



# 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 2022. 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.** After the failure of elections, no real contingency plan was put in place to ensure that Libyans could go to polls as soon as possible. Libya now faces a new legitimacy vacuum where dealmaking and competition between status quo actors has become the arbiter of the country's future.
- 2.** Failed elections were given an autopsy by its key organisers and spoilers. None accepted their fair share of responsibility and many continue to have their own narrative about how elections were spoiled by the opposite camp.
- 3.** Libya is entering a new political contest between a Government of National Union (GNU) seeking to remain in place and status quo politicians looking to grab power. This competition puts general elections on the back burner.
- 4.** National institutions are giving themselves another chance to solve the legal and constitutional quagmire behind elections. Their approach remains self-interested.
- 5.** The international community's inability to sponsor a successful transition in Libya, and the fact that foreigners make good scapegoats in domestic politics, are raising distrust among all Libyan factions.
- 6.** With security campaigns in the south and salary disputes against Tripoli, Khalifa Haftar is showing more of his presence but will likely continue to stand-down to see how the political contest plays out.
- 7.** Prime Minister Abdulhamid Dabaiba does not monopolise Tripolitania's militias and political aspirations. Other western Libyan politicians are now seeking to weaken the GNU's security support in the region
- 8.** In spite of growing public concern about the government's legitimacy, the GNU continues to garner the support of the international community and has not seen any change in its mandate after its failure to organise elections in 2021.
- 9.** Issues such as the 2022 budget, continuing institutional strife and local strikes remain unresolved and could dampen Libya's hope for sustainable revenues.
- 10.** To prevent another illegitimate and futile transition in Libya, restrictionary measures should be applied on the GNU to ensure it finally operates as a conduit to elections and therefore also assuage the concerns of those currently plotting to replace it.

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## LIBYAN INSTITUTIONS DEFLECT BLAME FOR ELECTIONS' FAILURE

*Failed elections were given an autopsy by its key organisers and spoilers. None accepted their fair share of responsibility and many continue to have their own narrative about how elections were spoiled by the opposite camp.*

Two days before the holding of presidential elections on December 24, the High National Elections Commission (HNEC) carefully announced its proposal to postpone polls by a month and dissolved its electoral committees nationwide. This announcement brought Libyans in front of a fait accompli, and showed that none of the main stakeholders responsible for the timely holding of polls had managed to salvage the Libyan Political Dialogue Forum's (LPDF) roadmap in spite of months of warnings about the elections' off-course trajectory. Instead, political institutions evaded their responsibility to frontally engage the electoral issue as they feared that publicly announcing the elections' failure and accepting full accountability would be severely reproached by a population that had demonstrated an unwavering desire to elect its leaders with 2.5 million registered voters. After December 24, the electoral question became an uncomfortable topic shunned by various stakeholders, many of whom had an active part in spoiling the roadmap, without any definite conclusions drawn from this critical process. Instead, the debates brought more confusion as a slew of reasons behind the elections' failure piled up, and the HNEC deemed it would need up to eight months to solve the obstacles in front of elections.

Created in December 2021 to liaise with the HNEC and the Supreme Judicial Court so as to monitor the obstacles met during the electoral process, the House of Representatives' (HOR) Elections Committee was presented after December 24 as an official platform for the elections' autopsy. The Committee had asked the HNEC to draft for it a report on its assessment of the situation, which remained overly diplomatic and did not directly name any culprit behind the elections' failure. This blunted autopsy was beneficial to HOR Speaker Agila Saleh, who used it to deflect critics who blamed him for purposefully passing faulty electoral laws that caused the elections' postponement. Whilst the HNEC highlighted the "inadequacy" of such laws, it mainly focused on the fact that they did not properly delineate the judiciary's role in the process, thus allowing local courts to heavily weigh on electoral appeals and disputes. In fact, the majority of the HNEC's report listed violations made by appeal committees in the form of not allowing HNEC lawyers to appear in hearings, going over time limits or manipulations made by appellants. To forego this problem in the

future, the HNEC proposed circumventing courts in the appeals mechanism by instead appointing a committee made of its own members and other legal experts. The fact that this proposition would need the HOR's support might partly explain why the HNEC did not adopt a vocal tone against elections' spoilers, as its staff know they are now treading a thin line between national institutions seeking to replace them and a population which holds them accountable for failed elections.

