



INSIDE LIBYA

May 2022

No°21

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.** Things have taken a turn for the worse in Libya as groups rival to the Government of National Unity (GNU) decided to use an oil blockade in an attempt to force a way out of the current political deadlock.
- 2.** The 5+5 Joint Military Commission (JMC) has been further drawn into Libya's political struggle after the five eastern Libyan representatives backed the weaponization of oil resources for political purposes.
- 3.** Under pressure from factions in Tripoli, the National Oil Corporation (NOC) Chairman Mustafa Sanallah accepted financial arrangements with the GNU, the determining factor in prompting the oil blockade by eastern factions.
- 4.** Escalatory measures such as the blockading of oil output reflect the Libyan National Army's (LNA) decision to take a more decisive role in the political sphere and attempt to break the current political stalemate.
- 5.** Fathi Bashagha, the head of the Government of National Stability (GNS), is facing greater criticism from his coalition partners regarding the government's continued inability to install itself in Tripoli.
- 6.** GNU Prime Minister Abdulhamid Dabaiba may be able to turn the current oil blockade into an opportunity to consolidate his political foundations, but he also faces dissenting voices within his own camp as the risk of armed conflict due to the political deadlock increases.
- 7.** Under UN auspices, delegates of the Libyan House of Representatives (HOR) and High Council of State (HCS) met this month in Egypt to go over their differences on the constitutional amendment.
- 8.** The lack of a united stance from foreign countries prevents the pursuit of a Berlin-style diplomatic front aimed at minimising instability and preparing an actionable transitional plan for Libya to reach elections in the near future.
- 9.** Continuing clashes between militias in western Libya coupled with an uptick in Islamic State terrorist activities in the Fezzan reflect a dangerous continuation of insecurity throughout the country.
- 10.** With the end of the month of Ramadan, Libyans will see whether their politicians accept to find a middle ground or whether they will escalate their actions to forcefully break the political deadlock.

CONTENTS

<u>Executive Summary</u>	3
<u>The imposition of an oil blockade harms prospects out of political deadlock</u>	5
<u>National Oil Corporation fails to escape political pressures</u>	8
<u>Khalifa Haftar chooses to raise the ante by backing oil blockade</u>	10
<u>Can Fathi Bashagha maintain his political standing in the face of an oil blockade?</u>	12
<u>Fortress Tripoli: can the Government of National Unity maintain unity?</u>	14
<u>Cairo hosts talks over constitutional track</u>	16
<u>International differences over Libya are poised to prolong political deadlock</u>	17
<u>Insecurity threats continue throughout Libya</u>	19
<u>Conclusion & Forecasts</u>	20

THE IMPOSITION OF AN OIL BLOCKADE HARMS PROSPECTS OUT OF POLITICAL DEADLOCK

The 5+5 Joint Military Commission (JMC) has been further drawn into Libya's political struggle after the five eastern Libyan representatives backed the weaponization of oil resources for political purposes.

Since the failure of the December 24th general elections, which were meant to bring an end to years of unelected transitional governments in Libya, the country has spiralled deeper into a political deadlock. This was further cemented in February when the House of Representatives (HOR) appointed Fathi Bashagha as Libya's new interim Prime Minister to replace Government of National Unity (GNU) Prime Minister Abdulhamid Dabaiba in Tripoli. The appointment led to Libya being once again divided between rival authorities as Prime Minister Abdulhamid al-Dabaiba refused to hand over power except to an elected authority, and this has created a dangerous situation in which refusal to solve the contest through talks opens the way to escalatory measures. In [Issue 20 of Inside Libya](#), the threat of one such measure being implemented, i.e. an indirect oil blockade by the Libyan National Army (LNA), a key backer of Bashagha's Government of National Stability (GNS), was highlighted. This is exactly what happened on April 9th, when the representatives of the LNA in the 5+5 Joint Military Commission (JMC) announced the suspension of their work until the GNS was enabled to take power in Tripoli. For their goal to be achieved, the eastern JMC members called upon the LNA to implement several steps that would jeopardise the October 2020 ceasefire – the bedrock of Libya's recent stability – including stopping oil exports, closing the coastal road that connects the west to the east of the country, suspending domestic flights and ceasing all cooperation with the GNU.

Despite early dismissals by the LNA regarding orders to close some of the country's main oil fields and ports, it is clear that the latter was more than willing to oblige with the eastern representatives' requests by allowing local protesters to storm oil facilities and block production. The blockade was done a few days after the JMC's statement, when it became known that the National Oil Corporation (NOC) had agreed to transfer oil revenues to the Central Bank of Libya's (CBL) accounts, thus allowing the GNU to access much-needed funds. This came after House of Representatives (HOR) Speaker Agila Saleh sent a letter to the NOC, asking it to continue its freeze on oil revenue transfers. It is evident that eastern grievances are playing a large role in the suspension of the JMC's work as the five members' statement made reference to the GNU's non-payment of LNA salaries. This has been a long-lasting issue between the GNU and the LNA that is primarily caused by the latter's refusal to share its personnel's national ID numbers for them to

