



**INSIDE
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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.

Dr. Thomas Volk
Director
Regional Program Political Dialogue South Mediterranean
Konrad-Adenauer-Stiftung

EXECUTIVE SUMMARY

- 1.** Talks of elections have increased by a notch as internationals and Libyans alike remind themselves that nearly a year has passed since the 24 December 2021 failed elections.
- 2.** Advocates of elections, particularly among Libya's political elite, are not genuine nor credible, but rather maintain their positions as status-quo defenders ready to indefinitely postpone elections.
- 3.** The Government of National Unity (GNU) Premier pursues manoeuvres to maintain himself in power, including moves to woo the Haftar family into extending his mandate in exchange for power-sharing.
- 4.** The High Council of State (HCS) and House of Representatives (HOR) are difficult to tango together. However, both their leaders' opposition to Dabaiba has created avenues for greater cooperation and a strategy to control the political process.
- 5.** With the sacking of the Central Bank of Libya's (CBL) Deputy Governor, eastern figures seek their own economic empowerment, hoping to get more political cards in their game.
- 6.** Foreign envoys, ambassadors, and leaders have widely expressed their support to upcoming elections in Libya, without there being any progress on the ground or much conflict management between members of the international community.
- 7.** The Libyan Political Dialogue Forum (LPDF) members are hoping that the arrival of new Special Representative to Secretary General (SRSG) Abdoulaye Bathily will lead to a forum 2.0.
- 8.** In the midst of unsolved insecurity, the prosecutor of the International Criminal Court (ICC) made a historic visit to Libya, raising hopes for transitional justice but also causing criticism regarding the prosecutor's controversial meetings.
- 9.** By the end of year, Libya will probably earn its highest oil revenues since 2013. However, these numbers are far from the reality of many Libyans.
- 10.** Pressure will further pile up on key figures to give a sense of political progress and will further motivate competition between the emerging political currents in Libya.

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DABAIBA MAINTAINS HOPE OF GOVERNING LIBYA AS A WHOLE

The Government of National Unity (GNU) Premier continues to entertain a range of manoeuvres to stay in power, including moves to strike a power-sharing deal with the Haftar family that would allow him to extend nominal control over larger parts of Libyan territory.

Government of National Unity (GNU) Prime Minister Abdulhamid Dabaiba has managed to keep himself on top of Tripolitania's political and security landscape, in spite of heavy pressures from members of his own coalition, former allies who joined his rivals' camp such as Zintani Commander Osama al-Jeweili, and the broader coalition around Fathi Bashagha, who heads the Government of National Stability (GNS). Of course, Dabaiba's political survival is as much a factor of his own strategist aptitudes as his rivals' weaknesses and divisions. The Prime Minister has been able to navigate several controversies as well as threats, showcasing how most Libyan top figures continue their political life regardless of their dented reputation. As of late, Dabaiba is being reminded of corruption and mismanagement allegations levelled against him and his family, with accusations from Libyan Political Dialogue Forum (LPDF) member Ahmed al-Sharkasi that the Dabaibas squandered 120bn LYD (between €22bn to €85bn depending on the relevant exchange rate) of state money while at the helm of Gaddafi-era public investment organisations and the post-revolution GNU. Furthermore, the head of the Audit Bureau has indirectly grilled the GNU's 2021 spending by reminding that the value of last year's contracts was twice bigger than the approved development budget of 17bn LYD (€3bn).

Nevertheless, the Prime Minister has continued to assert his leadership, reiterating his position that he will remain in office until elections are held and would only hand over power to an elected government. These comments were made in an interview with a Tunisian radio station, during which Dabaiba claimed that the GNU "managed all municipalities, security and intelligence services in the country" while rebutting the GNS for "disrupting the Libyan scene." For now, the GNU Prime Minister benefits from his pro-elections narrative and the fact that most eyes are turned toward Libya's legislative bodies tasked with agreeing on a constitutional basis for elections. Accordingly, Dabaiba continues to seek international support by for instance calling upon the U.S. ambassador and the broader international community to help resolve the difficulties surrounding the yet unclear constitutional basis. He has also used an early-November electoral process simulation by the Ministerial Committee for Elections Support to claim that the GNU could organise polls throughout Libya. The modest simulation included securing polling stations, inspecting voters, and confronting any riots around polling stations, in addition to simulating the vote counting, and the transportation of election boxes. Seemingly, Dabaiba seeks to invalidate the argument that elections are unrealistic, thus raising the pressure on bodies such as the House of Representatives (HOR) and the High Council of State

(HCS). He also added that elections could be held within two months but maintained mystery on whether he will present himself in presidential polls so as to minimise any controversy as seen last year.

