The Still Elusive Libyan Peace

Imad K. Harb

August 17, 2017
The apparent hiatus in Libya’s chaotic scene obscures some serious developments that further jeopardize the unity of the country, its civic peace, and its future stability. Indeed, the near absence of the internecine fighting that gripped Libya a few years ago does not necessarily mean that the nation’s different power centers and players have finally arrived at a formula for major political compromises, sparing blood and resources. What seems to be taking place is a hardening of positions that, unfortunately, may pave the way for a final collapse of the nearly failed Libyan state and the subsequent divorce between the eastern and western parts of the country, neither of which is itself immune to discord and bloodshed.

What has emerged since the inauguration of the 2015 Libyan Political Agreement (LPA) are incomplete successes and numerous challenges that only helped to steer the country further away from the unity of purpose necessary for arresting the chaos that ensued following the collapse of Muammar Qadhafi’s regime in 2011. The Tripoli-based Government of National Accord (GNA), which emerged from the agreement, has not been able to assert itself, nor have the myriad centers of power in other parts of the country gathered enough support and power to force their supremacy. What has transpired is the creation of a dangerous power vacuum in much of the country that threatens its unity and simultaneously invites regional instability and outside interference.

**Stalemated Political Agreement**

Brokered by the United Nations envoy to Libya, Martin Kobler, the Libyan Political Agreement was signed by the country’s warring factions in Skhirat, Morocco in December 2015. Its main point was the creation of a Presidential Council that would appoint a unity government to lead the country and structure its new institutions, most importantly the national army. At the time, two centers of power—one in Tripoli in the west and another in Tobruk in the east—were competing for legitimacy and control. Each had a parliament and government claiming to represent the country. In the west, a National Salvation Government was validated by the New General National Congress (NGNC) and supported by militias of the Islamist Libya Dawn coalition. In the east, an internationally recognized Libyan Government was supported by the similarly recognized House of Representatives (HoR) that was elected in 2014 to replace the 2012 General National Council, whose term had expired.

A new Government of National Accord was duly installed in Tripoli in spring 2016 under the leadership of Prime Minister Fayez al-Sarraj. It is supported by the United Nations, but it holds limited and tentative sway, with the help of a number of militias that arose during the revolt against the Qadhafi regime in 2011 and continue to control vast territories. Although the LPA stipulated that the Tobruk-based House of Representatives give the GNA its vote of confidence, the HoR has so far withheld recognition. Similarly, the NGNC has refused to cede whatever authority it wields in Tripoli to
the GNA, which it considers illegitimate. (The National Salvation Government dissolved itself in April 2016 as soon as the GNA arrived in Tripoli.) In essence, the implementation of the LPA has become hostage to differing elite divisions and interpretations of legitimate representations of Libya’s disparate political and tribal groups.

The eastern government and HoR are supported by Egypt and the United Arab Emirates. They have a residual force, the so-called Libyan National Army (LNA), that is commanded by a former army general, Khalifa Haftar, who participated in the civil war of 2014 that supposedly ended with the signing of the LPA. Possessing the dominant military force in the east, Haftar has become the de facto leader of the region: negotiating political deals with the GNA itself; defeating Islamist militias from the city of Benghazi; representing his region in Egypt, the United Arab Emirates, and France; and striking an alliance with Russia.

Indeed, the basic condition for a politically stable order—a unified state with a monopoly over the legitimate use of physical force over a defined territory—is nonexistent in today’s Libya. While the Tripoli-based GNA claims international legitimacy, it is bereft of a direct domestic agent to justify such a claim, such as a representative assembly, and lacks the structured and legal armed force to implement its edicts. In contrast, the combined government-House of Representatives-Haftar authority in the east has “truncated” legitimacy since, in December 2015, they helped arrive at the LPA and accepted the creation of the GNA.

Moreover, Haftar’s army itself cannot be thought of as the state’s legal military force since it does not fall under the general control of the GNA’s minister of defense, Ibrahim al-Barghathi. As for the HoR, its election in 2014 was no occasion for national celebration since turnout was low and many areas of the country could not vote because of the lack of security. Indeed, Haftar’s alliance with the government and the HoR is tenuous at best. It is also contingent upon his ability to continue to control the tools of military coercion as well as the willingness of the government and HoR to suffer international opprobrium for not allowing the GNA to exercise its authority.

New Attempts at Accommodation
With the international community, especially the European Union, feeling anxious about Libya’s instability and the continuing flood of refugees from Libya across the Mediterranean, pressures mounted on General Haftar to find a compromise with the GNA, which he had never recognized. After a meeting with al-Sarraj in Abu Dhabi last May, the two met again in late July in Paris after the personal intercession of French President Emmanuel Macron. They agreed on declaring a ceasefire and holding national elections during spring 2018. But according to press reports, General Haftar announced after the meeting that the ceasefire would be limited to moderate parties and that he did not care much for elections but “about the future of Libya as a stable and civil state.”
He also cast aspersions on the LPA’s Presidential Council, saying that some of its members were associated with al-Qaeda.

Some contentious issues hindering agreement on future political developments include the role that Haftar would play in the future. Sources told Al-Monitor that the general is anxious about the possibility of the GNA gaining full authority, as it may sideline him as the leader of the Libyan National Army “because many militias and Islamist political leaders in western Libya do not like him.” Another hindrance is deciding on the role of the armed forces in a future Libya and whether they would be fully subordinate to civilian authority. With Haftar in almost full control of political, military, and economic developments in eastern Libya, it is hard to see how he would accept a secondary position to a civilian government. During a visit to Russia after the Paris meeting, Haftar indicated where he stands on the GNA and political compromise with al-Sarraj by vowing not to end his military campaign until he controlled all of Libya.

