



INSIDE LIBYA

November 2021

No°16

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.

Thomas Volk

Director
Regional Program Political Dialogue South Mediterranean
Konrad-Adenauer-Stiftung

EXECUTIVE SUMMARY

- 1.** October saw a positive push for the implementation of Libya's political roadmap and the withdrawal of foreign forces. Yet, uncertainty still abounds as some key stakeholders hope to cancel or postpone elections on December 24.
- 2.** Political divisions are deepening within the Government of National Unity, as well as between stakeholders in western and eastern Libya. This complicates the holding of elections but also increases their value as the country is in desperate need of a democratically elected and legitimate government.
- 3.** With less than 60 days ahead of elections, Libya's presidential and parliamentary electoral laws have thus far failed to achieve consensus and could be a weakness used by spoilers to reject electoral results.
- 4.** Presidential candidates will have about 40 days to officially campaign before Libyans go to the polls. A dozen personalities have already confirmed their participation in presidential elections that will be a turning point for Libya.
- 5.** The Libya Stabilization Conference held in Tripoli this month presented an opportunity for the international community to exert pressure upon Libya's executive authority for the timely implementation of the political roadmap.
- 6.** From an economic standpoint, elections are both a unique opportunity to adopt long-term developmental programmes through reformed economic institutions, but also a risk to the country's recent growth and oil output.
- 7.** The single most important development in October has been the agreement reached by the 5+5 Joint Military Commission (JMC) to remove foreign mercenaries from Libya over four phases.
- 8.** Western Libya has seen shocking developments this month in both the treatment of migrants by government forces and the security file which continues to worsen as political rivalries impact security dynamics.
- 9.** Despite allegations of corruption against Dabaiba and others, anti-corruption institutions were relatively quiet in 2021. Now that power holders are set to change, scrutiny is coming back and should be strengthened.
- 10.** At less than 60 days from polling day, Libya is not in a conducive environment for a smooth political transition due to continuing wrangling over elections, growing divisions between the country's regions, and an alarming security situation in Tripolitania.

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A SUBOPTIMAL POLITICAL ENVIRONMENT FOR VITAL ELECTIONS

Political divisions are deepening within the Government of National Unity and between Libya's regions. This makes the holding of elections more tricky but also increases their value as the country is in desperate need of a popularly elected and legitimate government.

According to the political roadmap devised by the UN-backed Libyan Political Dialogue Forum (LPDF) in November 2020, Libya is to hold presidential and parliamentary elections on December 24 so as to consolidate the political transition and process of democratisation following ten years of violent turmoil and institutional infighting. Although international pressure and widespread popular support for elections make it difficult for potential spoilers to thwart the holding of elections by the end of the year, there still remains significant uncertainty regarding the structure of such elections, the security environment around polling stations, and most importantly what happens after electoral results are announced. Both the international community and the United Nations Support Mission for Libya (UNSMIL) have increased efforts to remind Libya's executive authority, made of the Presidential Council (PC) and Government of National Unity (GNU), of their obligation to hold general elections this year. In the last month, these two authorities have reiterated statements in support of elections, unification of institutions, and the withdrawal of foreign mercenaries from Libya – all core objectives of the country's political roadmap.

Nonetheless, there is sound skepticism surrounding the sincerity of the executive authority, particularly the GNU's Prime Minister Abdulhamid Dabaiba, in ferrying the country toward elections that would end his brief tenure. As explained in the last two issues of Inside Libya, the PM has repeatedly demonstrated he does not conceive of his mandate as a short one and has in fact embarked on ambitious spending programmes that have long-term implications for the country. This ultimately led the House of Representatives (HoR) to reject the government's 2021 budget drafts and withdraw its vote of confidence last month. With elections approaching, Dabaiba's populist policies and mediatic stunts have increased in pace, thus further giving the impression that he is either using state resources for an unofficial electoral campaign or making the case for the postponement of elections. Indeed, opinion pieces favouring the PM have mushroomed in the pro-Dabaiba press over recent weeks. Presenting the PM as a man of providence for Libya and making the case for keeping him at the helm of the government to see his policies bear fruit, such articles make the case against elections since the latter are viewed by Dabaiba

supporters as the reason for Libya's growing instability over recent months. The PM himself has continued visiting parts of the country he can reach, meeting tribal representatives of the Oil Crescent and al-Wahat district in early October whilst PC Head Mohamed al-Menfi saw representatives from Libya's southern Fezzan region before travelling to his hometown of Tobruk, in eastern Libya. Both politicians are pushing the narrative that the executive authority is in favour of regional distribution of state revenues and decentralisation, whilst in reality, much of the decision-making and spending is still made from Tripoli – both because of political limitations outside the GNU's control and the PM's own concentration of power.

