL) and independence on the part of the Presidential Council (PC), the country could find itself with no legal basis for elections and a tense situation in the south that could lead to renewed conflict.

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## INTERNATIONAL STAKEHOLDERS MEET AGAIN IN BERLIN

*Despite showing a united front supportive of the timely holding of elections on 24 December, the international community missed the opportunity to provide operational mechanisms for the removal of foreign troops from Libya.*

On 23 June, high representatives of the governments of Algeria, China, Egypt, France, Germany, Italy, Libya, the Netherlands, Russia, Switzerland, Tunisia, Turkey, the United Arab Emirates, the United Kingdom, and the United States met in Germany for the Second Berlin Conference. They were accompanied by representatives of the United Nations, European Union, League of Arab States, and African Union – with the Democratic Republic of Congo being the African Union’s Chair and the Republic of Congo heading the Union’s High-Level Commission on Libya. Overall, participants assessed the achievements of the First Berlin Conference held in January 2020, which established the military track that solidified the October 2020 permanent ceasefire, introduced the political track which led the Libyan Political Dialogue Forum (LPDF) to nominate the Presidential Council (PC) and Government of National Unity (GNU) in March 2021, as well as bring forward the economic track which consolidated the gains from the resumption of oil production in September 2020. The GNU was tasked with the implementation of the political roadmap outlined by the LPDF, which includes the unification of state institutions, the removal of foreign troops from Libyan territory and the holding of general elections on 24 December 2021.

Hopes were high for the Second Berlin Conference to bring new momentum for the implementation of such objectives. However, the success of the conference remains mixed, with positive signs on the issue of elections whilst the military track remains difficult to move forward. Indeed, one of the most commendable achievements of the conference was the united front shown by the international community in regards to the timely holding of elections, with Russia – an actor usually deemed to act as a spoiler – highlighting that no disruption to the national elections’ schedule would be allowed. This leaves domestic spoilers in Libya with less opportunities to postpone general elections and places current disruptive attempts by institutions such as the House of Representatives (HOR) and High Council of State (HCS) under tight international scrutiny. In fact, the Berlin Conference’s conclusions called upon the latter and the former to urgently agree on the issue of sovereign positions whilst UN Secretary-General Antonio Guterres pressed them to conclude the legal process required for the timely holding of elections.

On the issue of foreign forces, consensus was much harder to reach despite preparatory discussions between the Libyan and Turkish Foreign Ministers as well as a preliminary meeting held in early June between Turkey's Deputy Foreign Minister Sedat Önal, Russia's Special Envoy to the Middle East and Africa Mikhail Bogdanov, and the Head of the United Nations Support Mission in Libya (UNSMIL) Ján Kubiš in Moscow. Despite the conference's final statement expressly calling for the immediate withdrawal of foreign forces from Libya, Turkey emitted reservations to these conclusions and argued that the presence of its soldiers in Libya should not be equated to that of foreign mercenaries given that, albeit controversial, their dispatch to Libya is the result of a formal agreement struck with the former Libyan executive authority known as the Government of National Accord (GNA).

Nevertheless, with Russia backing the International Follow-Up Committee's (IFCL) proposal for a synchronised withdrawal of foreign forces, Turkey was singled-out as a recalcitrant stakeholder due to its attempts to find exceptions to the conference's conclusions. Ankara's position was not only later criticised by Egypt, which sees Turkish reservations as an attempt to legitimise its presence, but also reignited debates around whether deals struck with the GNA have any legality. In the end, no concrete measures on the military track were presented in Berlin apart from the usual calls for more confidence-building measures, mine-clearing, a judicial review to immediately release the unlawfully detained, the permanent opening of the coastal road as well as the unification of military and national security institutions. Despite the conference's unequivocal demand for the withdrawal of foreign troops, U.S. Ambassador to Libya Richard Norland conveyed the view that the presence of such troops does not ultimately impact the capacity to hold elections on December 24, which might now become the pragmatic assessment of Libya's situation and leave efforts to demilitarise the country on hold.