More worryingly, the HNEC Director Emad al-Sayeh gave credence to rumours that a large number of voter cards, in the hundreds of thousands, were forged due to them being linked to fake national ID numbers. Throughout the electoral process, this has been one of the key accusations leveled against elections by spoilers, including High Council of State (HCS) Chairman Khaled al-Mishri who recently said that up to 30% of the 2.5 million voter cards distributed could be fraudulent. Whilst it was highly probable to have fraud during polls, with for instance stolen voter cards, the idea that there would be a large number of fraudulent voters could severely slow down, if not halt, efforts to organise elections in 2022. This issue has not been lost on Agila Saleh, who pledged to form a parliamentary committee to investigate the matter and refer it to the Attorney General. Possibly, the more dirt Saleh and al-Mishri can find on the elections, the more time it gives them to stay at the helm of their respective institutions, which would either have to be dissolved in the case of the HCS or reformed in the case of the HOR after the holding of parliamentary elections. The Civil Registry Authority's head, Mohammed Bettamer, has time and again refuted allegations of mass forgeries following several reforms, but called upon the HOR to finance its "Intilaqa project" which would cross-check the Authority's paper and computer records, a process which could take at least six months and further delay efforts to hold elections this year.

Whilst Saleh used the elections' failure to target the GNU and its security organs, al-Mishri took on a vindictive tone reminding that his camp knew all along that elections would fail, particularly because problematic candidates such as Saif al-Islam Gaddafi and Khalifa Haftar had jumped on the electoral race. In private, many diplomats also admitted that the delay for elections was a long time coming and that, overall, their design was a shot in the dark. As explored in a further session of this report, this behind the scenes assessment remains palpable by the Libyan population, many of whom castigated the international community for allowing spoilers to delay elections and keep the GNU in power. Overall, the post-December 24 environment remains highly problematic for the holding of future elections. Whilst no conflict has erupted, the derailing of the LPDF roadmap

has not acted as a wake-up call for Libyan politicians. Instead, those interested in further postponing elections have gathered rhetorical ammunition by enumerating the many alleged faults behind December 24 presidential elections, and each political camp has evaded responsibility for the collapse of another transitional period. Despite continuous warnings, major world powers are yet to name or sanction the many spoilers who led to the current situation, where no reliable deadline has yet been devised for elections and where the same national institutions that actively participated in the roadmap's collapse continue to command the next steps of the political process.

## **THE POST-DECEMBER 24 CONTEST FOR POWER IN LIBYA**

*Libya is entering a new political contest between a Government of National Union (GNU) seeking to remain in place despite hits to its credibility, and status-quo politicians looking to grab power. This competition puts general elections on the back burner.*

Although a majority of stakeholders suspected that Libya's political roadmap would be derailed, no contingency plan was devised to control the aftermath of failed elections and prevent the country from falling into a legitimacy vacuum. As a result, all bets have been off after December 24, with status-quo politicians claiming that this date marked the end of the GNU, and the latter arguing that its mandate has an 18-months span which allows it to govern until June 2022. The resulting environment is one in which unrestrained competition and bargaining between powerful local actors is likely to be the main factor in devising Libya's political future. Now that there is no realistic date for general elections and institutions with questionable legitimacy remain at the forefront of Libyan politics, it is safe to say that the country finds itself at another crossroad containing several bifurcating paths.

At first glance, the obvious path to follow would be to give the executive authority more time to eventually hold elections and achieve the roadmap with a significant delay. For now, the United Nations Support Mission in Libya (UNSMIL) and parts of the international community seem to support this idea and have so far stood against calls to unseat the GNU, with the UN Secretary-General's Special Advisor on Libya Stephanie Williams saying that installing another transitional government would be counterproductive. Instead, Williams has started nationwide consultations with key stakeholders so as to ensure general elections are held by mid-year, and has shared

her optimism that the political discourse in Libya has remained civil despite rising risks of conflict. However, international divisions are already emerging in that Security Council members are not entirely supportive of the Mission, with the United Kingdom's draft resolution to extend its mandate by one year being rejected and Russia demanding a new Envoy to Libya. In this context, PM Abdulhamid Dabaiba knows that he is threading a thin line and seeks to garner critical support for his government either by attempting negotiations through regional powers with status-quo figures, or by gaining the support of MPs to undercut Agila Saleh and secure an additional two-years in office.

Nonetheless, these tactics do not seem to work as his opponents are hell-bent at unseating him, with Khalifa Haftar once again refusing proposals by the United Arab Emirates (UAE) to reach a power-sharing agreement with Dabaiba, and Saleh adamantly pushing for the replacement of the GNU by claiming that any government spending would now need to be filed through the parliament's Finance Committee and that the Attorney General would be asked to investigate the GNU for corruption. Interestingly, the cabale of heavyweight politicians opposing Dabaiba does not only include eastern politicians, but also Misratan figures like Fathi Bashagha and Ahmed Maiteeq who both met Haftar and a dozen of other presidential candidates in Benghazi, before polling day, so as to stress that they would form an anti-Dabaiba front should his government stay in place. Despite accusations of betrayal by hardliners in Tripolitania, the western politicians' visit to Benghazi was even saluted by Khaled al-Mishri, who has visibly distanced himself from the now weakened GNU. In fact, the anti-Dabaiba front has several cards up its sleeve in that it can bring forward various candidates for the premiership, depending on which audience needs to be coaxed. For Turkey and Tripolitania, this figure could potentially be Fathi Bashagha, for the UAE and Cyrenaica this figure could be Aref al-Nayed. Should a consensual technocrat be needed to appease both camps, Fadel Lamem has made clear that he would be willing to step in as interim Prime Minister. The idea of bringing about a national government sitting in Tripoli and made of major political figures is very beneficial to the heads of national institutions, the HOR and the HCS, in that it would either further postpone elections or render them obsolete. In spite of their longrunning rivalry, both bodies know when to recognise their mutual interests. They believe that they would be left on their own should they manage to create a strong and efficient government supported by all major powerbrokers. As such the HOR and HCS would rather construct a sense of political change by agreeing on new heads of sovereign institutions, apart from their own, so as to shift the focus away from elections. Saleh even created a parliamentary Roadmap Committee