As a result, the debate over the distribution of revenues between regions has resurfaced this month. For instance, the Deputy Prime Minister for Eastern Libya Hussein al-Qatrani, who is based in Benghazi, has called upon his staff not to implement GNU orders until he approves them. This form of disobedience shows that the GNU's authority is dwindling ahead of elections, thus vindicating fears that postponing elections would create chaos. It also validates fears that the executive authority has failed in unifying the country's institutions, and that it is easy for far-off officials to become unruly chieftains. Although the Deputy PM does not enjoy a solid social base in eastern Libya, he is connected with hardline elements who are willing to take action, including by blockading oil fields, in order to confront the central authority. If left unchecked, this political division could be used as an excuse by officials to postpone elections, or worse, pave the way for a return to armed conflict between east and west Libya. This situation is also fitting for the eastern-based Libyan National Army (LNA), whose hardline elements do not see any reason for dealing with an executive authority that has been relegated to a "caretaker government" by the HOR. As a result, attempts by Dabaiba to send delegations to the east, as well as hold talks sponsored by a foreign power with LNA Commander Khalifa Haftar, have been rebuffed. The LNA, which also controls large swathes of the south, has also made it hard for the GNU's Ministry of Interior forces to reach Fezzan, thus raising concerns that the country will still be effectively under the control of different armed groups on election day.

Preliminary initiatives and slogans from the PM are unlikely to make such political divisions disappear. Dabaiba might be an astute politician who has managed to navigate Libya's fragmented political scene relatively well and built an effective public relations apparatus, stressing his populist traits and development plans for the country, but those advantages are not enough to bolster enough popular support for his position. Foremost, there is growing criticism that he promises more than he can offer and has

therefore increased expectations to an unsustainable level. For instance, the Supreme Judicial Council has already called upon the GNU to reassess its marriage grant programme unveiled last month as the majority of eligible couples have not received their dues and many instances of fraud in this 1bn LYD (€190m) scheme have emerged. Likewise, the General Syndicate of Libyan Doctors, the Oil and Gas Workers Union and the Higher Education Syndicates, as well as employees of Benina International Airport in Benghazi and of Libyan Airlines, have either threatened or carried out sit-ins during October to condemn the non-deliverance of their salary as well as mistreatment by government officials since other professions have received financial or honorary benefits whilst they have felt left out. These benefits have also raised concerns at the Ministry of Finance, which reasonably wants public salaries to be audited and reorganised so as to ensure better governance and public finances.

Whilst the PM seems to be reform-minded in his understanding that the country cannot rely on its oil-rent after 2040, he still uses rentierism and favouritism as his primary modus operandi. Several officials from the GNU, including LNA-affiliated Deputy Minister of Interior for Technical Affairs Faraj Agaim, have accused the PM of concentrating power and using personal relations in appointing officials. Over the last months, Dabaiba has indeed replaced several heads of ministerial departments or state-owned companies such as the Libya Post and Telecommunications Holding Company (LPTIC) to either remove internal criticism or benefit political allies. His spending has also raised eyebrows outside of the HoR as the Audit Bureau recently brought up the issue of the GNU spending 9.671bn LYD (€1.8bn) in the first three days of August, thus going far beyond its monthly allowances and raising concerns over potential misuse of public funds. These accusations mirror al-Qatrani's claim that the PM only allocated 2.5bn LYD (€470m) to his eastern administration and issued more than 400 decisions without consulting any of his deputies. Finally, there does not seem to be any serious effort on the part of the executive authority to mediate over the dispute between the HoR and High Council of State (HCS), two national institutions which have failed to agree upon electoral laws and heavily contributed in raising uncertainty over the holding of elections this year.

THE LEGAL BASIS FOR ELECTIONS IS STILL HEAVILY DISPUTED

At less than 60 days ahead of elections, Libya's presidential and parliamentary electoral laws do not make consensus and could be a weakness used by spoilers to reject electoral results.