be paid directly by the state. Although this would be a positive step towards the eventual unification of the military in Libya, critics have noted that the GNU recently disbursed large lump-sum payments to the heads of various armed groups in Tripoli without bringing up the issue of having to pay their combatants individually. Another reason behind this issue is the fact that the LNA is waiting for the military unification process to be completed before sharing ID numbers of its soldiers, particularly those with Tripolitanian origins, who would not feel comfortable having their identity revealed to western militia groups which then might threaten their families back home. Moreover, at this particular juncture, the LNA's actions are meant to protest "obstruction" by the Audit Bureau which blocked the disbursement of January/February salaries recently ordered by the GNU Ministry of Finance and the CBL. The unwillingness of Tripoli-based institutions to pay LNA soldiers is viewed by LNA leadership as "political blackmail" by the GNU, which it believes wants to break up the military institution, and as a reflection of the influence that factions such as the Muslim Brotherhood and the Libyan Islamic Fighting Group (LIFG) hold over these institutions.

The JMC statement also reflected the LNA's deep frustration with the international community's inaction over Dabaiba's intent to remain in Tripoli and not allow the GNS to take office as agreed by the HOR in a controversial vote that was initially welcomed by factions across the political spectrum but later rejected by a many of western Libyan actors. In the eyes of the LNA's command structure, the oil blockade is justified not only as retaliation to Dabaiba's actions, i.e. his temporary ban on cross-Libyan flights in March and his financing of several Tripoli militias to boost his security profile in case of conflict, but also as a means to pressure international actors into making a move in favour of Fathi Bashagha. HOR Defence and National Security Committee Chair Talal al-Mihoub made this rationale clear by explaining that the international community usually sides with the Libyan party controlling oil resources, the main source of the Libyan government's funds, and would therefore be forced to remove their support to Dabaiba if he could not control the fate of oil assets. An LNA Major General, Fawzi al-Mansouri, further pushed this point by saying "the international community should have forced Dabaiba to hand over power to the parliament-appointed government" and warning that the LNA is "ready for all possible scenarios, whether peace or war."

To decrease tensions, the Mission Coordinator of the United Nations Support Mission in Libya (UNSMIL), Raisendon Zenenga, met on April 13th with the five eastern representatives of the JMC in Benghazi. These military figures explained their frustration in regards to their institution being sidelined despite its central role in safeguarding stability in the country and pushing for the unification process that has taken place since late-2020. In fact, the JMC has suffered over the last months from a stagnant military track to the peace process, partly due to fledgling support from UNSMIL

under Jan Kubis' leadership and the Libyan Presidential Council. During the meeting with Zenenga, the five members reflected popular views in eastern Libya and shared their belief that the GNU is no longer apt to govern as it has given too big a place to unruly armed groups in its bid to continue governing Libya and has failed to evenly distribute state resources outside Tripolitania. However, the close ties of these JMC members with the LNA makes it difficult for a broad audience to view them as independent actors able to replicate their pacifying action of two-years prior. In fact, eastern members of the JMC might genuinely believe that raising the ante through an oil blockade can help Libya in maintaining stability, but this view is not shared by the rest of the Commission which takes an approach that can be read as neutral, but also suffers from pressures exerted by Dabaiba. Accordingly, there is a high level of politicisation within the JMC as the Commission no longer has initiatives of its own or a united international bloc to assuage east-west differences, but rather is taken hostage by hardliners from their own camps. The eastern camp wants officers from the western-based Libyan Army to protest Dabaiba's antagonising actions and what they see as his obstination to stay in power. However, the latter are divided between those who feel that taking such a stance would be detrimental to their position and those who genuinely believe that the GNU is Libya's best solution until general elections are held.

Overall, the suspension of the JMC's work and the ensuing oil blockade have the potential of propagating Libya's political deadlock into the security and economic realms, thus making it harder to find stopgap solutions to any escalation between the GNU and LNA/GNS. In fact, it was the JMC's efforts that gave a strong boost to the political track in 2020 and 2021. Current levels of politicisation and sidelining of the Commission may prove to be too big an obstacle for those hoping for a peaceful way forward in Libya. Unfortunately, efforts by Zenenga to mend the Commission's differences failed as eastern members thought that Dabaiba would continue his antagonistic position and there seems to be a strong desire on the part of the LNA to use the oil blockade as a full-blown weapon to reach its political objectives. This not only signifies that escalation remains high on the LNA's list, but also that political calculations in eastern Libya are not very elaborate as actions such as an oil blockade is likely to consolidate the western camp against the pro-Bashagha coalition and make it harder for the GNS to gain international support. In fact, the more the current political crisis continues the more likely it becomes for it to take up old colours known to Libyans and bring forward previous grievances experienced since 2014. Military officers in Tripoli may not entirely be behind Dabaiba as seen by the Libyan Army Chief of Staff Mohammed al-Haddad's calls to keep the army away from political polarisation, but conflictual policies from the LNA make it harder for any western force non-supportive of Dabaiba to eventually consider supporting the GNS. In turn, the GNS, which reportedly was not kept in the loop regarding the oil blockade, is not only sidelined by its coalition partner but

also de facto seen as a collaborator to such an escalatory move that has deep economic costs to Libya. This ultimately risks reinforcing the narrative that the struggle between GNS and GNU is simply a remake of traditional eastern-western conflicts in Libya.