Finally, the conference may have also suffered from lower than expected representation and left a few stakeholders unsatisfied enough to potentially disrupt international unity in the future. Compared to the First Berlin Conference, which saw several heads of state, the Second Berlin Conference was attended by Foreign Ministers and, in the case of Russia and the United Arab Emirates (UAE), Deputy Foreign Ministers. This also means that none of the Libyan Presidential Council's (PC) members were present in Berlin despite their central role in several issues discussed at the conference. Libya was therefore represented by ministers of the GNU, with Prime Minister Abdulhamid Dabaiba presenting a 4-point initiative to drive

Libya to elections, whilst Foreign Minister Najla al-Mangoush persisted in calling for the withdrawal of foreign forces and kept Libyans in the loop with a finely-tuned video statement that demonstrated thoughtful public engagement. Despite being invited for the first time to the Berlin Conference, Morocco decided to skip the event in part due to its diplomatic spat with Germany over the latter's stance on the Western Sahara, and also because of its self-commitment as a regional mediator wary of foreign initiatives.

This position can partly be explained by Rabat's central role in mediating between the HOR and HCS, but fails to understand that the Berlin Conference is foremost a United Nations initiative whose conclusions make specific mention of the role of neighbouring states in resolving the Libyan quagmire. Morocco was not the only unhappy stakeholder as, prior to the Conference, the Republic of Congo berated the African Union's marginal role in discussing Libya, while Greece objected to not being invited to the conference. The view, expressed by Morocco's Foreign Minister Nasser Bourita, that solutions to Libya's crisis cannot be found in Berlin could give potential spoilers the hope of not only belittling the conference's achievements but also skirting its conclusions by pursuing their narrow interests alongside the national interest of other states. Unsurprisingly, HOR Speaker Agila Saleh already made a visit to Morocco right after the conference's end and plans to head to Athens, where he is seen as an ally against Turkey's maritime gains in Libya and a counterpower to Khaled al-Mishri, the HCS Chairman who is aligned with Ankara.

## **SPOILING BY LEGISLATIVE BODIES HARMS THE LEGAL PROCESS FOR ELECTIONS**

*As national institutions fail to reach an understanding on the elections' legal process, Libya edges dangerously close to missing the July 1 deadline set by HNEC. This could lay the groundwork for military escalation by the LNA.*

As feared in the [eleventh issue of Inside Libya](#), the HCS and HOR failed to reach an understanding on the electoral law and the elections' constitutional basis before the second Berlin Conference. As a matter of fact, international scrutiny does not seem to be enough to stop spoiling attempts and violations to the UN Security Council Resolutions 2570 and 2571, as Khaled al-Mishri continues to push for a referendum on the draft constitution and criticised HNEC Chairman Emad al-Sayeh for "playing gimmicks" by refusing to hold such a referendum prior to general elections. Mishri's position

is now diametrically opposed to that of Agila Saleh, who now poses as a supporter of direct general elections on 24 December as this aligns with not only the international community but also the Libyan National Army's (LNA) eastern bloc. In parallel, about 51 MPs led by First Deputy Fawzi al-Nweri and 91 HCS members called for the adoption of the draft constitution as an interim constitutional base of two years and rejected a rushed referendum due to lack of time and the need to prioritise conciliation over fiddling with a fragile security situation. However, this initiative meant to find a middle ground to the current deadlock did not get any traction. On a different note, ethnic minorities such as the Amazigh, Tebu and Tuareg altogether rejected not only the referendum proposal but also the draft constitution which they consider illegitimate due to its lack of inclusiveness. Their position is mirrored by many former regime constituencies who were too politically isolated in the 2013 constitutional drafting process to express their viewpoints.

Instead of focusing on bringing the legal process forward, Agila Saleh and Khaled al-Mishri have been occupied with tackling the issue of sovereign positions, which has now clearly become a tool in the hands of the HCS' leadership to delay elections. Over the last months, many mechanisms have been devised to select candidates for top positions at institutions such as the Central Bank of Libya (CBL), Audit Bureau or Administrative Control Authority (ACA), but none has led to consensus between the HOR and HCS in spite of several meetings under the auspices of the Kingdom of Morocco. While the two legislative bodies were able as of late last year to work towards peace by reaching out to each other, they now seem unable to seriously discuss matters. Indeed, the HCS' leadership is holding up several processes so as to make political gains that are aligned with the demands of Turkey, the Justice and Construction Party (JCP) as well as the Volcano of Rage coalition of armed groups who defended Tripoli against the LNA's assault in April 2019. These stakeholders aim to ensure that LNA Commander Khalifa Haftar becomes politically and militarily irrelevant by pushing for the unification of military institutions as a condition for a breakthrough in nominating sovereign positions in addition to pushing for a referendum that would disqualify dual-nationals such as Haftar from running in elections. Recent rhetoric from the HCS' Chairman clearly reflects this priority and puts not only the international community but also the Libyan executive authority into question as to whether they are serious about disarming Haftar.