According to the LPDF's political roadmap issued in November 2020, the HoR and HCS initially had 60 days to consult and decide upon a legal basis for elections. Following the failure of the two bodies to reach a consensus, the deadline was repeatedly postponed until the HoR took it upon itself to pass both a presidential electoral law on September 9 and a parliamentary electoral law on October 3. This unilateral decision has angered the HCS, whose chairman Khalid al-Mishri has represented one of the key spoilers of general elections, wanting to first organise a constitutional referendum before elections can be held and now raising legal challenges at the Supreme Court in an attempt to cancel the HoR's electoral laws and even bringing the case against senior staff from institutions like UNSMIL and the High National Elections Commission (HNEC). In practice, both institutions are engaged in actions that starkly contradict existing internationally-backed political agreements such as the LPDF's roadmap, and which benefit spoilers within the executive authority who can use the current confusion to their advantage. In fact, there does not appear to be any authoritative body, either in the form of UNSMIL or the PC, able to bring clarity back into the elections' legal quagmire. This is dangerous as it creates weaknesses in elections that could potentially be used by whoever is not happy with their results in January 2022.

The most surprising development this month regarding electoral laws has been the fact that parliamentary elections are now meant to be held around 30 days after presidential elections held on December 24. This was decided by the parliamentary law passed in a HoR session holding less than 75 MPs and later confirmed by the HNEC. For partisans of this sequencing, the law is meant to enhance stability and ensure that the results of the presidential elections' second round are announced simultaneously to parliamentary elections' ballots, thus minimising the risk of parties politicking and obstructing the rise of Libya's first directly elected president since the country's independence in 1951. However, this constitutes a retreat from the political roadmap and there remains the possibility that parliamentary elections might be held much later than in late January 2022, thus strengthening the positions of MPs who have been in position for the last six years without any challenge. This also means that the HCS might exist for longer, thus

continuing the current state of affairs and the further postponement of changes at the helm of key institutions such as the Central Bank of Libya (CBL). In the unlikely case a presidential candidate wins 50%+1 votes in the first round, he or she will either have to defer his constitutional oath until the HoR is renewed or do it in front of an expired parliament.

Importantly, the parliamentary law applies a 16% quota for female MPs (which falls notably short from the 30% quota of female representation requested by the LPDF), tasks the next parliament to review the current 200 constituencies according to the latest population census for fairer distribution, and requires participation through individuals instead of lists (which is likely to further stifle the culture of political parties for the benefit of self-serving figures). The HCS has not been the only voice raised against the HoR's latest electoral law, as several mayors and MPs not present during the voting session have also expressed their strong opposition to the HoR's unilateral approach in issuing laws. The dispute between al-Mishri and HoR Speaker Agilah Saleh has also escalated, with al-Mishri accusing Saleh of having proposed deals to change the head of the HNEC Emad al-Sayed in exchange for putting an ally at the helm of the Administrative Control Authority (ACA). The HCS Chairman also claimed that the HoR Speaker was involved in bribing western-based militias to pressure current heads of Tripoli-based institutions like ACA to resign and be replaced by his preferred candidates. Al-Mishri also met with UN Special Envoy Ján Kubiš in late October, and asserted that he did not oppose elections but just their legal basis being unilaterally issued by the HoR – without elaborating on why the HCS and HoR failed to come to an agreement over the past months, nor reflecting on how his pushing for a constitutional referendum before elections was not practical in Libya's fragile transition.

ELECTORAL COMMISSION ANNOUNCES UNCLEAR DATE FOR CANDIDACY REGISTRATION

Presidential candidates will have about 40 days to officially campaign before Libyans go to the polls. A dozen personalities have already confirmed their participation in presidential elections that will be a turning point for Libya.

On October 25, the lists of the 2,865,624 registered voters were sent to polling stations a day after the endorsement lists' forms were published by the HNEC for candidates to submit them as soon as registration opens. The registration process is meant to start by mid-November when the HNEC plans to finish its logistical and technical preparations. This would leave

about 40 days for candidates to officially campaign ahead of the presidential elections' first round, a short-period of time which has raised concerns about potential postponement or the risk of having an uninformed electorate. Coordination between the HNEC, PC, Ministry of Interior, as well as the Supreme Judicial Council have accelerated during October to ensure elections are secure and that legal appeals are available in the country's 13 electoral districts so as to deal with irregularities. It is already known that the Interior Ministry will count on 35,000 security personnel to minimise the risk of militias or terrorist groups interfering in elections, but it is yet to be seen whether the PC will manage to dilute current divisions between the GNU's western and eastern branches so as to ensure that elections across the country are monitored by a unified force.