NATIONAL OIL CORPORATION FAILS TO ESCAPE POLITICAL PRESSURES

Under pressure from factions in Tripoli, the National Oil Corporation (NOC) Chairman Mustafa Sanallah accepted financial arrangements with the GNU, the determining factor in prompting the oil blockade by eastern factions.

Historically, the distribution of oil revenues between the NOC and the CBL has been a point of contention in Libya. Since oil proceeds represent the overwhelming majority of government revenues, the NOC has found itself in the delicate position of controlling Libya's vast wealth whilst seeking to stay out of politics and political pressure. During the conflict pitting the LNA against the Tripoli-based Government of National Accord (GNA), both the NOC and the CBL, which hosts the central government's accounts, were at odds and the NOC had decided to deposit its oil revenues in its own account at the Libyan Foreign Bank (LFB) as a temporary measure to ensure that the GNA could not squander Libya's oil wealth on political competition and war. This arrangement was later removed with the formation of the GNU in March 2021, which raised hopes that oil revenues would be distributed equally throughout Libya since the country was then unifying under one single government for the first time in years. Political differences and later the failure of the GNU to hold timely general elections as per its UN-mandate led to the formation of a new parallel government and prompted the NOC to once again freeze oil proceeds within its own LFB account earlier this year. To mend the situation, the U.S. Embassy in Libya proposed in March a mechanism that could have prevented oil to be weaponized by allowing the NOC to incrementally transfer its revenues to the CBL, subject to monitoring and oversight to ensure that funds would solely be disbursed for state salaries and subsidies – thus making it harder for the central government to find avenues for corruption schemes or financing projects that are mainly meant to raise its profile. This proposal was also closely studied by the UN's Economic Working Group that was created as part of the Berlin Process which had managed to bring the seamless transfer of revenues in the early GNU months.

Nonetheless, this proposal was categorically rejected by the GNU Minister of Oil Mohammed Aoun as a “derogation to Libya's sovereignty” and a scheme which resembles the UN “oil for food” programme applied to Iraq in the 1990s. Eastern actors, which theoretically would have the most to gain from

such a mechanism, were also lukewarm at this prospect since the financial mechanism could be extended until elections are held, meaning that the GNS could also be subject to it should Bashagha eventually manage to govern from Tripoli. This fear of solution-based financial mechanisms is particularly true for the HOR which has often politicised the issue of equitable distribution of oil revenues and would not want this political chip to no longer be available. As an alternative to the U.S.-backed proposal, the GNU opted to apply pressure on Sanallah and force him to transfer a substantial portion of oil revenues to the CBL. This development shows how difficult it is for any Tripoli-based actor to hold a position that does not strictly reflect Dabaiba's views. In fact, the Minister of Oil, the Audit Bureau and the Public Prosecution exerted pressure on Sanallah to revise his position or face punishment such as dismissal or imprisonment. The NOC Chairman was also presented as someone akin to a foreign agent by the Minister of Oil for his initial support to the U.S. proposal. In turn, this blackmail was criticised by the Libyan Oil and Gas Workers Union which questioned the Audit Bureau Head Khaled Shakshak's overextended mandate and condemned his institution's intimidation against the NOC. Nonetheless, Sanallah subsequently met with members of the Administrative Control Authority, Ministry of Finance and the CBL to discuss the oil sector's lack of funding and its indebtedment of €1.2bn, including hundreds of millions in accumulated unpaid salaries. It was then made clear that such a problem could be somehow solved should he allow transfers to the CBL's accounts.

To prove their point, GNU officials presented a €6.8bn emergency programme to be given to the NOC over 2022 and covered by the large oil revenues expected in the current fiscal year. This represents an enormous sum worth 40% of the GNU's 2021 draft budget and rests on shaky grounds considering the fact that Dabaiba himself claims his government will organise elections in June 2022, thus leaving no guarantees to the NOC that it will eventually get this emergency fund throughout the year. Doubts also exist regarding the GNU's real intentions of giving all the promised money to the NOC. Nonetheless, the political pressures placed on Sanallah and the allure of such financial arrangements made him agree to transferring approximately €7.6bn in two instalments to the GNU Ministry of Finance account at the CBL. Indeed, the large financing plan aims at increasing production to 1.4 million barrels per day by end of year and would allow the NOC to not only get rid of its debts but also start much needed maintenance and development projects. The transfer of funds proved to be a political point for Dabaiba and his allies, not only because he now has access to funds which could help him bolster the GNU, but also because his emergency programme obliges the NOC to be more transparent with its books – a move that could be deemed positive but also means that the corporation could lose its independence that made it less affected by political chiasms so frequent in Libya. In fact, the move immediately led to an oil blockade by protesters in eastern Libya, whose motives were recognised as

being demands for “development and a fair distribution of oil revenues” by GNU Oil Minister Aoun.