This dynamic is dangerous for Libya as the country approaches the deadline set by HNEC to arrive at a legal basis for elections. The LNA has time and again warned that it would turn its back on peace should general elections be postponed beyond December 24. Moreover, current security and political



dynamics between western and eastern Libya could well lead to tensions resurfacing in the short- to mid-term. This is why UNSMIL has turned to its fallback option of having the LPDF members decide upon the legal process in Geneva scheduled to last from June 28 to July 1. In Tunis, the LPDF's Advisory Committee already met between 24-26 June to discuss solutions for contentious issues that were not resolved by the constitutional committee. It remains to be seen whether UNSMIL will be able to repeat its tour de force of February 2021, when the assertiveness of former Acting Special Representative of the Secretary-General Stephanie Williams was critical in that she applied gradually diminishing voting thresholds at the LPDF to select the executive authority. The same mechanism could be applied in today's context. To be sure, the threshold to vote on the legal basis for elections could start at 75% to be dropped at 60% and then 50%+1 so as to ensure that Libya achieves a constitutional basis and an electoral law six months prior to elections. Should UNSMIL manage to assert its leadership and prevent new ideas from stalling the legal process, the executive authority will then have no excuse but to accelerate preparations for elections – including the financial support of HNEC and the implementation of the PM's security plan presented in Berlin, which requires the legal basis before any action is taken on the security field.

## **LIBYA MOVES SLOWLY BUT SURELY TO ITS ELECTORAL CAMPAIGN**

*Despite a challenging legal process, there is a determined push toward preparing and campaigning for elections as Libyans are enthusiastic about democratic change.*

An important survey developed by the United States Agency for International Development (USAID) and the U.S. Embassy to Libya shows that two-thirds of Libyans are optimistic about elections and opposed to their delay, with 60% of the surveyed population already planning to vote on December 24. This is a positive sign for HNEC and its campaign to raise awareness among Libyans, as well as its drive to equip local electoral bodies through the Libyan Postal Company and Logistical Support Department with ballot boxes, office equipment and other electoral materials to ensure that elections are well-prepared. As of July 4, the Commission will start voter registration which had reached 2.4 million people out of 4.4 million eligible voters the last time HNEC did voter registration in 2018. HNEC also continues its coordination meetings with the Interior Ministry and recently met with a committee representing displaced people from eastern Libya who requested polling stations in their places of displacement so as to vote for their original districts in the east.

Political campaigning is also hitting a start, with known candidates increasing their footprint and visibility. For instance, Aref al-Nayed has moved his offices to Benghazi for better representation inside Libya and launched a series of initiatives aimed at raising awareness on electoral topics. Likewise, Fathi Bashagha has not only capitalised on his strong links to European capitals through international media interviews and public relations services from France's Havas Communication, but has also demonstrated a more conciliatory and inclusive tone towards eastern Libya. Meanwhile, the JCP unveiled a new leader in Imad al-Banani. The latter is considered more hardline than his predecessor, with ties to the Turkey-based Mufti al-Ghe-ryani and the Dabaiba affiliate Ali al-Sallabi. Ahead of the political campaign around elections, this nomination could reflect the stance that will be taken by those aligned with the Renaissance and Renewal Association (aka Muslim Brotherhood) – representing a roadblock against any political actor who is not closely associated to the February 2011 Revolution, particularly Saif al-Islam Gaddafi and Khalifa Haftar. It is known that the latter and the former aspire to the presidency but are deliberating with their aides on whether to enter the political stage or not given several weaknesses. Khalifa Haftar remains too divisive a figure and is still assessing whether to jump in the race or align himself with a career politician who will legitimise his military clout. Although a potential frontrunner, Gaddafi also has to unify and manage the nebulous of former regime supporters (so-called “Greens”) who currently make up various groups with different interests. Of note, both Gaddafi and Haftar might be more concerned with Dabaiba prolonging his tenure than seriously thinking about governing Libya. Notwithstanding such debates, there remain other political movements in Libya that might avoid elections from becoming an ego-centered competition between larger-than-life figures. On June 19 in Benghazi, fifteen political movements including Aref al-Nayed's “Ihya Party”, “United Libya Movement”, “Civil Democratic Union”, “Central National Movement”, “Youth Change Party”, “Derna Women's Union”, “Tobruk Women's Union”, “National Will Organisation” and several movements met to support direct presidential and parliamentary elections by the end of the year.