According to the HNEC's Director Emad al-Sayeh, there will be high turnout for presidential elections as Libyans are given the novel opportunity of directly appointing a president and being the determining factor in shaping their government. The hope is that successful elections will be able to bring strong enough legitimacy to the next executive authority and make a clean slate of institutional infighting that have plagued Libya since the 2011 revolution that toppled Muammar Gaddafi. This hope is likely to be unfulfilled as bringing new rulers will not automatically solve the issues of regional disparities, the debate over decentralisation, and above all the personal ambitions of key figures that have dominated the political, economic or security domains for the better part of the past decade. Nonetheless, the momentum is there to bring significant political change to the country and manoeuvres from various important politicians have shown that they see polling day as a turning point that will challenge, if not upend, their hold on power. The political scene is more fluid, with eastern figures appearing on pro-western channels and vice-versa, in bids to reach out to greater audiences and reshape political alliances. Recent geopolitical developments, such as the thawing of icy relations between Qatar and the United Arab Emirates (UAE), are also helping to push back against the heavy polarisation of the political and media landscape – albeit the rise of a truly independent and professional media culture in Libya is still far-off currently. As explained in the [15th issue of Inside Libya](#), pre-2011 figures are also making a comeback and focusing on parliamentary elections to slowly reshape Libya's political landscape.

By the end of October, there were about six presidential candidates whose participation in elections is certain: former ambassador to the UAE Aref al-Nayed of the Ihya Libya party, former Interior Minister Fathi Bashagha, former Energy and Industry Minister Fathi ben Shatwan, former ambassador

to Morocco Abdelmadjid Seif al-Nasr, and the famous Libyan actor Hatam al-Kour. The key potential candidates such as Khalifa Haftar, Seif al-Islam Gaddafi, Agilah Saleh, and Abdulhamid Dabaiba are likely to announce their candidacy in November, or refrain from participating in elections depending on their political calculations. Whether they are candidates or not will heavily impact the odds of current candidates, who will then seek to gain the tacit support of these political heavyweights. Who becomes a candidate will also give a good idea of the potential for conflict after the results.

TRIPOLI HOSTS THE LIBYA STABILIZATION CONFERENCE

Part of the Presidential Council and Foreign Ministry's Libya Stabilization Initiative, the conference was an avenue for the international community to exert pressure upon Libya's executive authority to ensure the timely implementation of the roadmap.

Tripoli had not hosted an international event of the scale of the Libya Stabilization Conference in a long time due to the preference of international stakeholders to avoid the capital city's insecurity and meet in neutral territory outside Libya. In spite of organisational complications, the conference was an accomplishment for the GNU in not only bringing around 30 delegations to the country, but also giving a morale boost to the population which is used to seeing international summits on Libya but not to world leaders being inside Libya. The idea of a stabilization conference had already been conceived during the days of the National Transitional Council (NTC) in 2012, and its new format has been brought forward by Foreign Minister Najla al-Mangoush and the PC. The latter's spokesperson, Najwa Wahiba, reiterated earlier in October that holding elections was an obligation of the PC since it assumed duties in March and explained that the real challenge was to create conditions to encourage participation and ensure that all stakeholders would accept the elections' results.

These "conditions" are, however, subject to interpretation and there have been fears that anyone unmotivated by elections could argue that they are impractical and should therefore be postponed to a later date. This view has somewhat been shared by a vast array of officials, raising fears among the international community that the executive authority in Libya is double-talking by supporting elections in principle whilst acting under the pretence that elections cannot be held on time. As a result, the Libya Stabilization Conference was an opportunity for the international community to counter such arguments and increase pressure on both the PC and GNU to fully

implement the LPDF's political roadmap on time. As U.S. Special Representative and Ambassador Richard Norland has said, doubts and fears that elections could make matters worse in Libya have been acknowledged by the international community but it is still of the view that elections will lead to a better situation than a postponement, which is likely to fuel conflict. This position has strengthened the French initiative for a final international conference in Paris to be held on November 12. Whilst it was believed that the conference would be shunned as too close to polling day and perceived in Libya as a French vanity project, it is now seen as a vital opportunity to give a final push for elections in Libya. The conference will also be organised by the United Nations, Italy, and Germany – the latter of which has spearheaded the Berlin Conferences in January 2020 and June 2021 and whose conclusions are reflected in Libya's political roadmap.

This does not yet mean that the international community is unified to ensure elections are a success. Many foreign countries hold their favourites within Libya's political scene. Both Turkey and Russia, two actors present militarily in Libya, will be key in influencing political and security actors within Libya, both before and after polling day.

ELECTIONS ARE TO BE A TURNING POINT FOR LIBYA'S ECONOMY

From an economic point of view, elections are both a unique opportunity to adopt long-term developmental programmes through reformed economic institutions, but also a dangerous risk to the country's regained growth and oil output.