The GNU Prime Minister has made adjustments in Tripoli's security architecture by assigning Emad al-Trabelsi as Acting Minister of Interior, a few weeks after appointing the same man as Deputy Minister of Interior. The distribution of official positions to gain the loyalty of informal security providers is a tried and tested method of post-revolutionary Libyan governments to avoid potential coups. Yet, this appointment is antithetical to the October 2021 Ceasefire and the overall goals of Disarmament, Demobilisation and Reintegration (DDR) as well as Security Sector Reform (SSR) in the country, as it further motivates non-state actors to empower themselves in the hopes of being recognised by the state and benefit from elevated positions. In the case of al-Trabelsi, his appointment serves a particular purpose for Dabaiba. The former militiaman stems from Zintan which has increasingly become a focal point of attention for the Tripoli-based government as its armed groups are not necessarily aligned to the GNU. One key Zintani military-man, Osama al-Jeweili, has been a thorn to the side of the GNU which now tries to elevate other Zintani figures to not only block al-Jeweili's influence on his hometown but also weaken him altogether. Of note, forces under the control of al-Jeweili have not received their financial dues from the state, which has been another tactic by the GNU to weaken the commander. Considering the lack of movement from al-Jeweili's forces over recent months, such tactics seem to be working for Dabaiba, who despite the demanding and challenging circumstances of Tripolitania's security architecture, has managed to keep a strong enough armed support to remain in the capital. Nevertheless, appointments of figures such as al-Trabelsi are likely to weaken the Libyan state in the longer-run, with former Libyan Defence Minister Mahmoud al-Barghathi saying that militiamen such as al-Trabelsi "know nothing about the rule of law" and "only believe in profit and interest." Meanwhile, armed groups like the Support and Stability Apparatus (SSA) have held a "scientific conference on anti-corruption to strengthen stability" in mid-November in the presence of officials from state institutions.

Dabaiba has also made moves to increase his control over the GNU. In October, he had instructed his ministers not to talk to the media without his prior permission, which later led to complaints by the Minister of Oil Mohamed Aoun. The Prime Minister also instructed public officials to limit their protection convoys to only two cars and not display weapons unless necessary, under the guise of "rationalising government spending." In fact, this instruction mainly seeks to defuse criticism against GNU officials for spending money and exuding much bravado with their escorts. Dabaiba has also sought to exit a controversy surrounding the kidnapping of Gaddafi-era intelligence officer Abu Agila al-Marimi, who was under militia custody from 2011 to 2020 and was accused of involvement in the 1988 Pan Am Flight 103 bombing, also known as Lockerbie case. Online, blame was levelled against the Prime Minister for ordering the kidnapping and hoping to score points

by extraditing al-Marimi to the U.S. To manage the media frenzy around this case, Dabaiba publicly commented that the Lockerbie case was considered closed, thus mirroring a recent HOR decision.

On another topic, the anti-corruption campaign that was introduced in the [twenty-seventh issue of Inside Libya](#) continues after several cases have been levelled against former or current embassy staff, bank managers, and ministerial officials. This campaign has been divisive, with some such as HCS members Abdul Rahman Al-Swehili appealing at the Supreme Court what they argue is the unconstitutional appointment of Attorney General Siddiq al-Sour following HOR Resolution No.2/2021. Notwithstanding the criticism, al-Sour has received wide-ranging support from both civil society and the HCS' leadership, and has continued his work. Al-Sour's anti-corruption campaign remains perplexing however, as behind-the-scenes dynamics regarding its timing and scope remain unclear. In the past, during the last year in office of the Government of National Accord (GNA), supervisory institutions had similarly doubled down on the fight against corruption, mainly benefitting from the government's weakness. However this time, it is yet to be determined whether the Attorney General feels that the GNU is in no position to oppose further scrutiny or rather has been instructed to direct his investigations at particular targets and give the sense that Libyans' concerns around mismanagement of state funds and overall corruption are being addressed. This uncertainty and overall distrust of Libyan investigative and judiciary processes is warranted considering the fact that the country's elite has vastly benefitted from years of low oversight and accountability.