This blockade started on April 17th with the closure of El-Feel oil field and the suspension of work at Zueitina port. As a result of this action, the NOC had to declare force majeure on the 300,000 barrels per day produced at the Sharara oil field and Brega port was also closed subsequently. According to Aoun, such interruptions are causing Libya to lose on average €57 million per day since the country’s production has dropped by a maximum of 550,000 barrels per day – out of production levels of 1.2 million barrels per day. This is particularly harmful to Libya considering that oil price is at its highest since 2014 and would enable the country to easily plug its financial deficit of €2bn accumulated since the start of the year and finance its reconstruction. Additionally, the blockade further harms Libya’s standing in the international economy at a time when European actors, particularly Italy, are seriously pursuing North African alternatives to Russian gas. Considering the political stakes behind the blockade, a resolution may not be found anytime soon, particularly in regards to protesters’ opposition to Dabaiba who they see as “corrupting Libya’s political scene” and their distrust of Sanallah who is increasingly seen as a traitor in eastern Libya. Nonetheless, both the Presidential Council (PC) and GNU Ministry of Oil have sought to find solutions, with Mohammed Aoun forming a committee to communicate with the blockaders. This remains a positive sign in that most actors concerned with the oil sector are seeking not to further politicise the situation, instead of escalating current conditions and painting protesters as solely being pawns in the hands of the LNA.

KHALIFA HAFTAR CHOOSES TO RAISE THE ANTE BY BACKING OIL BLOCKADE

Escalatory measures such as the blockading of oil output reflect the Libyan National Army’s (LNA) decision to take a more decisive role in the political sphere and attempt to break the current political stalemate.

Until now, the LNA had relied upon other Libyan actors, including the HOR and Fathi Bashagha, to change the country’s political reality and remove Dabaiba from power. Failure from such actors to unseat the GNU Prime Minister has now pushed the LNA to take matters in its own hands, especially since the military establishment is facing its own challenges and does not favour the current status-quo. In fact, there are several factors that help explain the LNA’s decision to back an oil blockade without planning the next steps with the rest of the pro-Bashagha coalition. Importantly, this brash decision reflects the LNA’s frustration with the GNS’ empty promises and internal dissent over its decision to enter into coalition with Bashagha. In fact, allying itself with a former enemy was seen as justifiable as long as the

latter entered Tripoli to make a clean sweep of the militias having a large influence over the capital and its politics. However, the refusal of Bashagha to use his security networks in western Libya to take over power through non-peaceful means and Dabaiba ramping-up alliances with Tripoli armed groups are making the LNA highly anxious regarding the next chapter of Libya's political book. As a result, the LNA is pushing the narrative that Libya's crisis is no longer political but rather security-based in that the GNU is irremediably corrupting the country's politics and harming its stability by giving too big a role to militias. This narrative helps it lay the groundwork for a more muscled approach to the current deadlock and place the institution back into its main military role as the LNA has increasingly suffered in terms of reputation due to its questionable governance in eastern Libya.

In fact, there are several weaknesses that the LNA would like to brush off by elevating the threat of an upcoming security mayhem in Tripolitania. First off, the issue of salary non-payment is large enough to create major anxieties within the General Command and the GNU's refusal to pay such dues are genuinely perceived as a tactic to weaken the LNA rank and file. As a result, al-Rajma felt that it had to take a stand to show its personnel that it was actively seeking means to pay them, and to prove to its loyalists throughout Cyrenaica that it was willing to raise the ante to protest the GNU's control over Libyan finances. This latter point is particularly important in that the LNA has a large constituency it needs to keep satisfied and make promises to. In fact, the military institution suffers from a heavy-handed approach to its critics coupled with the difficulty of imposing security throughout the large territory under its control. This phenomenon is reflected by recent events such as demonstrations in Derna by activists protesting against poor living conditions and corruption, as well as earlier protests in Sirte whereby 10 members of the Gdadfa tribe, who are mainly supporters of the former regime, were arrested for calling for compensation for victims of the 2011 airstrikes by NATO. Targeted assassinations which never get prosecuted also continue in LNA-held cities with the example this month of a military police officer being shot in Sirte and LNA-aligned militia leader Shouaib Boumedienne being killed in Benghazi. It is therefore understandable that the LNA seeks to deflect attention by taking the mantle of eastern Libyan interests.

Finally, another pressing issue hurting the LNA's standing is the growing role of mafia-like and non-military figures within the institution. This is particularly true of the sons of military commanders, who in recent years have formed considerable business enterprises through nepotism and were awarded high military ranks without receiving the appropriate training. An episode in late March reflected this thorny issue in al-Marj city, where an unexpected confrontation occurred between LNA troops. Although the reason behind the showdown is unknown and a serious escalation was ultimately averted, this episode shows that unity is not a given within the eastern military establishment, particularly since networks of influences

within the LNA tend to compete with one another and some commanders are feeling sidelined because Khalifa Haftar has consolidated decision-making power with his sons. Whilst there are no reasons to believe that Khalifa Haftar faces high risks of being overturned, it is important to remind that eastern Libya is not immune to a worsening of its security situation should intra-LNA divisions exacerbate. Despite having a General Command made of career military officers, the LNA remains an assortment of militias, many of which have hands in the illegal economy or entertain political aspirations. Their belonging to the military institution remains fragile and is often not the only allegiance they have, since many of these groups maintain ties with foreign bodies such as Russia's Wagner group. Pushing the narrative of an upcoming conflict with the GNU therefore helps the LNA in maintaining its fragile inner coalition, and prevent a situation in the east which may very well become much worse than insecurity levels known today in Tripolitania.