According to the World Bank, Libya's growth rate should reach 78.2% this year. The International Monetary Fund (IMF) goes even further with a forecast of 123.2%. These astronomic rates are linked to the fact that Libya suffered from an oil blockade in 2020 that cut the majority of its state revenues on top of the Covid-19 pandemic. This year, the country has experienced a far more stable security situation, which has allowed oil to flow more or less unhampered. In the first nine months of 2021, the country earned at least €13.2bn in hydrocarbon revenues according to the National Oil Corporation (NOC) – nearly thrice the revenues earned in 2020. This has positively impacted Libya's current account balance and boosted trade with traditional partners like Turkey, Italy, China, Germany, and Spain – trade with all five cumulatively reaching €8.6bn over the first six months of the year. If the country can continue on this path, solve political divisions that limit the oil sector's budget, and regain its frozen foreign assets, Libya could enjoy the economic

windfall of current oil price upswings and its new executive authority lay out a medium- to long-term development plan to tackle regional disparities and diversify the economy away from oil.

This offers energy companies opportunities in hydrocarbons to enable Tripoli to finance the development of renewables in the country. Dabaiba has already mentioned renewable energy projects backed by ENI and Total worth respectively €10.3 and €12.1bn that should be announced by the end of year. ENI is also moving forward with its project to construct two new offshore platforms next to the Mellitah complex between 2023-2026. The Italian company is focused on developing Libya's gas sector, and believes output capacity could treble over the medium term. The Russian company Tatneft also made a comeback to Libya this month, after nearly 10 years of inactivity in the Ghadames basin. The PM also inaugurated the South Oil Refinery and the Sharara Cooking Gas Field in Fezzan, a region lacking basic energy infrastructure. Nonetheless, these positive developments in the oil and gas sector do not reflect persisting disagreements between the NOC Chairman Mustafa Sanallah and Minister of Oil and Gas Mohamed Aoun, continuing discontent from Unions over salary disputes, and the inability of the NOC's subsidiaries to avoid disruptions due to obsolete infrastructure. In late October, Sanallah said that Libya lost €860m in oil revenues due to such disruptions in 2021, the latest of which occurred in late October and cut by more than 70% output of the Waha Oil Company. Moreover, the kidnapping of two NOC employees, one having recently been placed at the helm of the Libyan Petroleum Institute (LPI), raises suspicion that political and commercial rivalries between the NOC, other parts of the government, and private sector actors could play out through coercion.

Without a smooth political transition in early 2022, such problems will continue and could even worsen with renewed oil blockades or terror attacks against key infrastructure. Such a scenario would mean the continuation of the state's overreliance on unstable oil revenues, and its inability to plan a brighter future for Libyan youth. A peaceful political transition in 2022 is therefore critical for the country's long-term economic success. However, it will not be enough to ensure that public policies are not anathema to the rise of a strong private sector – which would ease the pressure on the state to provide jobs to young people and could further strengthen economic growth. For this to work, stronger mechanisms should be put in place to minimise crony capitalism and self-serving ties between politics and business. For this, economic institutions such as the CBL should be made entirely independent of political ties and their unification should be achieved to ensure that the entire country lives under one banking clearing system. Rentierism and populist policies should be eschewed in favour of spending in productive areas that promote sustainable growth and developing the soft infrastructure of

laws and institutional competency to reinforce the private and banking sectors. Finally, consistency in economic planning should be pursued. Many of the economic plans presented by Dabaiba are reasonable and should not be swept away by his successor; for instance the Privatisation and Investment Board (PIB) has been reshaped to examine the country's unique local economic advantages and create a nationwide investment map which would present disadvantaged municipalities with more opportunities. This was always going to be a programme too long-term to bring results during the GNU's mandate, but it could still be pursued by capable technocrats.

JOINT MILITARY COMMISSION PLANS WITHDRAWAL OF FOREIGN FORCES

The single most important development in October has been the agreement reached by the 5+5 Joint Military Commission (JMC) to remove foreign mercenaries from Libya over 4 phases.