Finally, it is important to note that despite months of threats from anti-GNU figures, Dabaiba remains in power without there being an immediate threat to his position – although rhetoric from Libyan National Army (LNA) Commander Khalifa Haftar would point to the contrary, with his recent speech talking of a “decisive battle to liberate Libya if peaceful efforts to withdraw foreign forces fail” and him claiming to “approach a decisive decision to restore the state.” In fact, despite the incredibly tense situation that could deflagrate into a serious conflict, there is more than meets the eye when it comes to the current limbo Libya finds itself in. Dabaiba has himself stressed that he is ready to “communicate with everyone without exception to end all differences and respond to any initiative to boost confidence among active parties.” This openness to communication has indeed been observed as of late between his cousin Ibrahim and Haftar's son, Saddam. Building on their April 2022 deal to lift the oil blockade, the two men have pursued discussions, backed by the United Arab Emirates (UAE), to find a middle ground and eventually come to a power-sharing agreement. Sources with direct knowledge of the discussions between the two sides have suggested that a power-sharing arrangement would see Abdulhamid Dabaiba remain as Prime Minister while Khalifa Haftar would gain the position of President. Albeit such a scenario remains far-fetched, both Ibrahim and Saddam have important reasons to pursue talks. For the former, additional moves to break

the pro-Bashagha coalition are seen as necessary to guarantee the GNU's sustainability and the best way to do so is to gain the LNA's backing. For the latter, who has so far not acted at his father's behest, talks with the Dabaibas represent an eventual opportunity to gain power in Tripoli or at least secure much-needed influence and financial provisions. Khalifa Haftar is likely to remain opposed to the idea of a full-on rapprochement with the GNU, but the idea of cultivating this possibility fits into his strategy of holding as many political cards as possible in the Libyan game.

LEGISLATIVE BODIES DRAW CLOSER TO FORM POLITICAL CURRENT

The High Council of State (HCS) and House of Representatives (HOR) are difficult to tango together. However, both their leaders' opposition to Dabaiba has created avenues for greater cooperation and a strategy to control the political process.

While Dabaiba seeks to reach out to some eastern forces such as the Haftar family, he is also looking to block the efforts of another powerful political current that is fighting for its political survival, i.e. the Agila Saleh-Khaled al-Mishri duo. In public speeches, the GNU Prime Minister has indirectly defined the two men's cooperation as "dubious deals plotted behind the scene." Last month, both Saleh and al-Mishri had agreed to unify the executive authority in the first months of 2023, and also pledged to change some of the heads of sovereign positions like Central Bank of Libya (CBL) Governor Sadiq al-Kabir who has been an important financial aide to Dabaiba. The most notable tension between Dabaiba and his former ally al-Mishri took place in mid-November when an HCS session was blocked by what is said to be the Constitution Protection Force, earlier created by Dabaiba himself. Subsequently, al-Mishri accused the Prime Minister of obstruction and said he works "to distort the HCS' image." Of note, the HCS was meant to gather to discuss sovereign positions and unification of the executive authority. To defuse the controversy, Dabaiba assigned the Ministry of Defence he controls to "investigate" the matter and prove that the allegations are misleading. He further led the charge by arguing that the HCS and HOR form a party whose "ambition is to jump after eleven years of legislative power to the executive authority, through a power-sharing deal postponing elections." The Prime Minister also called upon pro-GNU HCS members to prevent al-Mishri to "engage in individual political gambling, withstand the second extension wave [of legislative authority] and focus on expediting elections."

This episode is all the more interesting considering that a week prior, the HCS had unanimously voted to prevent dual nationals and military personnel to be presidential candidates, thus going against the HOR Speaker's wants and earning Dabaiba's vocal support. The issue of who can present themselves in elections theoretically remains the biggest hurdle to holding

successful polls in Libya. However, it is highly possible that such a disagreement has been planned and is used as an excuse to further delay elections. Since March and the restart of constitutional talks in Cairo, both chambers have deepened their cooperation and made several pledges to get on with a constitutional basis, electoral laws, and replacing sovereign positions. The latter point now seems to be the priority, with the HOR waiting on the HCS to send its final list of incumbents for MPs to vote on. Shortly after being obstructed, the HCS' Committee for Sorting and Accepting Candidacy Files for Sovereign State and Leadership Positions resumed its work from 16-24 November, and offered five positions for renewal: the head and deputy head of the Audit Bureau, the president and board members of the High National Elections Commission (HNEC), the CBL Governor as well as his Deputy and board members, the head and deputy of the Administrative Control Authority, and finally the head, deputy and board members of the Anti-Corruption Authority.

Overall, the HOR and HCS are using all the remaining cards in their hands to place themselves as the most influential political current in Libya. While making progress on the constitutional track is expected of them, this remains their most contentious file considering that consensus would expedite the very elections that would upend the two institutions. Accordingly, the current focus on sovereign positions not only allows Saleh and al-Mishri to give an image of progress, it also lets them influence the institutional set-up of Libya before their eventual political demise. Moreover, Dabaiba's accusations are not baseless. Both Saleh and al-Mishri are widely seen as hoping to make the move to the executive authority. Although unverified, many believe that the unified executive authority being prepared by the two would have al-Mishri at the government's helm and Saleh as President, with Bashagha accepting to step down as GNS Prime Minister in exchange for a key ministry such as defence. Such a move would be incredibly difficult to defend, but the HCS Chairman is laying the argument around such a project, claiming that elections need the precondition of a unified government extending its influence throughout the country. In other words, contrary to Dabaiba, al-Mishri says elections are simply unrealistic under current circumstances, and that a HOR-HCS consensus government should step in to secure them. Nothing, however, explains how this new government would be any different from the GNS, since Dabaiba would still be opposed to it and would likely keep control over Tripoli and other municipalities. Nonetheless, at least 50 HCS members have already asked al-Mishri to not only push for consensus on the election laws as well as sovereign positions or set a timeframe for elections, but more importantly to agree on a new Presidential Council (PC) and interim government tasked with holding elections.