CAN FATHI BASHAGHA MAINTAIN HIS POLITICAL STANDING IN THE FACE OF AN OIL BLOCKADE?

Fathi Bashagha, the head of the Government of National Stability (GNS), is facing greater criticism from his coalition partners regarding the government's continued inability to install itself in Tripoli.

Two months after forming his government, Fathi Bashagha is facing a number of challenges. The oil blockade may have been imposed to accelerate his entry into power in Tripoli, but it has actually shown divisions within his own coalition and may hurt his political standing within and outside Libya. Internationally, the optics of an oil blockade are rarely positive and have led to widespread opposition from UNSMIL, the U.S. and European states. This move may also have hurt Bashagha's attempt to gain Turkey's support since Ankara is now comforted in its view that the LNA does not act responsibly and is actually a liability to the pro-Bashagha camp. Additionally, the timing of the oil blockade coincided with Libya's UN vote to remove Russia from the Human Rights Council, and therefore led to doubtful but genuine concerns that Moscow had somehow influenced the LNA to pursue a blockade as a means to punish the GNU. Overall, the blockade showed poor coordination within the pro-Bashagha camp and has put Bashagha in a difficult position: on the one hand, he cannot wholeheartedly support the blockade for fear of being rejected internationally. On the other hand, he cannot condemn it as this would result in loss of support from the LNA and tribal groups loyal to the military establishment who have genuine concerns about the GNU squandering revenues coming from eastern Libyan oil fields.

Bashagha's position has therefore been one of measure. Following the NOC's decision to transfer funds to the CBL accounts, Bashagha accused

the institution of political interference and later stressed that the protesters' demands were legitimate. However, he rejected their demands to replace Mustafa Sanallah since he believes this would cause more problems and called upon protesters to allow the resumption of oil production and exports. He said his solution was to ask the NOC to review its decision to transfer significant amounts of money to the CBL and instead find "a mechanism to preserve and safeguard oil revenues" until the GNS budget is presented and approved by the HOR. He also vowed that his government would not repeat the GNU's mistakes and instead spend oil money fairly and with accountability through a transparent budget. The GNS Prime Minister particularly travelled to the eastern region of the Oil Crescent and also visited Benghazi, al-Jufra and Ajdabiya to project the image of a leader able to travel across the country and to mend ties with his coalition members. This remains an important step for Libya in that the GNU Prime Minister was never allowed to appear in eastern Libya, but Bashagha's presence there was also not an overwhelming victory in that many tribal groups were not satisfied with his lack of concrete guarantees regarding their concerns in return for his demands to lift the blockade.

In Tunis, Bashagha received field commanders from Misrata who had recently met Dabaiba. Their statement after meeting Libya's rival premiers was a warning against each not to draw Libya into a war, thus showing that the powerful western city of Misrata does not want to choose between any of the two. In southern Libya, the GNS held its first cabinet meeting on April 21st in Sebha to manifest its attention to the marginalised region. These visits inside Libya are important in that Bashagha was until now mostly seen in Tunis, where his presence is becoming difficult for the local government to justify with its own neutral stance in regards to the Libyan political deadlock. Throughout the month, the GNS Minister of Interior Essam Abu Zreiba pointed out that the spectre of war was far away despite Dabaiba's attempts to escalate his rivalry with the GNS and explained that the country's security establishment was unlikely to be divided since his government effectively not only controls security directorates in eastern and southern Libya, but also many in Tripolitania. This narrative, in addition to pacifying statements from GNU Chief of Staff Mohammed al-Haddad and Misratan field commanders, is positive since it shows that both camps have strong components who strongly oppose armed conflict. However, this moderate position hides a great discrepancy between Bashagha's need to appear respectable by international and domestic audiences, and the necessity for him to score points on the ground by effectively chipping away the GNU's power.

There is in fact growing frustration among Bashagha's supporters regarding him not acting enough like a Prime Minister. For some, particularly the LNA and Bashagha's western-based military advisors, this would entail taking

a more muscular approach that would once and for all bring an end to the GNU and allow the GNS to govern Libya from Tripoli. In fact, Bashagha runs the risk of increasingly appearing as a paper tiger the longer he waits for circumstances to allow him peaceful entry into Tripoli. In the meantime, there is no actual GNS budget or policies as the Prime Minister is instead forced to travel the country in search of support like a political campaigner.

FORTRESS TRIPOLI: CAN THE GOVERNMENT OF NATIONAL UNITY MAINTAIN UNITY?

GNU Prime Minister Abdulhamid Dabaiba may be able to turn the current oil blockade into an opportunity to consolidate his political foundations, but he also faces dissenting voices within his own camp.