Between October 6-8, the 5+5 Joint Military Commission, which is constituted of high-ranking officers from both the LNA and the Libyan Army affiliated to the GNU, met in Geneva. They agreed on a four-phase plan, which would go until 2023, to withdraw the circa 20,000 foreign mercenaries present in Libya – half of whom are believed to be based in the south. The first phase is mainly meant to consolidate confidence-building through the withdrawal of forces from the frontlines located in the Sirte-Jufra axis. The second phase would start with 60 international observers from the United Nations and African Union officially beginning their work on the ground. The third phase pertains to establishing a record and monitoring mechanism to keep track of the number of foreign mercenaries and prepare their evacuation from Libya. The fourth and final phase is the formal deportation of foreign mercenaries in batches – a process that should take at least one year. The JMC also affirmed that the country's military institutions would be unified after the elections – without much elaboration as to how this will pan out.

The plan for the removal of foreign troops is a significant step ahead despite its unclear timeframe that goes far beyond what was envisaged by the LPDF political roadmap. In fact, the JMC's agreement reflects important developments in the geopolitical arena, particularly in regards to Turkey. Since the investiture of President Biden in the United States, Ankara has sought to adopt a more amicable position with NATO allies and to normalise relations with rivals such as Egypt. In the European Union (EU), Germany has been key to maintaining communications with Turkish officials to foster enough goodwill on their part to consider moving Syrian mercenaries away from Libya.

In past weeks, it is believed that a few hundred such mercenaries have left the North African country, primarily because it is becoming unsustainable to the Turkish Intelligence and Military to maintain them posted there. In fact, discontent among Turkish-backed mercenaries is nothing new and the position of Turkey in western Libya's security landscape has been increasingly challenged over the last month by European and Arab states interested in ending Ankara's security monopoly over Tripoli. Nonetheless, the onus is not only on Turkey but also on Russia and the many sub-Saharan mercenaries who fought for either the LNA or the Government of National Accord (GNA) between April 2019 and June 2020. The recent coup in Sudan might slow down efforts to repatriate Sudanese mercenaries, a file that was discussed several times between Foreign Minister Najla al-Mangoush and representatives of the now deposed civilian government in Khartoum.

BREWING INSECURITY IN WESTERN LIBYA AND THE MIGRATION FILE

Western Libya has seen shocking developments this month in both the treatment of migrants by government forces and the security file which continues to worsen as political rivalries ahead of elections impact security dynamics.

The month of October started with a raid against "drug traffickers" by the Interior Ministry in the Gargarish area of Tripoli. However, what ensued was confusion and arbitrary violence against migrants and asylum seekers present in this area, which left one person dead, 15 injured, and about 4,000 arrested despite the well-documented derelict and unlawful state of detention facilities in Libya. Later this month, six migrants were killed and 24 injured in Tripoli's Ghout al-Shaal detention centre following a riot and escape attempts. These incidents raised great concern among UN bodies tasked with providing support to the thousands of migrants held by government forces. In an interesting development, the U.S. Department of State sanctioned the manager of Zawiya's al-Nasr detention centre, Osama al-Koni Ibrahim for abusing migrants. The executive authority has been unable to find a sustainable solution to the migrant crisis, and has been accused of refusing to collaborate with humanitarian organisations and continue repatriation flights. Instead, there continues to be a back-and-forth between authorities in Tripoli and European capitals over who should take the major part in solving the migrant crisis.

On the security file, confrontations between militias in parts of Tripoli and Zawiya have escalated at an alarming rate over the past month. These incidents include clashes over control of the fuel smuggling market between

Zawiya militias; the kidnapping of GNA-appointed Internal Security Service Head Major General Rashid al-Rajabani from Tripoli's Mitiga Airport; the kidnapping of a cardiovascular surgeon; fighting in Zawiya between the Stabilisation Support Agency (SSA) of Abdel-Ghani al-Kikli and Mohammed al-Bahrin's forces causing damage to Libya's biggest oil refinery; other combats between the SSA and the Judicial Police linked to Abdul Rauf Kara's Special Deterrence Forces; assassination attempts on Muammar al-Dhawi, head of the 55th Brigade and Warshafana's powerhouse; the storming of the house of the Tripoli military region commander Major General Abdel Basset Marwan; and an attack on the Ministry of Sports due to the Minister's alignment with the eastern camp. All these incidents happened in October, and reflect how the ongoing political deadlock surrounding elections affects Libya's security landscape. The unfolding dynamics are quite complex, with some clashes being a result of old rivalries surfacing as the political climate is more suitable for armed groups to address their differences through violent means than it was earlier in the year. Another major factor is that some armed groups have reportedly gained the tacit approval and support to cause disruptions from officials within Libya's government or institutions, allowing them to target their enemies or rivals without fear of repercussion by the state. In this context, it is likely that many security incidents going forward will likely be aimed at disrupting progress towards elections.

