

Perpetual Deadlock Is Limiting Libya's Potential

by [Ben Fishman \(/experts/ben-fishman\)](/experts/ben-fishman)

Jun 17, 2023

Also published in Al Majalla

ABOUT THE AUTHORS



[Ben Fishman \(/experts/ben-fishman\)](/experts/ben-fishman)

Ben Fishman is a Senior Fellow in The Washington Institute's Program on Arab Politics.



Articles & Testimony

Oil is flowing and warring factions are not actively warring, but this illusion of stability can disappear at any time unless further steps are taken to produce a legitimate government.

The latest political agreement among representatives of Libya's eastern-based House of Representatives (HoR) and Tripoli-based High State Council (HSC) received praise across the region when Moroccan Foreign Minister Nasser Bourita announced it on 6 June. The deal among the so-called 6+6 reportedly addressed the outstanding issues responsible for delaying the presidential and parliamentary elections originally scheduled for December 2021, including candidate eligibility, and sequencing the voting. Predictably, soon after the 6+6 published their agreement, those responsible for the ongoing delay initiated their typical opposition.

No Incentive to Step Down

Libya's perennial obstacle to holding elections is that the actors currently enjoying the wealth and prestige of their theoretically temporary positions have no incentive to negotiate their departures—or even to put their positions up for a vote. In other words, the temporary and transitional risks become increasingly permanent unless the international community is willing to shake Libya out of its increasingly embedded status quo.

Take just the last few years, for example. After the 2019-2020 civil war concluded and the warlord Khalifa Haftar's forces (supported by Wagner Group mercenaries) were pushed back from Tripoli with the support of Turkey, the UN Support Mission in Libya (UNSMIL) formed the Libya Political Dialogue Forum to set the terms for a long-overdue election.

The Forum of 75 selected 21 December 2021, as Election Day. However, when it came time to select a temporary government whose mandate would focus on governing until the elections, trouble immediately ensued.

In February 2021, the forum selected Abdul Hamid Dbeibeh as prime minister and Mohamed al-Menfi to head the more symbolic Presidency Council. They defeated the more prominent former Interior Minister Fathi Bashagha and long-time chairman of the HoR Aguila Saleh Issa in an upset vote that was marred by accusations of vote-buying.

Even though Dbeibeh received a grand total of 39 votes in all of Libya, he remains the prime minister of the Government of National Unity (GNU), enjoying red-carpet treatment and private planes. He attended the 12 June Champions League final in Istanbul as a guest of Turkish President Erdogan along with another important ally, UAE President Mohamed bin Zayed. The powerful image of the Libyan prime minister with the two regional powers sustains his identity as the head of Libya's government as much as the UN recognition of the GNU itself, if not more so because of Turkish deployed troops in western Libya and the influence of the UAE.

Further, Dbeibeh acts like a prime minister, signs orders, and most importantly distributes funds and pays salaries with some informal arrangement with the Central Bank that receives the country's oil profits. The US and its partners have helped improve financial management, but much remains opaque below the top-level spending lines. A recent IMF report indicated the ratio of foreign reserves to GDP is 200%, far greater than even Saudi Arabia. Where the money goes is less well known. Executing the budget transparently requires significant improvement as the IMF noted.

A Cat with Nine Lives

On the other side of the coin is Aguila Saleh Issa, who seems to be a cat with nine lives. He received fewer than 1,000 votes in his small town of Qubba in 2014 but has led the HoR, a body that has long exceeded its mandate.

Saleh has often made paralysis seem like his only goal. The Libya Political Agreement of December 2015 created another body, the High State Council, but was never fully implemented in large part due to Saleh's obstructionism, for which the Obama administration eventually sanctioned him.

Hanging over this motley band is the warlord Khalifa Haftar, who maintains dominance in the East and the crucial oil region, which he shut in for weeks last summer until Dbeibeh agreed to change the head of the National Oil Corporation and pay more salaries to the region (read: Haftar's army). Since the 2015 LPA, Haftar has refused to be subordinate to civilian control. The current version of the debate surrounds whether a current military officer can run for president or must resign first. Reportedly, Haftar and Saleh recently agreed that the act of a presidential run would symbolise taking off the uniform, which could be put back in the event of an electoral loss—a vague stipulation that opponents of Haftar will likely challenge. Even if Haftar could run, his responsibility for the deaths of fighters and civilians in the West of the country makes his candidacy unviable.