EASTERN AUTHORITIES DISMISS ALI AL-HIBRI FROM CENTRAL BANK BOARD

With the sacking of the Central Bank of Libya's (CBL) Deputy Governor, eastern figures seek their own economic empowerment, hoping to get more political cards in their game.

The most surprising news coming out of eastern Libya in November was the HOR decision to sack Ali al-Hibri, the CBL Deputy Governor. Granted, his position is included in the HCS-HOR's list of sovereign seats to renew. Yet, al-Hibri was also accused by the HOR of committing financial "crimes", without much elaboration, and his case has been referred to the Audit Bureau. This is particularly perplexing considering that al-Hibri was as of late leading the charge against his Tripoli-based rival Sadiq al-Kabir, and had not only unified the CBL board of governors' members around him but also used the newly published 2021 Audit Bureau report to back his corruption claims against al-Kabir. Al-Hibri was replaced by Marei al-Barassi, another technocrat acquainted with the CBL. The decision of sacking al-Hibri was not widely accepted and the executive departments of the CBL's Benghazi office expressed their surprise at what they called a "violation of the independent monetary authority." Of note, Saleh was careful not to appear at the HOR session that sacked al-Hibri and let his First Deputy Speaker, Fawzi al-Nwari, to lead the charge. Nonetheless, it is clear that the HOR Speaker wanted al-Hibri gone and had gathered the support of GNS Deputy Prime Minister Ali al-Qatrani and Bilgasim Haftar, who has so far played as his father's pawn in his relation with the pro-Bashagha camp. Al-Hibri is seen as having angered eastern factions for his refusal to act as a piggy bank to the financially ailing GNS and LNA. While the LNA seems to pursue other financial avenues, the GNS does not have other options other than to have the CBL Benghazi office print its own (Russian-made) money and force commercial banks to loan more money to the government. Since the Deloitte audit of the CBL's accounts, al-Hibri was adamant that his institution would follow more closely international standards and was therefore less cooperative with eastern authorities.

Once again, a key challenge to the authority of al-Kabir over the CBL falls without creating too much worry for the CBL Governor. The latter continues to be invited internationally, whether in Washington by international financial institutions or in Turkey where bank letters of guarantee and banking cooperation were discussed. It remains to be seen whether the new Deputy Governor al-Barassi will manage to keep independence from eastern authorities and continue his predecessor's charge against al-Kabir. Much work from the CBL's board of governors is required to bring back accountability and performance to the institution. The former Special Representative to the Secretary General (SRSG) Stephanie Williams recently commented that the CBL "is not working as it should" and that the board of governors should

administer the bank according to the law. The former top UN diplomat in Libya added that the Deloitte audit report had overall disappeared and was never answered for by either the CBL or the GNU, and that this episode constituted a “terrible stupid mistake”.

In other words, a key mechanism meant to draw in accountability and improve Libya’s financial and monetary circumstances was simply wasted due to the international community’s lax behaviour and Libya’s political elite’s interest in burying the books.

On another note, the GNS offers very little to cover and further proves the view that it is on its way out to be replaced by a HOR-HCS alternative. The Bashagha-led government still issues directives to Libyan public employees, not to implement administrative assignments made by GNU ministries, and makes pledges in support of decentralisation, fair distribution of resources, improved and equal access to public services, as well as reconciliation and support to the private sector. Nonetheless, the GNS has very few tools in its pockets to design and implement policies. The HOR also seeks to make promises to gain popular support ahead of a potentially important decision to form a new government. The parliament recently formed an 11-member committee for setting up a wealth distribution mechanism according to geographical distribution, population, natural resources production, and export areas. The committee is tasked with issuing a report to the HOR within a few weeks, but it is safe to assume that it will join a long list of committee reports without much follow-up. Of note, the HOR continues to deepen its relationship with Qatar, regardless of the recent downtick in ties with Turkey, a key ally of Doha. In fact, a committee of MPs was formed to communicate with its Qatari counterpart, the Shura Council. Further discussions were held between Saleh and the Qatari ambassador on ways Doha could assist in resolving Libya’s political crisis.