Nonetheless, there remain many obstacles to free and fair campaigning, prime of which is the difficulty of candidates to breach the east-west divide and travel without restrictions. Moreover, the story of Hassan al-Faghl – an employee of the Central Commission of Municipal Council Elections (CC-MCE) and chair of the Qasr al-Akhiyar municipal subcommittee who was kidnapped in mid-May – shows that members of municipal electoral bodies are at risk and that the country urgently needs to implement a security plan for elections. Likewise, hate speech and media bias remain a prime concern

for the appropriate conduct of elections. This is particularly true after Ministerial Decree 116/2021 which dissolved the Libyan Media Authority created last year by the GNA and headed by Mohamed Baio, who was pushing for eliminating hate speech in public media. Minister of State for Communications and Policy, Walif al-Lafi, alongside a 10-member committee, is now in charge of overseeing public media. This remains a concerning development as this means that public media is now controlled by one political current which is close to the Renaissance and Renewal Association. Of note, al-Lafi was already controlling several stations – reportedly with the financial help of the Dabaiba family, Ali al-Sallabi and the Qatari government. Although PM Dabaiba has been given the cold shoulder in Berlin regarding the potential postponement of elections to 2022, the monopolisation of media in his hands could significantly hamper the free and fair holding of elections. Further, we may see a growing trend of media politicisation that will add to the country's already divided media landscape.

## **NATIONAL RECONCILIATION REMAINS ON THE BACKBURNER**

*Efforts toward national reconciliation remain frail as the Presidential Council fails to consolidate its power as a strong and national authority from its current seat in Tripoli.*

Despite high expectations for the Presidential Council to accelerate initiatives toward the release of the unlawfully detained or the establishment of a national conference, gains toward national reconciliation have remained frail in June. The month started with a two-day forum whereby workshops elaborated the basic principles and structure of the High National Commission for Reconciliation, as well as its mandate and sub-committees. Months after promises from the Ministry of Justice, progress toward releasing the forcibly detained and referring pending cases to court remains hesitant and steps to be taken are still under discussion between PC Head Mohamed al-Menfi and Attorney General al-Saddiq al-Sour. As of now, the Supreme Court has nullified some court rulings but they almost all refer to detainees who were already released due to medical reasons or to the deceased, without actually tackling pending court cases for political heavyweights such as Saif al-Islam al-Gaddafi. One small victory was however attained with the Attorney General, Minister of Justice and Judicial Police Apparatus calling for the closure of Misrata's al-Huda prison over human rights violations.

Southern Libya has also been supplied with at least four deliveries of fuel from the Misrata depot, after months of demand from the local population

who still suffers from far worse living standards than the rest of the country. The Minister of Housing and Construction also reiterated the GNU's priority in reconstructing and repairing infrastructure whilst the Minister of State for Displaced Affairs and Human Rights launched a structured system to track the internally displaced, which will be useful for elections and the appropriate funding of towns such as Tawergha, which still awaits more than 30,000 of its inhabitants scattered between east and west Libya. However, although domestic flight connections are increasing to allow Libyans to surpass regional divides, politicians do not seem to soften their stance and the Presidential Council seems unable to take a stronger stance to strike a balance between opposite factions and move them toward reconciliation. There is a growing view, shared by PC Deputy Head Musa al-Koni, that the PC simply cannot escape its current weakness due to its being in Tripoli, where certain political currents and armed groups are able to entrench their positions. A similar trend can be seen in the east, where factions like the LNA have increased their influence on the Benghazi-based Deputy Prime Minister. In Tripoli, it is increasingly Deputy PC Head Abdullah al-Lafi who directs what should and what should not be pursued by the PC. This is visible in recent stances taken by the PC, in that it skipped the Berlin Conference and also berated Italy for allegedly organising a reconciliation forum for the Fezzan. Calls from the executive authority to respect Libyan sovereignty and the principle of non-interference grow louder against commonplace statements or initiatives by foreign players, whilst failing to replicate such calls against foreign forces like Turkey prolonging their stay in Libya.