The NOC's decision to transfer funds to the GNU's CBL accounts in addition to the ensuing oil blockade may have been celebrated as a political victory in Tripoli. In fact, access to much needed funds could insulate the GNU from political pressures over the short-term and allow it to continue with populist policies for a bit longer. Moreover, the political and economic impacts of the oil blockade, if extended in time, could be such that they may tarnish the image of Dabaiba's opponents and strengthen the narrative that the GNS is simply a trojan horse of the LNA and HOR. Despite its minority position in the country, the GNU shows that Tripoli-based governments always have an edge over rivals in that they have access to key financial institutions such as the CBL and NOC. As such, sitting in Tripoli continues to confer ultimate authority and political clout, despite a lack of presence throughout the country. This was the case for the GNA for many years and this is what concerns LNA loyalists in that they fear that the GNU may be able to overstay its mandate indefinitely in Tripoli whilst the GNS remains ineffective. Dabaiba continuing meetings with eastern and southern mayors in Tripoli is also showing that despite not having control over such territories, the GNU continues to be reckoned with as it is the only authority that can disburse adequate financial resources to Libya's municipalities. Dabaiba also seeks to continue projecting an image of a leader internationally, an approach that is getting mixed results considering international apprehension regarding his mandate. For instance, he was invited to Algiers where President Abdelmajid Tebboune voiced his recognition of the GNU as Libya's legitimate government, but has had a difficult time travelling to other regional capitals such as Tunis.

Nonetheless, the GNU Prime Minister's hardline stance vis-a-vis the GNS is not to please everyone in Tripolitania, particularly military figures who have taken a moderate approach and recognise the current deadlock as a political struggle. As seen prior, this is true of Misratan field commanders and

of Chief of Staff Mohammed al-Haddad, who have all clearly stated their opposition for western armed groups to be sucked into a war that would oppose Dabaiba against Bashagha, since they do not generally think this situation equates a fight for survival on the part of Tripolitania. Such military figures are also uneasy regarding the sudden apparition of pro-Dabaiba armed convoys coming from cities like Zintan or Zawiya into Tripoli and creating the imagery of general mobilisation. Moreover, the situation might evolve into one in which moderate elements within Tripoli become increasingly frustrated with the GNU Prime Minister's inability to listen to criticism and his alleged intent to risk a conflict in order to stay a few more months in power. Interestingly, Dabaiba's support base is now made mostly of hardline currents that include controversial figures such as the Islamist cleric Sadiq al-Gharyani who wholeheartedly share the PM's narrative. However, being a versatile politician, Dabaiba has also reportedly sought to approach his supposed enemy, the LNA, to see whether the latter could drop support to the GNU in favour of a power-sharing agreement that involves allocating some GNU ministries to LNA allies and finding a lasting solution to the salary payment problem. This may be the reason why Dabaiba flew to the United Arab Emirates (UAE) in late April for a lowkey visit whose outcome was not publicised by either side. If true, this would show that the GNU Prime Minister is overstretched and is seeking all avenues to maintain his grip over power. Dabaiba is also not immune to popular discontent, ranging from disillusioned constituents who did not get subsidies promised by the Prime Minister to the General Syndicate of Libyan Doctors which once again threatens to resort to strikes over the GNU's failure to increase their salaries. Moreover, alleged corruption cases involving Dabaiba continue to be exposed, lately with the former Libyan Post, Telecommunications and Information Company (LPTIC) Head Faisal Qurqab claiming upon his release from jail that he was first dismissed and then imprisoned for four months due to his refusal to outsource work to an unknown company recommended by Dabaiba.

Finally, Dabaiba realistically has only 60 days in front of him before more of his support tumbles down, as he is supposed to bring his mandate to term in late June with the organisation of elections. To bypass this eventuality, the GNU Prime Minister has pointed out that his government is working in close coordination with the High National Electoral Commission (HNEC) to prepare for polls in the event of a constitutional basis being approved, something that is highly unlikely to happen on time for him to hold elections in June considering continuing disagreements between the HOR and the HCS. In fact, Dabaiba may once again pass an election deadline and resort to strengthening his antagonistic narrative to indefinitely stay in power. It remains to be seen whether western Libya as a whole will be willing to follow him and lay the blame on other spoilers, or call for accountability and disavow the GNU Prime Minister. This month, twenty-one presidential candidates who were meant to participate in December polls have pushed

for their own initiative to ferry the country to elections within six months. They have in fact called upon the PC to declare a state of emergency and for the formation of yet another interim “mini-government” and a team of legal experts to prepare a temporary constitutional rule for elections. Although improbable, this initiative shows a willingness to find alternative solutions to elections and reminds observers that momentum for Libya’s democratic transition can still be rekindled. However, for now, these initiatives remain far too fragile and Libya remains without a concrete pathway to hold elections in the near future.

CAIRO HOSTS TALKS OVER CONSTITUTIONAL TRACK

Under UN auspices, delegates of the Libyan House of Representatives (HOR) and High Council of State (HCS) met in Egypt to go over their differences on the constitutional amendment.

The month of April showed some positive developments in regards to the issue of finding a constitutional basis for elections. In fact, UN Special Adviser to the Secretary General (SASG) Stephanie Williams lifted some confusion regarding which path talks over the constitutional basis were taking, as she clarified that the UN’s initiative was based on the 12th constitutional amendment reached by the HOR in February 2022. To go over the reluctance of some HCS members regarding the 12th constitutional amendment, which was initially publicly accepted by HCS Chairman Khalid al-Mishri before the latter backtracked due to political pressure, Williams proposed to add a clause requiring the combination of the two chambers to set a constitutional basis for elections, something that was so far rejected by the HOR which sees itself as the sole legislative body with binding decisions. Eventually, the HOR formed its committee of 12 members to hold talks with their HCS counterparts, and Egypt presented itself as a host for such talks to go over from April 13th until April 20th. Discussions were tense from the beginning as the HCS insisted on discussing from scratch a constitutional basis whereas HOR representatives wanted to solely go over amendments to the draft constitution. To minimise any last-minute backtracking, UNSMIL did not allow the media to attend the meetings and prevented committee members from issuing their statements to the media. The Media Advisor to the HOR’s Presidency, Fathi al-Marimi, explained that points of differences did not exceed five to six points, and could potentially be bridged to allow the constitution to be put to a referendum before elections are held. However, he reminded that the timeframe in the HOR’s mindset is one of 14-months, going as far as April 2023, and obviously being far removed from hopes to see elections this year.