But the French effort to convene talks between al-Sarraj and Haftar is not the only game in town. In June, UN Secretary General Antonio Guterres appointed Lebanese academic and former minister Ghassan Salame as the new envoy to Libya and head of the United Nations Support Mission in Libya (UNSMIL) to replace Germany’s Martin Kobler, who negotiated the LPA. Salame already visited the country and met with al-Sarraj and the Tobruk-based House of Representatives. He also visited Egypt and will make a trip to Russia. In essence, Salame is trying to cover both domestic and international angles that have impact on the resolution of the Libya stalemate, although such meetings may not necessarily bear fruit because of the intertwining of a number of factions, interests, and perspectives. Importantly, Salame would do well to address two essential elements forgotten or avoided by previous UN envoys: the supporters of the former regime, now organizing themselves under the leadership of Saif al-Islam al-Qadhafi, and the multiple tribal formations in Libyan society.

Further Challenges
The political stalemate and lack of cooperation from eastern Libya are not the only hindrances to achieving the country’s domestic peace. Three more areas require immediate attention, and they are intimately linked to the lack of notable progress on the political front.

First is the humanitarian situation in the country involving its own people and African refugees and migrants seeking entry into Europe. Recently, the United Nations children’s agency, UNICEF, warned that in Libya, “550,000 children need assistance due to the political instability, on-going conflict, displacement, and economic collapse.” According to the agency, 200,000 children need safe drinking water while 315,000 others need access to education, and “thousands of unaccompanied children” attempt to cross the Mediterranean to Europe and can become prey to human traffickers. Moreover, the United Nations’ International Organization for
Migration (IOM) recently published a report putting the number of internally displaced people in Libya at almost 257,000 in March 2017.

Libya has also become a springboard for refugees to Europe. According to the IOM, 100,000 refugees have gone to Europe on boats from Libya since the beginning of 2017, 95,000 of whom landed in Italy. But with Rome restricting the arrival of refugees and assisting the Libyan Coast Guard in stopping illegal crossings, Spain has suddenly become a destination, receiving around 11,000 migrants until July of this year—a number that exceeds that for all of 2016. What adds to the poignancy of the refugee issue in Libya is the fact that thousands die each year making the treacherous journey (more than 5,000 in 2016, and 525 in the first few weeks of 2017). In addition, the refugees’ status in Libya is dismal. Oxfam International published a report earlier this month pointing to “horrendous daily realities for people stuck in Libya” after escaping “war, persecution and poverty in African countries.” Oxfam found that they suffer from “rape, torture and slave labour,” and many of them are imprisoned in underground cells to force their families to pay ransoms to secure their release.

Libya also faces the huge challenge of distributing oil revenues equitably, in a way that would serve the largest possible number of people in a country traditionally dependent on oil rents. Control over such resources may also determine which faction can sustain its supremacy in the runup to the future Libya and afterward. As it stands now, General Haftar controls the eastern portion of Libya’s hydrocarbon sector, together with the oil terminals at Ras Lanuf and Es-Sidr. The GNA benefits mostly from authority over oilfields in the west, such as Sharara, although the Libyan National Oil Company insists on its independence and has challenged the GNA’s al-Sarraj when he tried earlier this year “to take over some of the NOC’s role.” Libya’s present production is around one million barrels per day, but workers’ strikes and security disruptions sometimes force shutdowns of fields and declining revenues.

Finally, Libya has been exposed to the interference of outside actors seeking to influence its political developments. Specifically, Egypt and the UAE (and partly Saudi Arabia) have been the main supporters of General Haftar, whose military campaign has focused on what he calls a fight against terrorism but targets political Islamists in the country. The United Nations accused the UAE last June of supplying weapons to the general despite an international embargo. The UAE was also said to facilitate the delivery of Israeli arms to Haftar in July. Egypt, on the other hand, has also provided military support to him under the guise of fighting extremists. Further, it attacked Islamist forces positions near Derna in eastern Libya in retaliation for attacks on Coptic Christians in Egypt. Haftar has also received military support from Russia, although Moscow reportedly urged him during his visit this month to work toward a compromise with the GNA.
Chances for a Libyan Peace?

Internal divisions and lack of a unifying state power, together with outside interference, have so far produced an unstable Libya that approaches complete collapse. The civil war that gripped the country in 2014 opened the door for the so-called Islamic State to find a haven in some coastal cities, especially Sirte, from which it was expunged in 2016 by a combined military campaign by Libya’s national troops and foreign forces, especially the US Air Force. The current division between east and west, and the hardening of General Haftar’s rejection of the internationally recognized and supported GNA, may arguably become the default position that, with time, could settle into a de facto cantonization of the country.

Absent the necessary compromises among equally interested parties, Libya risks losing any semblance of legitimate authority that can preserve it—a state that for four decades suffered from Qadhafi’s gutting of state institutions. Such compromises should include ceding of authority and control by the regional parliaments and governments, agreement on a constitution for the country, and the full implementation of the Libyan Political Agreement. But these conditions will be realized only if outside actors refrain from encouraging extreme positions and exert positive pressures on the parties involved in order to force them to the negotiating table.

The Libyan situation is also an opportunity for the United States to play a necessary and needed role in a country as strategically located as Libya. It is true that the Trump Administration may lack the interest, institutional wherewithal, or attention span that a Libyan engagement may require. It is equally true that American support for UNSMIL’s Salame will help provide the international support he needs to pressure the different parties to finally and fully implement the LPA. If France, Russia, Italy, and others are involved to either secure a sustainable foothold on the southern coast of the Mediterranean or defend themselves against refugee influxes, then it behooves the United States as a global power to exert efforts to defend the much-vaunted regional security and peace in North Africa.