POLITICAL LEGITIMACY AND GOOD GOVERNANCE REQUIRE STRONG ANTI-CORRUPTION BODIES

Despite allegations of vote-buying and favouritism levelled against Dabaiba and others, anti-corruption institutions were relatively quiet in 2021. Now that power holders are set to change, scrutiny is coming back and should be strengthened.

During the GNA, the political fragmentations of western Libya and the inability of former PM Fayez al-Sarraj to navigate such relations had made it possible for the National Anti-Corruption Commission (NACC), Administrative Control Administration (ACA), Audit Bureau, and Attorney General to bring several cases against corruption. Of course, many of these cases were politically manipulated against opponents by various factions within the GNA, but it had given a stronger emphasis to anti-corruption in the country. This year, many of these institutions have remained in the background since their heads were meant to be replaced and because the GNU has been controlled more tightly by the PM Dabaiba. As a result, allegations regarding the buying of votes at the LPDF in February, dubious past deals by the Dabaiba family, or other cases pertaining to their long-standing or circumstantial allies like CBL Governor Sadiq al-Kabir have not been investigated. This is slowly changing

since the GNU has been relegated to a “caretaker government” and is nearing the end of its mandate.

This month, the Audit Bureau not only raised the alarm regarding the GNU’s abnormal spending in early August of this year, but also unveiled a report looking at the disappearance of €1.3bn from the CBL in March 2018, which would not be the first time that al-Kabir is accused of financial misdemeanour. Equally this month, a small number of MPs submitted a memorandum to the Attorney General against al-Kabir for continuously refusing to reinstate the bank clearing system for eastern banks as a politically-motivated act to punish the region for its support to Khalifa Haftar’s 2019 attack on Tripoli and not settle the debts of Cyrenaica. The CBL is not the only institution at fault, as the ACA also issued this month a report on the NOC’s performance in 2020, which shows violations such as abuse of position, irregularities in dispatching operations, and a complete lack of internal audit regarding transfers between the head company and its subsidiaries. As a result, Mustafa Sanallah is suspended by the ACA until further notice, which plays in the hands of Oil & Gas Minister Mohamed Aoun, but is unlikely to deter the NOC Chairman from his work. The ACA also suspended the GNU Minister of Education and Minister of Marine Wealth this month “for reasons within the requirements of public interest.”

The Audit Bureau is also spearheading a push toward better corporate governance and transparency by calling on all holding companies and investment funds to complete their consolidated financial statements. These are legal requirements necessary for the development of a more efficient economy and ethical society, and such efforts should be further supported by the international community. Corruption in Libya’s financial system and the country’s heavily state-controlled economy is an obstacle to the establishment of a sound democratic society in Libya. On top of economic reforms, it will also behoove the next executive authority to adopt a serious approach in combating corruption in the country, so as to minimise misuse of public funds and incentivise a political landscape that is not controlled by individuals at the helm of the politics-business nexus. This also applies to institutions and figures outside of Tripoli. The war economy and links to the parallel economy developed by security institutions, including the LNA, also need to be upended so as to ensure that economic and military might does not necessarily translate into political power in tomorrow’s Libya.

CONCLUSION & FORECASTS

At less than 60 days from polling day, Libya is not in a conducive environment for a smooth political transition due to continuing wrangling between politicians over the holding of general elections, growing political divisions between the country's regions, and an alarming security situation in Tripolitania. Yet, holding general elections is vital for the country's stability and long-term economic success. More specifically, the risks of a renewed legitimacy crisis, institutional split, and return to conflict presented by a no-election scenario far outweigh the risks and challenges that come with elections. The growing instability across the country over the last few weeks shows that stakeholders were always preparing for a relay of power by the end of the year, and any attempt at preventing this handover would create ground for military conflict and further security disruptions in the country. The HNEC recalled this situation by saying: "the absence of political will to move toward peaceful change will lead to unimaginable consequences." Already now, the country is effectively back at being split in half, with the GNU unable to govern unchallenged over eastern and southern Libya as both the LNA and Deputy Prime Minister Hussein al-Qatrani have eschewed any avenue for cooperation. Whilst PM Abdulhamid Dabaiba retains some popular support, he is also increasingly under pressure from the international community, from within his own government which is seeing more fissures as the political process unravels, from rivals wanting to see him leave office soon, syndicates and other bodies accusing him of favouritism and corruption. In this situation, whether his core supporters are right regarding the destabilising effect of elections or wrong does not matter since the die is cast: it will be very difficult for him or any spoiler to successfully postpone elections indefinitely, and it will come at too great a cost for Libya.