INTERNATIONAL PLEDGES OF SUPPORT TO UNREALISTIC ELECTIONS

Foreign envoys, ambassadors, and leaders have widely expressed their support to upcoming elections in Libya, without there being any progress on the ground or much conflict management between members of the international community.

Since the arrival of SRSG Abdoulaye Bathily last month, who also heads the United Nations Support Mission in Libya (UNSMIL), international calls of support for elections have multiplied. Foreign envoys such as France’s Paul Soler and ambassadors have held several meetings with top Libyan figures to break the current gridlock and secure their support for elections as soon as possible. Objectively, the countless positive statements in favour of elections represent nothing short of a masquerade considering the many obstacles and behind-the-scenes manoeuvres meant to circumvent fair and free elections.

Nevertheless, Bathily has now met the most important Libyan figures from the west, east, and south of the country and has concluded that “everyone expressed their desire to move towards elections.” He added that such elections were not only a political but also a moral responsibility for Libyan politicians, and that such leaders need to translate their words into actions.

Nonetheless, there is still much scepticism among the international community. For instance, the European Union’s High Representative for Foreign Affairs, Josep Borrell said that “there is no room for optimism that a possible agreement on elections in Libya would be reached soon.” Bathily himself said his mission is challenging. More sobering words were uttered by the Russian First Deputy Permanent Representative at the UN, Dmitry Polyansky, who observed that dual power in Libya will not end soon, and as a result, elections are likely not to be held before a certain time. In fact, elections are unfortunately far more unrealistic now than they were at the end of 2021, due to the territorial division between the GNU and GNS. Moreover, as many Libyan and international actors have pointed out, even if elections take place, they are unlikely to bring forth real political change without also disarming armed groups and launching a comprehensive reconciliation programme. Once again, the failure to have any progress on the DDR/SSR files prove to be a hurdle for Libya’s democratic transition.

Another obstacle to the holding of elections is rising tensions between regional actors, principally Turkey and Greece, which further motivates international and local actors to take separate initiatives and strengthen political blocs instead of pursuing nationwide reconciliation. The spat created in October by Turkey signing another Memorandum of Understanding with the Tripoli-based government has reignited anti-Turkish sentiments, particularly because the GNU has not minded being seen as pro-Turkish. For the 99th anniversary of the Turkish Republic on 29th October, many of the Libyan government’s top officials were present at an official reception by the Turkish embassy, which ultimately created public outrage online, mainly from eastern-based accounts, which lament the continuing influence of Ankara over western Libya. To offset Turkish exploration plans in the Mediterranean, Athens has sought to open dialogue channels with Libyan interlocutors to demarcate both countries’ maritime borders, and has even asked Washington to mediate. Borrell has also further criticised the GNA-Turkey and GNU-Turkey MoUs by saying they violate the sovereign rights of third countries, i.e. Greece.

However, Athens has very low chances of cutting off Turkey from maritime access to Libya. In fact, the Greek Foreign Minister Nikos Dendias was meant to disembark in Tripoli airport on 17th November, but decided not to after learning that the GNU Foreign Minister would be there to welcome him, instead of a representative of the PC. To add salt to the injury, the Greek official then flew to Benghazi, where he met actors such as Khalifa Haftar and said that Dabaiba «is usurping power in Libya and exploiting the

country's resources to sign illegal agreements with the Turks.» The incident led to the GNU foreign ministry summoning the Greek Charge d'Affaires, but the PC was far more diplomatic in that it expressed its keenness to continue friendly relations with Greece and avoid escalatory steps. This episode has further shown the acute divisions between a GNU which has overpowered the PC on many files. Furthermore, the GNU-Greece spat demonstrates that Greece, despite its lesser influence on Libya compared to actors like Turkey or Egypt, is an assertive actor unafraid of pursuing its own interests in the Libyan territory. However, such behaviour is hurtful to the overall Libyan political scene as it further creates divides and helps separate and self-interested initiatives take shape at the expense of a congruent plan by the international community.

CALLS FOR A REVAMPING OF THE POLITICAL DIALOGUE FORUM

The Libyan Political Dialogue Forum (LPDF) members are hoping that the arrival of new Special Representative to Secretary General (SRSG) Abdoulaye Bathily will lead to a forum 2.0.