## **INTERNATIONAL COMMUNITY CONTINUES OUTREACH TO LIBYA**

*Continuing stability in Libya elicits more global interest for the country's economic potential and provides greater areas of international cooperation.*

Foreign stakeholders have understood that the peace dividend in Libya is not just about security, but also concerns economic development for the broader region and trade for Mediterranean states. The United Nations Economic and Social Commission for Western Asia (ESCWA) unveiled a report forecasting €135bn in gains by 2025 should Libya remain peaceful, with countries such as Egypt, Algeria, and Sudan earning the most from participating in the North African country's reconstruction and development. Trade statistics already show how regional stakeholders have benefitted from the October 2020 permanent ceasefire as the first quarter of 2021 saw Turkish exports jump by 67% and Libyan-Egyptian trade increase by 43% in

value compared to the same period last year when the country was in the midst of a conflict. Countries such as Iraq, Japan, Morocco and Russia are assessing the possibility of reopening their embassies in Tripoli and South Korea has sent a delegation to prepare for the return of its companies to an important market it boycotted due to insecurity.

Libyan officials have continued to tour important foreign capitals to gain pledges on the resumption of strategic partnerships and increase foreign direct investment into Libya. From late May to late June, PM Dabaiba visited France, Germany, Britain, Morocco and Egypt and received Spanish PM Pedro Sanchez in Tripoli, while PC Mohamed al-Menfi travelled to the UAE and Italy. Health services were on top of the list for discussions with European partners, particularly Italy and France, as Libya is hard pressed to revitalise and modernise its neglected health sector by seeking integrated management services for its hospitals and ways to ensure that citizens can be treated domestically instead of being sent abroad for costly operations. Nonetheless, developing the economy and government services is not the sole rationale behind high-level diplomacy for Libyan officials. Dabaiba's visit to Morocco and Egypt in late June is important as both actors hold important political and social capital in Libya, with the former having the possibility of solving the deadlock between the HOR and HCS, while the latter has taken the role of a regional guarantor of the outcomes of the two Berlin Conferences. In fact, Cairo remains a prime actor in mediating between eastern and western Libyan factions, and it has again reminded the GNU that executive mechanisms for the withdrawal of foreign forces is necessary to advance the political roadmap. Without such political pressure from foreign stakeholders, it is difficult to see current economic gains being permanent as Libya once again faces dangerous deadlines and growing tensions. Importantly, risk for diplomatic personnel remains high as unidentified men broke this month into the Egyptian Embassy to steal cars.

## **LIBYA CONTINUES FURTHER WITHOUT A SET BUDGET FOR 2021**

*Three months after the unveiling of the first 2021 draft budget, the House of Representatives has not yet approved the budget and has severely stonewalled government development projects.*

In mid-June, the HOR held a session in which MPs ended up in a fistfight over the issue of Turkish presence in Libya. The live broadcast of this tumultuous session further exasperated Libyans and reminded many that national institutions are currently unable to move forward on important issues, including the 2021 budget which remains under tense discussions between

the GNU and HOR. The delay in approving the budget has not only put important development projects on hold as the National Oil Company (NOC) struggles to repair leaking pipelines and has no cash to pay for planned capacity expansions, it has also led to a familiar situation where disputes over salary payment abound. This month started with a sit-in by employees of the Sidra terminal and growing anger from the General Syndicate of Libyan Doctors, which held a one-week strike to protest poor working conditions. In late June, the Fezzan Rage Movement also berated the lack of planned development projects in southern Libya and threatened to close important southern oil fields such as el-Feel and Sharara. The situation is even more complex now as the Ministry of Oil & Gas has inferred that the planned 7bn LYD (€1.3bn) budget allocation would be too low and that oil sector employees should see salaries increase by 67% based on prior commitments taken in 2013 – a demand that would further inflate the already large draft budget. MPs are therefore expected to further grill the government as three committees have been established to review GNU expenditures since the beginning of the year.