In this dangerous and yet opportune time for Libya, it is important to remember that popular sovereignty has for long been a far-off dream in the country. The novel opportunity of directly electing a president over the next months represents the opportunity for Libyans to have more of a say on politics and make their politicians more accountable. Despite the many challenges that a new government would have to face, having a popularly-elected executive and legislative power in 2022 would bring political legitimacy, a rare staple in Libya, and allow the next executive authority to embark on long-term reforms on the economic, societal, security, military, and political fields. For this to happen, it is not only important for the international community to counteract the work of spoilers seeking to postpone elections, even through the targeted deployment of sanctions where necessary, but also to minimise the many weaknesses that are now apparent regarding the electoral process.

Serious efforts should be made to appease tensions between Tripoli and Benghazi, since a continuation of the current state raises the possibility that Libyans would not vote under the same conditions. Equally, the confusion over electoral laws and the HoR's plan scrapping simultaneous presidential and parliamentary elections as devised by the political roadmap create severe weaknesses in the electoral process that could be utilised to challenge electoral results. Also, it is important to remain realistic and remember that the democratic process is still in its infancy in Libya, whilst political-business-tribal ties are long-standing and are likely to make elections a far cry from what European countries are used to. The parliamentary law's emphasis on individuals and short period of time between candidacy registration and polling day are likely to further validate such ties as voters are likely to vote for a figure, rather than a programme or a party. However, at this stage, many inside and outside Libya have internalised the reality that these elections will not necessarily be about selecting the best candidates Libya has to offer or about upholding democratic values, but rather will represent a necessary first step on a path to reset the country's political landscape and finally solve the legitimacy crisis that has crippled any real chance of addressing Libya's many crises.

The pace of political and security developments is likely to accelerate over the next month as candidacies will be unveiled and official campaigning will start. Major figures such as Gaddafi, Haftar, Saleh, and Dabaiba are yet to announce their candidacy – with Dabaiba's case being strengthened after UNSMIL's statement on October 30 which calls for “the removal of restrictions to participation in the elections to allow those holding public positions to have the opportunity to suspend their duties from the time of submission of their candidacy”. What these figures decide over next month is likely to give strong indications as to what to expect during and after elections. Practically speaking, such elections are unlikely to make a blank slate of the post-2011 political landscape in Libya as such political figures are too influential and resolute to leave the scene. It is not reasonable to believe that elections will create a new political system. It will still be on the new executive authority to navigate through regional differences, unify institutions, tone down corruption and vested interests in state bodies and state-owned enterprises, create a culture of long-term planning for economic development, tackle the ever-dangerous issue of militias and foreign mercenaries in Libya, or foster a truly independent media environment. A simple technocratic government might not suffice to do that and the next officials might need political shrewdness and strong political alliances to make positive change in the country.

Yet again, it is impossible for such positive change to happen if elections do not happen by the end of year. Terror cells in southern Libya, political-backed militias in western Libya, and the LNA in eastern Libya are all prepared to take advantage of any disruption to the political roadmap's timeline. It is therefore very important for the November 12 Paris Conference to effectively be the last push by the international community to ensure that the country does not descend back into chaos. Further convincing decision-makers in Moscow and Ankara that backing the Joint Military Commission's plan for the withdrawal of foreign mercenaries will also be key in this view. Both Turkey and Russia need to come to grips with the fact that the political situation in Libya is far too fluid to warrant any upper hand in case conflict resumes. The international dynamics of elections should also be tightly monitored to ensure that candidates do not receive inappropriate help from foreign powers who would want to sponsor their political campaign. This is also the responsibility of candidates to prove to their electorate that they are ready to defend Libya's national sovereignty, by first letting go of any outside support and pushing back against foreign-instigated political polarisation.

Authors: Mohamed Dorda and Oliver Crowley from LIBYA DESK™.

Contacts: EDITOR@LIBYADESK.COM | WWW.LIBYADESK.COM | @LIBYADESK

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Konrad-Adenauer-Stiftung e. V.

Thomas Volk

Director

Regional Program Political Dialogue South Mediterranean

www.kas.de/poldimed

Konrad-Adenauer-Stiftung e. V.

Regional Program Political Dialogue South Mediterranean

Le Prestige Business Center, No. F.0.1

Rue du lac Windermere, Les Berges du Lac

1053 Tunis, Tunisia

Telefon: +216 70 029 460

E-Mail: info.poldimed@kas.de



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