meant to devise the next steps of Libya's political process, one which shares next to nothing with the LPDF's roadmap.

Regional governments remain circumspect at this idea, since none are particularly opposed to Dabaiba and rather fear the consequences of renewed conflict in Libya. This leaves the country with several scenarios that could arise from the contest between Dabaiba and heavyweight political actors. On one hand, the GNU could continue without any power-sharing agreement or real plan to go, which in turn could prompt clashes with not only the Libyan National Army (LNA) but also with western militias allied with Fathi Bashagha. In this scenario, the anti-Dabaiba front could form its own parallel government and seek to divert oil revenues towards it. On the other hand, Khalifa Haftar and Agila Saleh could eventually agree to a power-sharing agreement as long as the GNU acts as a mere caretaker government until elections are held. However, there is also a scenario in which the same power-sharing agreement turns into a fruitful cooperation extending the GNU's mandate as a full-fledged government for the next two-years before general elections are held. Finally, there is also a scenario in which Dabaiba would agree to leave so long he is allowed to participate in future presidential elections and the new government takes position in Tripoli with a drawn-out plan for general elections. Overall, this non-exhaustive list of potential scenarios shows that there is a considerable possibility for either government, i.e. the GNU or its replacement, to remain in power and eschew elections. This is particularly understandable in that such a political contest would leave little room for the HNEC and other related technical bodies to adequately prepare for elections. One way out of this downward spiral would be for the UNSMIL and other international actors to focus on the second scenario outlined above by pushing for restrictive measures on the GNU, which would stop the PM from exercising prerogatives that could serve him to further entrench his power. For example, limiting his power to appoint institutional figureheads and freezing oil revenues in the National Oil Corporation's (NOC) Libyan Foreign Bank (LFB) account could be options to consider.

Other propositions have been made across the political spectrum, particularly from factions which do not belong to the centres of power. For instance, the supreme councils of ethnic minorities such as the Amazigh and Tuareg have called for the dissolution of current bodies like the HOR, HCS, Constitution Drafting Assembly (CDA), and LPDF so as to let a committee made of presidential candidates establish a crisis government and implement the roadmap. Others like Gaddafi have bought into the idea of scrapping presidential elections and focusing only on parliamentary polls, which

the self-appointed leader of the “Greens” (supporters of the former regime) thinks is a less controversial way and better platform for his political formation to make a comeback in Libyan politics. The option of focusing on parliamentary elections is in fact gaining more momentum as it would end the HOR’s and HCS’ stranglehold on Libyan politics and would not include controversial names which derailed the holding of presidential polls. However, this view also omits the fact that appeals against parliamentary candidates rose to the hundreds and could easily lead to a repeat of December 24.

## **STATUS QUO POLITICIANS REWRITE A NEW ROADMAP FOR LIBYA’S POLITICAL PROCESS**

*National institutions are giving themselves another chance to solve the legal and constitutional quagmire behind elections. Their approach remains self-interested.*

Understandably, neither the HCS nor the HOR have stopped calling for the holding of general elections. This position would be too difficult to hold considering public opinion and international pressures. Accordingly, the Roadmap Committee’s goal is to “communicate with all Libyan parties to expand the base of participation and restore the Libyan cause to the Libyans by finding Libyan solutions to achieve presidential and parliamentary elections and to exit the successive transitional stages.” This stance has once again allowed the political process to revolve around the HOR in conjunction with the HCS, thus leaving little room for UNSMIL to take on a more central role to salvage its roadmap. The Mission only reminded that intra-Libyan debates should only revolve around the issue of organising elections before June, the date after which the roadmap would expire. For a while, the HOR was headed by First Deputy Fawzi al-Nweri who struck a good working relationship with the HCS’ various committees, a dynamic which surprisingly continued for a while after Agila Saleh officially regained his seat in early January (he had previously stepped down due to his candidacy for presidential elections).