There does not seem to be a way out of this quagmire through simple deliberation between the GNU and HOR. The distance between these two institutions is growing as PM Dabaiba has started berating MPs and highlighted their dishonesty in that they are also looking for large salary increases of nearly 40% to reach 22,000 LYD/month (€4,104). It is becoming increasingly likely that the PM will follow the precedent set by the GNA in that he will bypass the HOR and strike a deal with the Central Bank, Audit Bureau and HCS to unlock funds for the last six months of his tenure. However, the current squabble over sovereign positions does not allow him to strike a deal with such institutions and this is where Moroccan intermediation could turn beneficial for the PM. The latter still promises a lot to the population and has accelerated work on the electricity file, which has seen little progress but remains a priority for the GNU. Accordingly, work at the 650MW Misrata gas power station has started and the Chairman of General Electricity Company of Libya (GECOL) Wiam al-Abdali recently met with representatives from Siemens and General Electric, with the former agreeing to prioritise Libya in its deliveries, devise training programmes and conduct a technical study of the country's electricity sector. International Oil Corporations such as Eni, Total and Repsol have also reiterated their interest in investing in solar power plants in Libya. However, the summer is already here and the GNU is still reviewing GECOL's urgent plan to provide electricity, thus lagging behind in its implementation and allowing the population to suffer from prolonged power shortages.

## COASTAL ROAD REOPENS FOR A SHORT-LIVED MOMENT

*The sudden reopening of the coastal road ahead of the Second Berlin Conference was welcomed as a positive sign for the military track but actually reflects attempts to politicise the 5+5 Joint Military Commission (JMC).*

On June 20, just days before the second Berlin Conference, Abdulhamid Dabaiba inaugurated the reopening of the coastal road after two years of closure. At first sight, this was the result of a statement made earlier this month by the PC to push the Sirte-Jufra Operations Room into repositioning forces to reopen the road and facilitate the transport of civilians. However, it was later discovered that the reopening was more of a hurried ploy for the PM to join the Berlin Conference with positive news. Indeed, the Commander of the Sirte-Jufra Operations Room, Ibrahim Bayt-al-Mal, had continuously opposed the reopening of the coastal road so long as foreign mercenaries, i.e. Russian-backed Wagner troops did not leave Libyan territory, and had given strict conditions to the PM for him to utilise the road's reopening for political means. Concomitantly, the LNA as well as the 5+5 JMC contradicted positive statements about the road's reopening and reminded that such agreements must be reached unanimously by the 5+5 JMC. As a result, it was announced that the road would not be open to the general public as it needed repair and checkpoints, while only forces from the Sirte-Jufra Operations Room are believed to have withdrawn 5km away from the road. The road's status remains unstable as Commander Bayt-al-Mal has clearly stated that the lack of progress on the removal of foreign troops would lead to the road's total closure. Of note, the Sirte-Jufra Operations Room supports the presence of Turkish soldiers in Libya and does not require their departure.

Overall, there does not seem to be much progress on the central issue of foreign troops' removal. This assessment has been shared by members of the 5+5 JMC who have not seen much advancement since the beginning of the permanent ceasefire eight months ago. The Second Berlin Conference did not lead to concrete measures for the military track and statements shared by both Foreign Minister al-Mangoush and PM Dabaiba about the imminent departure of foreign troops have clearly been without a following. Nonetheless, the Conference has demonstrated that the onus is on Turkey to agree to a synchronised departure of troops so as to conform to the political roadmap's objectives. The high-level Turkish delegation's visit to Tripoli on June 12, composed of the Foreign, Defence and Interior Ministers

as well as the Chief of General Staff, Intelligence Chief, Communications Director and Presidential Spokesman, shows however that there is little will in Ankara to relinquish its military position in Libya. The visit, which for many Libyans reflects a client-patron relationship, was deemed humiliating and gave the appearance that Turkey is there to prop up a particular current inside Libya. American willingness to listen to Turkey's point of view during the Berlin Conference could also signify that greater geopolitical calculations might push NATO to turn a blind eye on prolonged Turkish military presence in Libya in return for Turkish favours in other terrains.