The inability of traditional political elites to reach a consensus and advance on Libya's democratic transition is motivating a resurgence of the LPDF, with its members asking to be considered as an alternative path for Libya's political process. In fact, 34 LPDF members have called upon the UN's Secretary General to hold new sessions of the Forum for it to agree on an annex to its roadmap that includes specific time periods for elections. They also stressed the need to lift secrecy over Annex No.13 regarding suspicion of corruption and political bribery that may have occurred early last year before the appointment of the GNU. The idea of giving the LPDF a new life overall remains a potential option as key figures such as al-Mishri, the PC and some currents within the LNA, GNU, and followers of Saif al-Islam Gaddafi have expressed their support to the idea. In fact, HCS member Senussi Ismail al-Sharif explained that a new LPDF could be formed to "get out of the current crisis and break the political stalemate." Such a Forum would be made up of members of the HOR and HCS, as well as representatives of political, social, and military parties. It would theoretically be smaller than the original 72-members Forum to help achieve consensus and would serve in unifying the executive authority to bring about elections.

However, there would need to be new mechanisms put in place to ensure a new Forum does not repeat the same mistakes and a campaign of confidence building to bring back public trust over the Forum. Despite the LPDF's objective of circumventing status-quo figures, Libya's political elite managed to divert national dialogue through politicking and corruption, by for instance gaining the buy-in of LPDF representatives, thus transforming the Forum into another marketplace and playing ground for the elite. Moreover, it is difficult to believe that current discussions about a new LPDF are

shared by all of Libya's political elite, particularly the pro-Dabaiba camp - whose ascent would be necessary for a successful LPDF. In fact, talk about a new LPDF seems to be mainly supported by the HOR-HCS current, which sees such a Forum as a means to carry out its plans of unifying the executive authority, i.e. pushing Dabaiba out of power. Once again, it is difficult to differentiate genuine initiatives meant to move forward with elections from plans concocted by members of a self-interested political elite. Former SRSG Stephanie Williams, who has expressed herself on Libya's condition after leaving her post, has described this political elite as "opportunistic" and pursuing transitory deals through patronage without thinking of their country's future.

Williams advanced the idea of maintaining the three-person PC instead of moving to a one-person presidency as designed in the LPDF political roadmap. According to her, Libya remains gripped by Gaddafi's legacy and fear of a winner-take-all system motivates spoiling. To prevent this from happening, a presidential council would, in her view, minimise the chances of a return to a dictatorship and a scenario in which Libya's sole President is either named Gaddafi or Haftar. Such a proposal shows that all remains to be defined on Libya's political scene. In fact, even those who helped design the LPDF roadmap now propose contrasting options and do not seem to follow the goal of holding simultaneous presidential and parliamentary elections. Some chancelleries now focus more on the concept of parliamentary elections as they are too concerned with the continuing controversy over who gets to be a presidential candidate, and therefore prefer to put this key election on hold indefinitely. This position, however, does not sit well with a majority of Libyans who would like to be given a chance of directly electing both their Prime Minister and their President.

INTERNATIONAL CRIMINAL COURT PROSECUTOR VISITS LIBYA

In the midst of unsolved insecurity, the prosecutor of the International Criminal Court (ICC) made a historic visit to Libya, raising hopes for transitional justice but also causing criticism regarding the prosecutor's controversial meetings.

The Prosecutor of the International Criminal Court (ICC), Karim Khan, made an important visit to Libya to pursue the file of transitional justice. This is a historic visit by the Prosecutor and current circumstances help explain the urgency of bringing about momentum to the issue of justice in Libya. Observers more or less agree that the files of transitional justice and national reconciliation have remained on the backburner due to several factors. The primary reason is that alleged criminals are still the main political actors and have therefore no interest in pursuing transitional justice. Competition between such actors has also meant that Libya's territory has remained mainly divided over the last decade, thus creating different ju-

risdictions where the judiciary's independence is simply not guaranteed. Secondly, where justice has been rendered, it has often been substandard. This is particularly true of many Gaddafi-era officials arrested by militias and charged without due process. Many tribal leaders, some who recently met with Bathily, have for long called for the release of their family members held in prisons without any adequate judgement. Finally, while crucial, it may have been over-ambitious to expect a transitional government such as the GNU and the PC to pursue as important a file as transitional justice and national reconciliation.