However, there are already signs of strain between the two institutions in that MPs did not find it necessary to require candidates for Prime Minister to get endorsements from the HCS, thus effectively cutting al-Mishri from having any say in who from the anti-Dabaiba front could be accepted as a candidate in the replacement interim government. It is believed that Saleh was initially in favour of allowing the HCS to veto candidates, but the HOR remains a divided house where final decisions are often difficult to decipher and 180 degrees turns are not rare. After only a few weeks of consultations

and a conciliatory approach, MPs have decided they no longer want to deal with the “obstructive” HCS. The usual explanation is that they no longer are attached to the 2015 Libyan Political Agreement (LPA) - which called upon them to work with the HCS - and see themselves as Libya’s only elected body. In addition to this, another roadblock seems to have materialised to stop HOR-HCS cooperation: the constitutional question. As a reminder, it is the two institutions’ inability to agree on a legal and constitutional basis for elections last year which ultimately derailed the LPDF’s roadmap. Early signs of collaboration this year between the HCS and HOR’s Roadmap Committee could have hinted at better working relations and a chance at solving the legal quagmire behind elections. However, the solution found by Saleh has been one-sided in that he called in mid-January 2022 for the formation of a 30-member Constitutional Committee tasked with drafting a new constitution for Libya within 30-days, with the possibility of organising a referendum later this year. This position not only undercuts the HCS which wishes to call a referendum on a revised version of the 2017 draft constitution, but also goes against the CDA which drafted this constitution as an elected body in 2014 - the same year as the HOR was elected. As a result, 43 out of the 58 CDA members condemned Saleh’s proposal, claiming that the CDA is the only body possessing the inherent power to formulate a permanent constitution for the country, particularly in view of it being as much an elected body as the HOR. This disagreement over Saleh’s proposal is further visible in that the parliamentary speaker does not want to drop the number of Constitutional Committee members to 24 so as to allow each of the institutions (HOR, HCS and CDA) to pick six members each in addition to six independent legal experts. Instead, Saleh believes that having HCS or CDA-appointed members would be detrimental to the committee’s work, but there is still a possibility for the three bodies to agree on devising a constitution together.

These debates show that the issue of a constitutional referendum is now making a comeback in Libya, and that it is likely that no election would take place before such a referendum is organised. This further raises the risk of UNSMIL’s June “deadline” being once again overlooked, as the constitutional process is likely to be drawn out and could postpone elections to year’s end, if not to 2023. There is also the possibility that various constitutional tracks would emerge, with the HCS and CDA looking at their own options should the HOR maintain its unilateral approach. Both al-Mishri and CDA members were present during the “Constitution First” event hosted by PM Dabaiba in Tripoli. The PM is also pushing for a constitutional referendum to be held before elections, a stance which ironically contradicts his earlier candidacy and raised eyebrows considering that he is now questioning the

constitutional validity of elections he previously was adamant to participate in. Once again, it can be difficult to differentiate genuine stances from spoiling tactics. It is unclear whether the PM, the HCS, and the HOR have all identified the key obstacles to general elections and are seeking to overcome them, or whether they are simply buying more time for themselves. The level of cooperation between these parties, particularly the HOR and HCS over the next months, is likely to provide a definite answer to this question. For now, Libya's fate is once again being devised by unelected committees, which do not have any inclusive mechanism to take into account public opinion and continue to be a platform for competition between self-interested parties. Unfortunately, there is a high chance that such committees will keep Libya's legal and constitutional crises alive.

## **SUSPICIONS AGAINST FOREIGN POWERS RISES EXPONENTIALLY**

*The international community's inability to sponsor a successful transition in Libya, and the fact that foreigners make good scapegoats, are raising distrust among all Libyan factions.*

Even though Stephanie Williams has managed to travel throughout Libya relatively unhampered, it is important to stress how big a hit the international community's credibility has taken in Libya after the roadmap's failure. On the one hand, this disenchantment is shared by a large portion of the population which feels frustrated after several failed attempts at democratic transition. There is a sense among many Libyans that foreign powers never intended to go along with the roadmap and manipulated the process to keep the status-quo. Many see the GNU's profitable business deals abroad as a good enough reason for foreigners to sponsor Dabaiba's extended time in office. This feeling of being let-down is going to be a great challenge for the UNSMIL and international partners, however benevolent, in that a good deal of trust has been lost and there is no indication that elections have been only delayed instead of being stolen. The fact that major powers like the United States did not follow through with threats of sanctions against spoilers also raises doubts as to whether the international community actually has the backbone to stand for a democratic transition, instead of being co-opted by local politicians' interests. The current focus on a Libyan-Libyan solution, which is shared by both regional powers and UNSMIL, is likely to further draw a wedge between Libyans and the international community in that this approach allows spoilers to continue their politicking unhampered.