Reinventing the Wheel

The new head of the UN Support Mission in Libya, Abdoulaye Bathily, told the security council in November that he would consult widely across Libya to develop a renewed path toward elections. Instead, he turned again to Saleh and his HCS counterpart Khaled Mishri, who have been engaged in an endless circular dance. The two agreed to form a committee of six representatives from each side, knowing full well they could block an agreement at any time. Aside from the question of dual nationality and a military candidate, other parts of the 6+6 agreement have also been publicly rejected: Saleh says there is no need for a second round of the presidential election, as he can rarely convene a quorum in the existing chamber.

Meanwhile, Dbeibeh refuses to yield power to another interim government charged with running the election process regardless if he decides to run for president, and many political actors have come out against the 6+6 plan to expand the parliament from its current 200 seats to 297. There are also several other issues that have been or will be made into excuses not to hold elections. The bottom line is unless there is some shuffling of the deck prompted by

the international community, the likelihood of elections in Libya will keep diminishing and the conflict will be further cemented in the imperfect oil-for-cash bargain that feeds the political and security elite.

Breaking the Stalemate

Unfortunately, there has not been any evidence to suggest the current approach is shifting. Diplomats continue to flock to Haftar's headquarters in the misplaced belief that he will suddenly change his mind, subordinate himself to civilian rule, and trade his authoritarian mentality for a democratic one.

No amount of counter-terrorism cooperation or anti-migration efforts is worth concessions to Haftar; his capabilities are not that great. Further, his continued refusal to remove his support for Wagner Group forces in the territory he controls is indicative of his ineffectiveness as a potential partner.

On his part, Special Representative Bathily has given one last chance to the HCS and HOR to resolve their conflicts. In his upcoming address to the Security Council, he should call for a vote on the 6+6 deal in both chambers, and if it fails, he should pivot to a new approach.

There is always tension in UN missions between local ownership and hands-on directives. It may go against his instincts, but Bathily should make a good-faith effort to close the gaps between the 6+6 election laws and their detractors.

This can be achieved through a technical committee of international and Libyan constitutional actors with clear support from the most relevant international actors in Libya, the P3+2+2: the US, UK, France, Italy, Germany, the UAE, Qatar, Egypt along with Turkey. Ongoing reconciliation among the latter two, particularly after President Erdogan's reelection, opens additional options for pressuring their respective Libyan partners. All have the capability to disrupt Libya's ongoing stalemate, impose consequences and sanctions if necessary, and even offer incentives to those willing to step aside from their current comfortable seats.

From the outside, Libya may not appear to deserve much attention since the warring factions are not fighting, oil is flowing, and the country is not the terrorist safe haven it once was. But the illusion of stability can disappear anytime.

Far better to take the steps now to facilitate a legitimate government that can develop the country and spend resources that will benefit its struggling neighbours, especially Egypt and Tunisia. Elections are not an answer on their own, but Libya requires a legitimately-elected government to realise its potential.

Ben Fishman is a senior fellow at The Washington Institute and former director for North Africa on the National Security Council. This article was originally published [on Al Majalla's website](https://en.majalla.com/node/293731/politics/perpetual-deadlock-limiting-libyas-potential)

<https://en.majalla.com/node/293731/politics/perpetual-deadlock-limiting-libyas-potential>. ❖

RECOMMENDED



ARTICLES & TESTIMONY

How the Caesar Act Restricts Normalisation with Syria

Jun 17, 2023



Andrew J. Tabler,
Matthew Zweig

(/policy-analysis/how-caesar-act-restricts-normalisation-syria)



ARTICLES & TESTIMONY

Saudi Arabia's Golf Game Is About a Lot More Than Golf

Jun 18, 2023



Dennis Ross

(/policy-analysis/saudi-arabias-golf-game-about-lot-more-golf)



BRIEF ANALYSIS

In Iraq, the Kurds Are Their Own Worst Enemy

Jun 17, 2023



Yerevan Saeed

(/policy-analysis/iraq-kurds-are-their-own-worst-enemy)

TOPICS

Arab & Islamic Politics (/policy-analysis/arab-islamic-politics)

Democracy & Reform (/policy-analysis/democracy-reform)

REGIONS & COUNTRIES

North Africa (/policy-analysis/north-africa)