Additional detail was sparse coming from the Cairo meetings, but in a post on Twitter MP Mosbah Douma said that the committee had reached an agreement “on the general framework of the constitutional process and the mechanism for addressing controversial issues in the draft constitution.” It later became clear that disagreements were persisting, in particular in regards to rights to be attributed to minorities and the federal question. Surprisingly, the Cairo meetings were cut short on April 18th as UNSMIL declared the committee would have a break until mid-May. The exact reason why the meetings in Cairo were left hanging remains unclear, but there has been comment regarding UNSMIL’s frustration with the way Egypt was seeking to steer the meetings. This could be explained by the fact that Cairo has so far been closer to the HOR’s views and was therefore not an ideal destination for talks considering its bias. This also shows that so far, UNSMIL has not managed to build consensus with foreign countries to push one line in regards to Libya. Instead, the lack of an international platform akin to the Berlin process allows individual countries to push their own agenda. Whatever the reason behind the adjournment of constitutional talks in Cairo, the reality is that the constitutional quagmire continues to harm Libya’s political process. As seen throughout 2021, most HOR and HCS representatives may prefer to see no progress made on the constitutional track to prevent legislative elections from happening and therefore maintain their positions of power. It will be difficult to give any serious consideration to constitutional talks next month if the HOR/HCS representatives do not mend their differences. A possible solution would be to solely amend electoral laws to hold general elections should there be no agreement on a constitution, but this path has usually been rejected by the HCS which wants a constitution to be approved through referendum before any presidential and parliamentary elections are held.

INTERNATIONAL DIFFERENCES OVER LIBYA ARE POISED TO PROLONG POLITICAL DEADLOCK

The lack of a united stance from foreign countries prevents the pursuit of a Berlin-style diplomatic front aimed at minimising instability and preparing an actionable transitional plan for Libya to reach elections in the near future.

Four months after the breakdown of the Berlin-process, the international community is still devoid of any initiative that could bring a united diplomatic front pushing for a concrete political process to end Libya’s decade-long transition. In fact, it seems that some internationals are increasingly reading the failure of December 24th elections as a lesson that elections may not be the key solution to Libya’s problems and that focusing on forming a cen-

tral government may not be the best way to install stability in the country. Although this view will be difficult to transform into an actual policy toward Libya, it is true that diplomats share behind closed doors their pessimism regarding the possibility for elections in the country and believe that other avenues should be first considered to create an adequate environment for elections. Depending on who is talking, such avenues can be a federal state, greater efforts to decrease the influence of armed groups in the country, or sound economic policies to improve living conditions. In other words, the prospect for elections is losing its attractiveness and other solutions deemed more pragmatic are being considered. Unfortunately, this disillusionment regarding elections is likely to further prolong the limbo in the country.

None of the abovementioned alternatives are any easier than holding elections, and it is highly possible that the country's legitimacy crisis will deepen in the second half of the year, with no change to the current status-quo. This is something that UNSMIL will need to tackle directly in the next months, particularly since its mandate was extended until July 31st. What may be expected of the Mission is some clarification over the legitimacy of Abdulhamid Dabaiba's mandate after the month of June. It remains to be seen whether UNSMIL will change its neutral stance and encourage international interaction with the GNS, or instead leave the country with two low-legitimacy governments having little prospect of achieving either elections or development. The question of whether the international community will make a tilt after June remains unanswered in most chancelleries as there is very little guidance from UNSMIL on this subject. This can partly be explained by the fact that UNSMIL has so far felt weakened by international disagreements over its mandate and leadership. Being appointed by the Secretary General himself, Stephanie Williams' mandate may not be directly tied to UNSMIL's, but her standing among some Libyan and international actors is harming her efforts to bring forward the political process in Libya. Put bluntly, the SASG is no longer taken seriously by the HOR and the LNA who are highly distrustful of her efforts, and by Russia and some African countries who would like to replace her. This is a dangerous obstacle to the smooth running of UNSMIL's operations in the country and needs to be resolved to give the Mission any chance of breaking the current political quagmire and motivating foreign chancelleries to mobilise their efforts for a concrete path to elections in Libya.

INSECURITY THREATS CONTINUE THROUGHOUT LIBYA

Continuing clashes between militias in western Libya coupled with an uptick in Islamic State terrorist activities in the Fezzan reflect a dangerous continuation of insecurity throughout the country.