On the other hand also, distrust toward foreign powers plays in the hands of local politicians who can deflect accountability for the elections' failure toward international actors. This was visible with the HOR's push to make the UK Ambassador Caroline Hurndall persona non grata following a statement by Hurndall which, although poorly timed, solely rehashed the same position of other international actors (i.e. the international community's will to see the GNU continue in office and avoid the installation of a parallel government). The HOR also called on the Presidential Council (PC) to let foreign dignitaries know they should first coordinate with it prior to issuing any statement on Libya, and many MPs also raised their concern that the HNEC should no longer be allowed to discuss electoral matters with foreigners. There is therefore a strong nationalistic wave among politicians, one which was taken to extremes by al-Mishri who accused the UN of thriving off the backs of "third-world countries". Equally, "Green" supporters in Bani Walid threatened to attack Stephanie Williams' convoy, accusing her of being "NATO's agent in Libya" and opposing the candidacy of Gaddafi. This atmosphere is unlikely to be suitable for the work of UNSMIL, and there is a sense that the month-long consultations by Williams are meant to tackle this issue and reassure all Libyan parties that the Mission remains unbiased and a good partner to ferry Libya through its transition. Interestingly, the Special Advisor to the Secretary-General has brought back her pragmatic approach to Libya, saying that the departure of foreign mercenaries was no prerequisite to elections, which is likely to appease Turkey and Russia for the moment.

None of the foreign powers involved in Libya are at ease with the current situation. For those who enjoyed high-level political and commercial ties with the GNU, the current uncertainty over this government's future is a good enough reason to be concerned and pushes them to check the other alternatives so as to ensure they do not lose out should political cards be redistributed in Libya. For instance, Turkey has increasingly sought to befriend stakeholders in Cyrenaica and even sought to create ties with Haftar - which has so far not worked. For Ankara, the rapprochement between Bashagha and Haftar signals the possibility of a new political reality in Libya which would allow for a more laid-back approach and commercial ties to the east of the country. Arab states such as Egypt, Qatar and the UAE have managed to create good enough relations with Tripoli that they do not see any reason to actively support the anti-Dabaiba front and instead call for restraint as well as bargaining. These actors would likely find a new transitional government difficult to deal with, particularly since known aspiring PMs include names inimical to some of these parties, with Bashagha for the UAE for instance. Finally, the main international consultations of Libyan politicians

have been made with such regional powers. It seems that the credibility of regional actors has not tanked as much as that of western powers, and they are likely to continue holding real leverage over the political process in Libya.

## **LIBYAN NATIONAL ARMY REVERTS TO OLD TACTICS AS POLITICAL CONTEST PLAYS OUT**

*With security campaigns in the south and salary disputes against Tripoli, Khalifa Haftar is showing more of his presence but will continue to stand-down to see how the political contest plays out.*

Contrary to the threats it made throughout 2021, the LNA has not yet engaged in armed conflict to oust the GNU after elections failed. Instead, the force has remained in standby mode and has focused on increasing its clout in the south of the country through a new security campaign. This campaign started in mid-January following the closure of the borders with Chad and Sudan, and consisted in a major military operation led by the Southern Military Region Commander Mabrouk Sabhan to disarm armed groups in Sebha which are not under its control, raiding drug smugglers and returning to owners properties that had been used by Mansour Jeddu's 116th Brigade, an armed group which Sabhan recently managed to pacify. The LNA also raided illegal fuel stations which distribute smuggled fuel at higher prices and exacerbate the Fezzan's shortages, in addition to deporting more than 1,000 illegal migrants to Niger. Later in the month, the LNA clashed with Islamic State (IS) soldiers further in the south, near the city of al-Qatroun. The incident once again showed that the terror group's presence in the Fezzan remains stronger than expected, with plenty of guns, cars and explosives reportedly being found on the scene. The latest count brings the total number of IS killed in combat to 24, and an unknown number of LNA soldiers which could amount to at least a dozen. The LNA also seems to have been active in the east of the country, particularly in Derna where it arrested potential escapees from the Gernada prison as well as former prisoners, claiming that they were IS operatives.

These security campaigns are part and parcel of the LNA's playbook in that they allow it to boost its image as the protector of the nation and a benefactor clamping down on crime, whilst using the opportunity to sideline local rivals. At this current moment, such operations are even more important in light of the salary dispute pitting the LNA against the GNU. In fact, the GNU's Ministry of Finance requested that the LNA provides full details of its members, including their bank accounts and national ID numbers, so that

they could receive their dues directly - a move that would not only increase transparency but also decrease the leverage of the LNA's Command in that its soldiers would no longer rely on it to receive their salaries. Accordingly, the information was not shared with the ministry and as a result the funds were not disbursed to pay the salaries of at least a few hundred soldiers. This created anger among not only the families of unpaid servicemen but also the general public since it is believed that Syrian mercenaries backed by the Turkish government continue to receive their dues, whilst Libyan soldiers fighting IS threats have to do so unpaid. This anger led several tribal figures in eastern Libya to threaten escalatory steps against the GNU should it not respond to salary demands - one possible step being the local blockade of oil facilities. The indirect clash between the GNU and LNA is likely to continue in southern Libya as the LNA's Command wants to continue its security sweep through the region and has received calls from other cities than Sebha, prime of which Murzuq, to help deal with local gang members and other nuisances. This puts the LNA in direct contact with the local Security Directorates under the GNU's Ministry of Interior, which increases the likelihood of the LNA slowly pushing the GNU out of the Fezzan without necessarily creating clashes.