Khan managed to visit several locations in Libya such as Tarhuna and to express himself regarding evidence collected. According to him, this is the first time since Libya's revolution that the ICC is able to document such violations with evidence. The Prosecutor took note of victims' frustrations at the lack of action from the ICC and pledged to issue arrest warrants against individuals involved in crimes against humanity and war crimes, including those who are targeting migrants. Khan not only met victims from Tarhuna but also saw victims from Benghazi, Derna, and some penitentiaries such as the infamous Tajoura detention centre. Importantly, the Prosecutor not only met with the GNU's Minister of Justice, the head of the PC, and the western-based military prosecutor; he also met with Khalifa Haftar in Benghazi and his military prosecutor. Obviously, this trip was controversial considering allegations of war crimes against Haftar, who continues to face several court cases in the U.S. over the 2019 LNA onslaught on Tripoli and its 2014 Operation Dignity which saw exactions against certain families deemed unwanted in cities such as Benghazi and Derna. Overall, the ICC Prosecutor said that his team had collected involvement of military officials in human rights violations, and the western-based military prosecutor argued Libya had the required judiciary and jurisdiction to try Libyan defendants. This final point remains highly dubious. As mentioned above, transitional justice remains a far too controversial topic that is easily politicised and for now more likely to strain national reconciliation than advance it due to the current political setting. Regarding violations committed against migrants, it is likely that the ICC's investigations will also bring blame against European actors for their cooperation with Libyan human traffickers and armed groups involved in crimes against migrants. At least, this is the view of some non-government organisations such as Sea-Watch as well as the European Center for Constitutional and Human Rights (ECCHR) which have called upon the ICC to «investigate the individual criminal responsibility of high-ranking officials of EU member states and EU agencies, regarding multiple severe deprivations of liberty that began with interceptions at sea between 2018 and 2021.»

Utilising the Prosecutor's visit to Libya, about thirty civil society organisations raised the problematic issue of juvenile justice in Libya, where minors are often detained in adult prisons and sometimes victims of horrying acts such as sexual abuse and harassment. Recently, the GNU's Ministry of Interior has agreed upon a joint project with the United Nations Deve-

lopment Program (UNDP) to develop juvenile justice. However, considering the criminal past of the GNU's current Interior Minister and his involvement in October 2021 in a violent crackdown against migrants, it is difficult to believe in genuine reform in a country where the state has minimal control over how armed groups treat the thousands of illegal migrants and Libyans they arbitrarily hold in detention. Calls have also been issued by UNSMIL for Libyan authorities to take seriously the crimes committed against journalists and media workers, arguing that over the last two years several journalists were either kidnapped over long periods or assaulted for doing their work. Whether in LNA-held territory or under the GNU, journalists do not enjoy freedom of speech and are often hampered by state-backed armed groups which have increasingly adopted an Islamist rhetoric, accusing them of "treason, advocating atheism, or spreading homosexuality" in the case of Tripolitania's General Intelligence Services and the Internal Security Force. Recently in eastern Libya, Reporters Without Borders said that the Doha-based Alaraby TV team was refused necessary permits to travel to the region because its main reporter had been blacklisted by local authorities for his previous coverage of Libya.

Finally, episodes of violence have continued throughout the country, with the killing of Ahmed al-Aribi in Benghazi, a militiaman affiliated with the LNA who was close to Mahmoud al-Werfalli before the latter was assassinated in the same city in March 2021. Such killings are seen as beneficial for the LNA which has been noticeably quiet about the disappearance of its more problematic allies. Refusal of the pro-GNU Chief of Jufra's Security Directorate to extradite individuals wanted by the GNS has led to his kidnapping by the LNA's 128th Brigade, thus showing that not all southern officials agree to work under the Bashagha-led government's jurisdiction and are therefore forced to back down. In Tripolitania, the security situation remains tense, with unidentified gunmen operating on the Coastal Road near Zawiya and carrying out assassinations. Armed groups involved in smuggling have also failed to kill Misrata's Head of Seaport Customs Department over his involvement in intercepting drug cargo. In Tripoli, a stray bullet killed a citizen while he was sitting in his car, showing that a passerby is never in security when approaching the base of armed groups or areas that are contested.

ECONOMIC CONTRADICTIONS IN LIBYA

By the end of year, Libya will probably earn its highest oil revenues since 2013. However, these numbers are far from the reality of many Libyans.

Looking at IMF data, Libya's average annual GDP growth rate hovers around 5% although this number has vastly varied over the years, being either in the double positive or negative digits depending on oil production being blockaded or not. For next year, Libya is expected by the IMF's forecast to top the list of growth for Arab countries with 17.9%. The country is also

expected to achieve oil revenues of around €35bn this year, the highest since 2013 thanks to high oil prices. Despite these auspicious numbers, the reality on the ground differs a lot from what appears on the books of this oil-dominated economy. As seen in previous reports, the country has naturally experienced inflation for critical food products, putting a strain on a population which already suffered from the 2021 devaluation of the Libyan Dinar. Unemployment remains high and difficult to pinpoint, with contradicting data from official statistics and independent economists. According to the GNU's Minister of Labour and Rehabilitation, the number of job seekers decreased by 90,000 to reach 250,000 over the government's tenure. However, economists such as Ali Saleh claim unemployment has kept rising and that productive areas of the economy have continued to lose employees, particularly the private sector. This is reflected in the fact that between 80-90% of goods in Libya are imports since local industry and agriculture have found it difficult to grow in unstable financial and security circumstances. About 32% of the total population is employed by the state, occupying jobs that put a strain on public finances and expand an already inefficient administration. Data from the GNU's Ministry of Social Affairs puts the poverty rate at 42%, a difficult reality for the African country with the most oil reserves.