The unification of military institutions remains a far-fetched objective, particularly considering developments featured in the following section. This difficulty has been highlighted by the PM in a speech given during a commencement ceremony at the Misrata Military College in early June. This ceremony took place a few days after the LNA's military parade that was shunned by the executive authority and demonstrated a fractured security landscape whereby forces affiliated to the Volcano of Rage get state recognition whilst LNA soldiers are left aside due to the problematic character of their leadership. The re-emerging terror threat and developments in the south of Libya add new dynamics to the fragmented Libyan military environment. The PC has nominated a new commander to the Counter Terrorism & Organised Crime Force in the region and has commanded LNA contingents such as the 116th Brigade to join the Joint Operations Room for Securing the South, which has also been given a new commander whose authority is not likely to be significant given that the area is under LNA control. As such, decrees from the PC in Tripoli which are meant to consolidate the executive authority's power over the entire country do not have much weight.

## **MILITARY DEVELOPMENTS AND TERRORISM IN SOUTHERN LIBYA CREATE A TENSE SITUATION**

***Armed clashes between militias in the west, extremist activity and the LNA's new counter-terrorism campaign in southern Libya are a stark reminder of the country's volatile security situation.***

As international powers push for the removal of foreign forces and mercenaries from Libya, the security situation on the ground remains volatile. This was seen earlier this month in al-Ajaylat, where one armed group affiliated to the Ministry of Interior attacked another affiliated to the GNA-era Stability Support Apparatus, leading to seven deaths including a bystanding female student from the College of Education. In LNA-controlled territory, deadly clashes in Benghazi and abductions of critics continue, this month



with civil activist and Libyan Red Crescent Society Head of Ajdabiya, Mansour Atti, being kidnapped by unidentified gunmen – a situation that continues to weigh down Khalifa Haftar’s standing and his chances in elections.

Terror threats are also making a comeback in Libya as terror groups see upcoming elections as an opportunity for disruption. On June 6, a suicide bomber of the Islamic State blasted his vehicle on a checkpoint in Sebha, killing two officers from the Criminal Investigation Agency (CIA). This attack further solidified fears of instability in the south and drove the PC, which is the Supreme Commander of the Army, to bring about new commanders and battalions as mentioned above. The Ministry of Interior, which continues to coordinate between its various departments across the country, is also planning to have a joint security room for Sebha, bringing together the CIA, Sebha Security Directorate and General Administration of Central Support to better counteract the looming terror threat. The latter remains important as Intelligence Chief Hussein al-Ayeb recently raised the alarm on potential Al Qaeda in the Islamic Maghreb (AQIM) attacks in western Libya, specifically in Tripoli, Zawiya or Surman.

The Sebha attack was also a surprise for the LNA, which in spite of hunting down terror cells, did not expect the Islamic State to be operational enough to launch suicide attacks in the region under its control. Subsequently, the LNA launched a counter-terrorism campaign in the south, which has allegedly been under planning for almost a year, and aims to take down terror cells and drive away mercenaries from Sub-Saharan Africa thorough ground operations backed by air support. Alarmingly, the LNA started its campaign by shutting the Essen border with Algeria and creating in place an exclusive military zone to prevent cross-border movement of terrorists. This step, which was read as a major provocation in Algiers, also raised concerns in Tripoli and once again showed the fragmented nature of Libya’s military. As a result, the PC issued an order prohibiting the movement or transfer of personnel, weapon, ammunition without its approval – an order that is unlikely to be followed by the LNA as the latter also needs this campaign as an image-boost. Even if the common threat of terrorism could have federated western and eastern forces, the present situation does not seem conducive for unification and collaboration. Deputy PC Head Musa al-Koni, who was tasked with negotiating the unification of the army with the LNA, has simply not carried his task ahead due to pressure from Tripoli and his own institution’s tied hands in security matters. Further pressure is also being applied by the HOR and LNA on the GNU for the latter to appoint a Minister and a Deputy Minister for Defence, the former role being held by the PM as a convenient placeholder to avoid competition between the LNA and Volcano of Rage factions.