In regards to the removal of foreign mercenaries from Libya, it is likely that the 5+5 Joint Military Commission's (JMC) 4-point plan devised late last year will be further postponed, if not scrapped, as the focus of both local and international parties will revolve around the political transition and elections. However, it is important to note that high-level meetings between the western-based Libyan Army, represented by Chief of General Staff Mohammed al-Haddad, and the LNA's Chief of Staff Abdelrazak al-Nadhori have continued in January. The two have discussed plans to integrate the two factions, a move which was commended by Williams, but remains highly uncertain with regards to the country's political situation. The possibility of clashes between the LNA and GNU down the line raises the question as to which side the Libyan Army would take, particularly if such conflict occurs after June when the GNU would lose all claims to power. Foreign countries have also remained silent on the question of removing their forces, but a nascent national dialogue in Chad could make it possible for Chadian mercenaries, particularly those belonging to the Front for Change and Concord (FACT), to be repatriated after being disarmed.

## TRIPOLITANIAN SECURITY PLAYERS REASSESS THEIR POLITICAL ALLIANCES

*Prime Minister Dabaiba does not monopolise Tripolitania's militias and political aspirations. Other western Libyan politicians are seeking to weaken the GNU's security support in the region.*

The buildup to elections by end of 2021 led to heightened security risks in western Libya as political rivalries translated themselves into armed clashes between militias. This momentum could be exacerbated over the next months as the ongoing political contest means that the door is open for a new security landscape in Tripolitania. Whilst it remains to be seen how far Fathi Bashagha is ready to go in his rapprochement with eastern factions, it has already become clear that the former Interior Minister of the Government of National Accord (GNA) is making a political comeback as an opponent of Dabaiba, holding the latter responsible for “obstructing” the holding of elections in 2021. This rivalry is not only one between two Tripolitanian heavyweights, but between a PM who also holds the position of Defence Minister and a former Interior Minister who not only commands significant influence among militias in Tripoli and Misrata but could also gain the support of the LNA. This situation led Dabaiba to redouble his efforts to build a coalition of militias around him by asking for the support of armed groups in and out of Tripoli as well as coordination help from Turkey. In this context, the PM's closest ally is the 444 Brigade in Tripoli in addition to the anti-LNA and pro-Islamist current which now despises the anti-Dabaiba front for aligning itself with Haftar. The Interior Ministry has also raised its alarm, claiming that terrorist attacks were likely in public spaces and prompting the intensification of guarding at security headquarters and vital facilities.

Suspicious military movements were also witnessed throughout the month around the capital, which reflects the view that militias are now on edge and devising their own plans to come to action should the current state of limbo continue. In fact, Tripolitania is not only divided between pro-Bashagha and pro-Dabaiba militias. Many armed groups, particularly those from Zawiya, have a feud with each of these actors and look for alternative figures to support. This creates an opening for the other members of the anti-Dabaiba front to come up with their own armed coalition which would enable them to govern from Tripoli should the GNU be unseated. Of course, the dynamics at play currently in western Libya do not put a stop to lower-level clashes between militias and other security threats, as seen on January 16 near the Central Bank of Libya (CBL) as the Special Deterrence Force and Nawasi Brigade opened fire on one another. In late January, the Minister of Justice



Halima Abdul Rahman was also exposed to an alleged assassination attempt which failed, but shows that the GNU may have a harder time at ensuring its own security in Tripoli. Kidnappings and assassination attempts of high officials are likely to be pressure tactics by their opponents or rivals of the GNU, and meant to create enough fear for them to leave office.

## **CAN THE GNU KEEP GOVERNING UNDER THE CURRENT CIRCUMSTANCES?**

*In spite of growing illegitimacy, the GNU continues to garner the support of the international community and does not see any change in its mandate after the elections' failure.*