Between 8-9 November, Libyan bankers met in Tunis to discuss the challenges of their country's banking system. Facing criticism over the lack of credit facilities in Libya, banking officials explained the regulatory environment is simply not supportive of lending. This can be explained by the fact that Libya does not have a centralised credit checking bureau, nor a functioning property registry. This means that banks not only find it difficult to make credit checks on individuals, they also do not trust the collaterals presented by ordinary citizens as these collaterals could be properties built without the required permits and therefore at risk of demolition. Bankers also argued that they are not confident enough to use available funds in the form of tens of billions in deposits, because the regulatory and legislative environment lacks enough guarantees for the lending of such deposits. In the presence of Ali al-Hibri, many of the participants asked for the CBL to step up its work to improve the country's monetary situation and its banking sector. The Deputy Governor's sacking is likely to further create delays in delivering such reforms. Nonetheless, the event in Tunis led to the decision by three eastern-based private banks to launch a 3bn LYD (€500m) loans programme to fund the construction of 12,000 housing units in Benghazi, help set up three lines of production at a cement factory, and finance the provision of agricultural equipment and machinery for farmers.

CONCLUSION & FORECASTS

This is a perplexing time for Libya. We are soon approaching the one-year anniversary of failed elections, which should have solidified a legitimate and unified government in Libya. Instead, the country is divided between two with competing claims to legitimacy and its fate is being determined by a plethora of actors claiming to work in the service of elections and pointing their fingers at so-called spoilers. Such spoilers can be divided into two political currents actively pursuing a strategy to remain in place and in the meantime portraying themselves as actors bringing momentum to Libya's gridlock. One such current is the GNU headed by Abdulhamid Dabaiba, whose family members and some international allies have sought to bring into an understanding with the Haftar family. The other current is the al-Mishri-Saleh duo heading Libya's legislative bodies and seeking to migrate their power to the executive authority. The two are now in Cairo and will probably make a breakthrough on the sovereign positions file to increase their imprint on the country's political system. All of these actors pledge to work in favour of elections, but none genuinely believes them to be either possible or desirable. The closer we get to the 24th December, the more pressure such camps will feel to pursue their self-interested initiatives, and the more dangerous Libya's political scene will be.

Observing such status-quo politicians and their antics, some actors believe that a new LPDF needs to be mustered. If wisely followed by the SRSG, the many Libyan third-parties that do not constitute spoilers, and the international community at large, this could be an interesting initiative to break the current gridlock. However, it already seems that status-quo actors like al-Mishri see a new LPDF as a platform to pursue his own plans of unifying the executive authority. Therefore, much attention should be given to how traditional politicians influence the Forum. Of course, it would not only be impossible but also counterproductive to ostracise such powerful actors from political discussions. Yet, their participation must meet pre-conditions and be sufficiently monitored to prevent the usual vote-buying and politicking present in such platforms. Should there not be an LPDF at hand, many actors will want another way of circumventing status-quo actors. Albeit weak, the Presidential Council is seen by some as an institution which could push forward a constitutional basis of its own and is already working with foreign NGOs and government institutions on a sort of national charter to make progress on national reconciliation and diminish divisions in the country. Since the SRSG has finished most of his consultations within Libya, it will be interesting to see which alternative route the top foreign diplomat chooses, should there be no progress from the HOR-HCS constitutional talks.

Finally, it is important to remember that, albeit well-entrenched in Tripoli, Abdulhamid Dabaiba is by no means the uncontested ruler of Tripolitania. Although he may have received additional support from the likes of Turkey,

the GNU's position is not sustainable in the long-term. Both European and Middle Eastern countries have widened their networks in Libya over the last months, as a harbinger of what may come. Crucially, there appears to be no international consensus on a potential solution to the Libyan crisis. Instead, foreign countries are eschewing multilateralism in favour of unilateral initiatives, whether it is the UAE trying to facilitate a power-sharing agreement between Dabaiba and Haftar, Egypt and France trying to lend their support to the HOR-HCS track, Turkey favouring a continuation of the status quo, or the United States and the United Kingdom struggling to determine which initiative between a new political dialogue forum or the utilisation of the Presidential Council should be supported as a vehicle to push through a constitutional basis for elections.

In fact, Libya is in a perplexing time because an upcoming change in its political reality is palpable. However, it has never been less clear what direction such political reality will take.

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.

Dr. 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

Tel: +216 70 029 460

E-Mail: info.poldimed@kas.de



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