The political struggle between the GNU and the GNS is not helping the security situation in Libya as seen with tense reports from Tripoli, where pro-Dabaiba convoys have at times blocked key arteries of the city this month to pre-empt any entry from pro-Bashagha forces. However, this political struggle is not the only factor behind recurring high levels of insecurity in the country, and more particularly in Tripolitania. Indeed, militias in western Libya have continued their turf wars, with the example of the GNU Interior Ministry-aligned Stability Support Apparatus (SSA) clashing with the al-Nawasi brigade early in April. Later this month, Zawiyah was the terrain of clashes between rival armed groups which caused damage to 29 sites in the city's oil refinery complex, thus further exacerbating the problem of low oil production at a time of a blockade. The National Commission for Human Rights in Libya (NCHRL) issued a statement calling upon the GNU Ministry of Interior and the Attorney General to open investigations into pervasive clashes throughout western Libya and seriously find ways to restructure and reform the security sector in Libya. This, however, remains a far off dream in that there is currently no authority present in Libya that is both willing and capable of facing the myriad of unruly armed groups in the country and not falling into the usual strategy of co-opting some militias to remove others. Instead, we are seeing continuing impunity and the return of major criminal figures to public life with the recent example of Abdelhakim Belhaj, a former leader of the LIFG who is on several countries' terrorism list, who arrived in Tripoli from Qatar this month. Although it remains to be seen what security role Belhaj will gain there, if any, such reappearances somewhat give reason to the LNA's narrative regarding questionable links between the GNU and Islamist figures accused of terrorism.

In southern Libya, the Islamic State has shown itself to be active with a bomb attack in Umm al-Aranib on April 18th against a security checkpoint of the LNA. The timing of the attack reflects the terror group's ability to identify opportune moments since it occurred right after the JMC's work suspension and the start of the oil blockade. In fact, the deepening of political divisions creates an opening for groups like the Islamic State in that state institutions are now less in sync in terms of counter-terrorism as well as monitoring cross-border activities and are therefore more vulnerable to attacks. Oil infrastructure could also become a target of the terror group and further exacerbate the current crisis surrounding the oil blockade.

CONCLUSION & FORECASTS

With the imposition of an oil blockade, things have taken a turn for the worse in Libya since this policy brings the country closer to its most recent conflict. There is hope for this blockade to be short-lived considering efforts from Fathi Bashagha and the GNU Ministry of Oil to find a solution to the protesters' demands. Nonetheless, this is not a localised oil blockade that can be removed through easy financial arrangements resolving protesters' grievances. Instead, the blockade is also motivated by a complex political situation that has a security dimension given that one of its causes is the JMC suspending its work and an economic dimension given that its goal is to cut down GNU access to funds over the medium term and make it increasingly difficult for it to govern the country. The blockade has also shown that the pro-Bashagha coalition remains on shaky grounds and may force the GNS Prime Minister's hands in the coming weeks.

In fact, Fathi Bashagha's favoured strategy is to continue being a man in the middle able to travel to both eastern and western Libya, since this is where the value-added of his political platform lies. However, he has so far led an ineffective government and frustrated his coalition partners who would like him to take on a more forceful approach to take power in Tripoli. The road could get more difficult for Bashagha unless he pursues proactiveness by either drawing more support nationally and internationally to peacefully enter the capital, or veering closer towards hardliners within his coalition by agreeing to use force to enter Tripoli. To avoid such a scenario, Bashagha seems to have opted for a delicate balancing act in which he is seeking diplomatic support from Egypt to assuage the aspirations of his coalition partners and is further reaching out to Turkey, with the hope that his moderate approach will convince Ankara to give him his chance and liaise with like-minded military officers in western Libya who may no longer support Dabaiba as Prime Minister.

However, this is where it gets dangerous: Bashagha may not have the time to wait until international powers give him a greater platform and Dabaiba loses more support. Instead, he may be pushed to side with the hardline component of his coalition, and enter Tripoli by force, something which will make him lose his credentials as a potential unifying figure for the country. This dilemma raises the risk of Bashagha having to resign, which will further deepen the country's political divide and national fragmentation. Without Bashagha's moderating role in his coalition, it is highly likely that Libya would fall again in its old narrative of east against west, and it is possible that a permanent oil blockade may encourage western armed forces to take up arms to seize control of oil fields, which remain at 80% under LNA control.

Authors: Mohamed Dorda and Oliver Crowley from LIBYA DESK™.
Contacts: EDITOR@LIBYADESK.COM | WWW.LIBYADESK.COM | @LIBYADESK

Disclaimer: The information and views set out in this publication are those of the authors and do not necessarily reflect the views of the Konrad-Adenauer-Stiftung or its Regional Program Political Dialogue South Mediterranean.

Konrad-Adenauer-Stiftung e. V.

Thomas Volk
Director
Regional Program Political Dialogue South Mediterranean
www.kas.de/poldimed

Konrad-Adenauer-Stiftung e. V.
Regional Program Political Dialogue South Mediterranean
Le Prestige Business Center, No. F.O.1
Rue du lac Windermere, Les Berges du Lac
1053 Tunis, Tunisia
Tel: +216 70 029 460
E-Mail: info.poldimed@kas.de



The text of this publication is published under a Creative Commons license: "Creative Commons Attribution- Share Alike 4.0 international" (CC BY-SA 4.0), <https://creativecommons.org/licenses/by-sa/4.0/legalcode>