## CONCLUSION & FORECASTS

The Second Berlin Conference has fortunately shown that there is a strong will shared between the international community and the Libyan public to see general elections through on December 24. However, the gap between this general will and facts on the ground remains large as progress on the political roadmap falters and fateful deadlines are fast approaching with little progress to show. In fact, disagreements between the likes of the GNU, HOR, and HCS have led to detrimental delays in terms of sovereign positions, the 2021 budget, and most importantly the legal basis for elections. The matter has again spiralled into heated debates in Geneva which resulted in the July 1 deadline being missed and the LPDF session extended for a day. The proposal worked by the Advisory Committee in Tunis has acted as a ticking bomb due to its inclusion of several propositions that give spoilers ample room for manoeuvre. The latter have continued to push, on livestream, for the postponement of elections and the extension of PM Dabaiba's mandate during the Geneva LPDF session. During the latest session on June 30, UNSMIL appeared powerless to interpose and was unable to prevent debates from digressing from the political roadmap. In fact, far from being able to nudge members to a 50+1% vote, UNSMIL has so far suffered from the absence of its Head Ján Kubiš, who is ill for the moment, and could be overwhelmed by the situation. Without the Mission's assertiveness, there is a good chance that spoilers at the LPDF could reach a flawed deal that postpones the elections which are to be held in less than six months. With divisions intensifying and spoilers strengthened, the UN might need to consider postponing the LPDF session for another week in order to convene again with Kubiš presiding in-person. In the interim, the international community should engage to ensure spoilers are tamed and Libyan political actors are pressured to act according to the agreed roadmap.

Taken together, it is becoming increasingly clear that disruptive attempts to derail the roadmap are making themselves more palpable, be they terror threats or the political spoilers wishing to maintain the status-quo. The military track remains the most difficult to solve, and some currents seem to use this deadlock to postpone elections as seen in the Advisory Committee's precondition to have the military unified under the PC's command before elections can be held. The latter is an unattainable goal that will require time, diplomatic engagement and, crucially, a strong government that reflects the will of the Libyan people. Since Turkey is unlikely to budge from its position and Russia will only synchronise the departure of its mercenaries from Libya if Turkey withdraws troops, the continued presence of foreign soldiers on Libyan soil becomes a fait accompli and could be an issue that

the future government of Libya will also struggle to deal with. Thus, the view shared by the U.S. Ambassador to Libya that foreign troops ultimately do not endanger the holding of elections might become more widespread and lead the international community to cast the military track aside and focus on the cornerstone for Libya's democratic transition that general elections represent.

Although this view makes sense, there is growing risk that Libya cannot continue on its current path until the end of the year as ongoing disagreements and deadlocks could usher in tensions and the resumption of armed conflict. Libya's security environment has regressed as the PC is unable to escape dynamics that existed between the GNA and LNA in the past. Military involvement from the latter in the south of the country already represents a potential breaking point, where instead of unifying forces to counter the re-emerging threat of terrorism, western and eastern armed groups could resume clashes and endanger the permanent ceasefire. The adoption of a legal basis for elections by the LPDF, or the lack thereof, in addition to future manoeuvres around the coastal road will further determine whether the country can peacefully drag itself to elections or face conflict again. In the current context, it is the LNA again which could ignite such conflict should it witness that the executive authority is primarily influenced by its former adversaries and should there be gimmicks to postpone elections.

As Libya continues to live on the edge, it is important for international actors to follow-up on the points agreed at the Second Berlin Conference. Despite failing to bring new mechanisms to bolster the political roadmap, the conference has shown that the majority of the international community sees the importance of Libya finalising its democratic transition, demilitarising its territory, developing its economy, as well as pushing back terror groups and migratory flows. Such a united front should be continued and efforts made to ensure that no country shuns the conference's conclusions in the hope of driving its own bargain. For instance, special attention to Morocco and Turkey could be necessary in ensuring that both countries come to terms with the conference's conclusions and build on them, instead of pursuing their own mediating path or pushing for a continued military presence that could rekindle war in Libya.

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