Once again, Libya finds itself with another transitional government which has failed to live up to its mandate and now suffers from low-levels of legitimacy among Libyans. In fact, the GNU does not owe its current position to the fact that it is deemed by its population as serious enough to implement the LPDF's roadmap. Rather, it continues to enjoy power bestowed by international actors because it is believed that any other alternative would prolong the country's quagmire and raise the risk of nationwide conflict. This leaves Dabaiba with ample room to continue his antics by using state resources to maintain himself in power through either appointing influential people he wants to ally himself with or by promising lucrative deals with foreign companies. For now, the PM continues to enjoy good working relations with the CBL, especially considering that the latter's Governor Sadiq al-Kabir fears being replaced should the anti-Dabaiba front have its way in Tripoli. This means that the GNU could continue to operate on the 1/12 budgetary rule throughout 2022, and potentially tap into existing state reserves should oil blockades or the freezing of oil revenues in the NOC's LFB account cut access to the oil windfall. Although the GNU is unlikely to top its 2021 expenses of LYD 85.8 billion (€16.8bn) this year considering growing opposition from all sides, Dabaiba remains in a prime position to utilise international hopes for the eventual implementation of the roadmap to continue ruling unhampered for a longer period of time. His wildest dreams, recently backed by more than 60 MPs, would see him reach a power-sharing agreement which would give the LNA more prerogatives so as to prolong the GNU's mandate by two years.

Nonetheless, the GNU is unlikely to continue existing as a full-fledged government. Instead, it could morph into another GNA, i.e. a state with limited governance which led to circumstances that allowed local and national level conflict to erupt and entrench foreign interference in the country between 2019 and 2020. Whether the GNU accepts to virtually become a caretaker government unable to make political appointment, structure state institutions

or spend at will government revenues, or whether it refuses to see its prerogatives cut, Dabaiba's government will eventually find itself unable to operate nationwide - something that was more or less a reality throughout 2021 for the LNA-controlled territories. Already, the GNU no longer has an effective presence in Cyrenaica after the eastern Deputy PM Hussein al-Qatrani left his post in Benghazi following mediation efforts by the other Deputy PM Ramadan Abujenah. This return to Tripoli by a figure who was deemed capable of breaking off from the GNU to create an eastern-aligned parallel government does not mean however that the GNU is tightening its ranks. Instead, the Deputy PM has continued to criticise Dabaiba and his relatives' interference with government decisions, whilst downplaying any seriousness toward elections on the part of the GNU as he commented that "if elections are held within two years, we will be lucky."

In fact, signs of strain between Dabaiba's entourage and the GNU are now all but confirmed. The PM's cousin Ibrahim Dabaiba has made his disappointment known toward key figures such as Foreign Minister Najla Mangoush and Minister of State for Communication and Political Affairs Walid al-Lafi for not living up to his expectations of securing foreign and media support for the PM. Indeed, it seems that the Dabaibas are already feeling stressed by the many voices, both eastern and western, being raised against them. In this context, cabinet members, many of whom had joined out of temporary alliances, are now reassessing their ties with the PM and already see the negative effects of being affiliated with the GNU. On top of the assassination attempt against the Justice Minister, it is also important to note that several government figures have been arrested in the past month on corruption charges. This trend is likely to increase as sovereign institutions use the anti-corruption card to distance themselves from the government. So far, both the Culture and Health Ministers were detained momentarily by the Attorney General, and lower-level bureaucrats such as a Customs Guard officer from Misrata's port, the head of the Libyan Foreign Investment Company (LAFICO), as well as the head of the Social Solidarity Fund were also arrested. The Administrative Control Authority also urged the GNU to halt all procedures related to the selling of the U.S. oil company Hess stake to France's TotalEnergies, a deal which was controversial from the beginning due to various technical, financial and legal discrepancies but which has remained a priority for Dabaiba.

All in all, it remains difficult to imagine how the GNU, despite tacit support from the international community, could continue to govern Libya with full prerogatives. Important local players are already planning the post-GNU chapter of Libyan politics and there are already signs that in retaliation, Dabaiba will grow more partisan to adapt to the reality that he no longer enjoys nationwide

legitimacy. This creates a dangerous scenario which already played out dangerously in the past, with years of drawn-out opposition between the GNA and the LNA-backed eastern interim government. It is therefore imperative to quickly find a common ground between Dabaiba and his opponents, so as to ensure that the focus of Libyan politics returns to delivering on general elections. Recent comments by Stephanie Williams that the GNU's "budget appetite" needs to have its "wings clipped" are a good move toward recognizing the fact that the GNU needs to be downsized and its roadmap objectives reminded. This could also represent a rational position for the international community to hold, so as to remove fears that foreign powers are interested in seeing the GNU's mandate prolonged and as a result tone down the overzealous expectations of the anti-Dabaiba camp.

## **LIBYA'S OIL SECTOR AT RISK DUE TO POLITICAL UNCERTAINTY**

*Issues such as the 2022 budget, continuing institutional strife and local strikes remain unresolved and could dampen Libya's hope for sustainable revenues.*

With only 700,000 barrels per day (bpd) in output, the end of 2021 showed that sustainable oil revenues are not yet a given for Libya. In January, production grew back to 1.2 million bpd but the root causes behind supply disruptions continue to exist. The NOC's Chairman Mustafa Sanallah explained that the corporation only received 11% of its requested budget for 2021, and that it would require LYD 31bn (€6bn) in 2022 to cover for its needs and debts accumulated over last year. Considering the worsening relations between the GNU and the HOR, it is improbable to see a full-fledged budget for this year and as a result, the NOC is once again expected to receive only a portion of its financial needs. As a result, the NOC is likely to struggle in boosting production to its objective of 1.45 million bpd but also in carrying badly-needed maintenance or overdue debt payments. Moreover, abovementioned salary disputes could potentially lead to disruptions for the NOC's operations, particularly in the east of the country where families or tribes of unpaid LNA soldiers could carry out local blockades of energy facilities.

Risks pertaining to man-made disruptions are not solely limited to LNA-affiliated groups or areas. There seems to be a three-pronged competition for the control of Libya's oil reserves, pitting Sanallah, Dabaiba and Minister of Oil Mohammed Aoun against one another. For one, Sanallah has doubled down on efforts to stay on top of the country's energy sector, by for instance appointing replacements at the top of subsidiary companies like Akakus Oil

Operations Company and Waha Oil Company. In protest, the former heads of such companies collided with local armed groups, particularly in Zintan, as well as some political figures from the GNU and HOR to undermine the NOC chairman through intimidation and shutdowns. According to the General Union of Oil and Gas Workers, such shutdowns are actually orchestrated by the GNU, whose PM seeks to gain a strong foothold in the country's energy sector by entering into new alliances with factions of the Petroleum Facilities Guards (PFG). Although counterintuitive, this allegation could prove to be true as Dabaiba would gain leverage by having his own henchmen in the oil and gas sector to undercut Aoun and Sanallah. In mid-January, more than 1,000 PFG members were given military numbers by the government, a move that might be meant to trade financial perks and status for these armed groups' support. The same can be said for the Minister of Oil who has also been accused of colluding with unruly PFG units and local communities so as to undermine Sanallah's authority over the oil sector.

Nonetheless, Aoun has temporarily left the contest due to his overt disagreements with Dabaiba over the handling of the oil sector and the NOC, going as far as publicly accusing him of complicity in corruption. For now, he is being replaced by Ali al-Abed who has stressed the need to preserve the oil sector from politicisation, and met Sanallah in a bid to boost coordination with the NOC. This remains a silver-lining for the country's oil and gas sector, as the two could strike a better working relationship and put a stop to risks of each political actor commanding a PFG unit for their own self-interest. Sanallah also needs good working relations with the eastern factions, particularly the LNA, so as to decrease the risk of significant oil blockades being used by the anti-Dabaiba front to pressure and unseat the GNU.

## CONCLUSION & FORECASTS

One year ago, Libya had a detailed roadmap to follow so as to achieve a democratic transition. Today, the promise of such a transition remains elusive, since the political propositions brought by various factions hardly make the case for well-run general elections in 2022. Instead, there is a dizzying range of possibilities for Libya's political future, most of all being drawn by political competition instead of national interest. Priorities are not being set straight as some focus on a constitutional referendum, others on replacing the GNU, and in the meantime elections fall further back in the to-do list. It is therefore imperative not to fall prey to the current confusion and instead focus on the fundamental steps which will eventually bring general elections to fruition.

For this to happen, ongoing attempts at unseating the GNU should firmly be stopped, whilst concerns of the anti-Dabaiba front should be addressed. Bringing another transitional government is more likely to work as a diversion away from elections than a move toward better governance in Libya. There is no guarantee that the anti-Dabaiba front will remain united should it gain power, and even less assurances that it will not repeat the same mistakes of the GNU by acting as a populist developmental state instead of a simple caretaker government meant to organise general elections. Accordingly, it is important to end current speculations around the departure of the GNU, and focus on applying to the letter its mandate. This would involve important restrictions to its policy-making and to the power vested in the Prime Minister's office in that appointments, non-critical spending, and foreign deals would no longer be its prerogative so that it could actually focus on delivering on its pledge to organise general elections. Constitutional arrangements, possibly a referendum, will need to be envisaged to ensure that general elections take place without the issues met in 2021.

Pragmatically, this means that elections by mid-2022 are unlikely. It is simply not desirable to rush into another missed deadline, and it will take time for benevolent actors to convince others to put aside political contests and instead work together to solve obstacles to elections. For this to work, there needs to be a strong voice which will push actors such as the HOR and HCS to finally cooperate, whilst putting aside plans to engineer the political process away from elections. Whilst UNSMIL now finds itself in its most difficult position to date, it should use the challenge to reassert itself as the main backer of democratic transition in Libya and create real ultimatums for national institutions to finally deal with elections' obstacles head-on, instead of buying more time for themselves. This option might go against the espoused support for a Libyan-Libyan solution, but it is important to remember that

without proper supervision and mechanisms such as sanctions to keep cynical actors in line, the work of various HOR-appointed committees is likely to further drag the political process into muddied waters.

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