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Conflict-Sensitive Assistance to Libya Forum

Summary of Discussions | 39th Meeting

04 February 2021, Online

The Conflict Sensitive Assistance in Libya (CSA) forum, convened by the Embassy of Switzerland to Libya and the European Union and facilitated by the Peaceful Change Initiative (PCi), met for its 39th meeting (CSA 39) on 4 February 2021. The meeting was held online.

The objectives of the meeting were to:

1. Update the joint conflict analysis of the CSA process and apply the analysis to specific areas of practice;

2. Present and review potential scenarios relating to the situation in Libya and their impact on international assistance.

Summary update of national peace and conflict analysis

This summary covers key changes in Libya's peace and conflict context over the period 24 September 2020 to 4 February 2021.

Political

During the update period, the different tracks of the political process have progressed simultaneously and resulted in important agreements. However, the political process continues to face significant difficulties and has engendered political positioning by national actors seeking to safeguard their own influence.

A series of meetings have been held in the different tracks of the political process. Launched by UNSMIL on 25 October 2020, the Libyan Political Dialogue Forum (LPDF) has agreed on a roadmap to form a transitional government to lead the process towards ending the transitional phase with elections on the symbolic date 24 December 2021. In response to the inability of the LPDF to agree on a selection mechanism for a new transitional executive authority, UNSMIL formed an Advisory Committee to develop a proposal for a selection mechanism that was voted on and approved by the LPDF on 19 January 2021. On 30 January, UNSMIL announced 24 nominations for candidates for the Presidency Council and 21 for the position of Prime Minister. In the first round of voting for the PC, no candidate secured the 70% threshold of votes, and a second round is set to take place with a list voting system.

In preparation to conclude the transitional phase, the joint Constitutional Committee formed by the HSC and HoR agreed on 20 January to hold a referendum on the draft constitution ahead of planned elections. The agreement was welcomed by 29 members of the Constitution Drafting Committee but rejected by representatives from Tabu, Tuareg and Amazigh communities.

> *The Conflict Sensitive Assistance in Libya (CSA) forum, funded by the Government of Switzerland and the European Union and facilitated by the Peaceful Change initiative, aims to support the ability of international assistance providers working in and on Libya to undertake their work in a conflict sensitive manner – minimising the risk of harm caused by their programming and maximising opportunities to promote positive peace.*
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> *CSA activities include: a regular forum bringing together international organisations, donors and implementers to consider how the changing context in Libya affects and is affected by their activities; the Leadership Group made up of senior representatives of diplomatic missions and the UN, which aims to consider policy responses aimed at enhancing conflict sensitivity; and technical support to implementers, through training and advice related to conflict sensitivity.*

In parallel, meetings in Morocco between HoR and HSC delegations resulted on 24 January in agreement on a geographic distribution of leadership positions of key institutions, however, no further details were provided. The announcement was rejected to by the Supreme Court as well as 26 HoR members and 40 HSC members.

In support of the intra-Libyan talks, meetings have continued in the political, economic, security and human rights working groups of the International Follow-up Committees established under the Berlin Process.

18 January saw the appointment by United Nations Secretary-General António Guterres of Ján Kubiš as his Special Envoy on Libya and Head of the United Nations Support Mission in Libya (UNSMIL). This position is established pursuant to Security Council resolution 2542 (2020).

Despite the outlined progress, the political talks have faced obstruction by participants as well as other national actors and objections by Libyans. The selection of the 75 member LPDF body has been met with objection over lack of representativeness, and progress has reportedly been stalled by members on several occasions.

Nationally, political actors have more openly been attempting to position themselves favourably in a potential new political and institutional framework and to counter rivals. Attempts include engaging in international diplomatic activity, launching security sector reform processes, conducting arrests ostensibly over corruption charges, and creating new security agencies or operations. Examples of the latter include Interior Minister Bashagha's launch of a domestic security operation dubbed 'Operation Snake Hunt' and Prime Minister Serraj's creation of a new stabilisation agency led by the head of the Abu Salim armed group al-Kikla, a key rival of Bashagha. In addition, the Tripoli Protection Force (TPF), a coalition of Tripoli-based armed groups, has issued several statements objecting to the LPDF and criticising Bashagha.

The update period also saw disagreement over legitimacy between HoR factions. A group of around 120 HoR members held consecutive meetings in December during which a possible replacement of current Speaker Saleh was discussed. In response to this, Saleh has convened two HoR meetings in Benghazi, gathering around 20 members and announced a dismissal of 35 Tripoli-based HoR members, who in turn denounced the move as illegal.

Rivalries by national actors have also had a bearing locally as local actors are aligning themselves to ensure their own influence in a future political framework. Local developments have also seen Municipal elections being held in several locations in December and January under the auspices of the competing national CCMCEs. On 16 January, the Tripoli-based CCMCE announced a rerun of elections in two polling stations in Swani, reportedly due to unconfirmed claims of interference by armed groups.

Security and Justice

The update period saw a formalisation of the ceasefire agreement among stalled progress on the security track of the political process and continuous military movement along the latent Sirte-Jufra frontlines.

On 23 October, the Joint Military Commission (JMC) composed of the 5+5 military delegations signed a ceasefire agreement which, among other things, stipulates a withdrawal of forces from frontlines, departure of foreign mercenaries and fighters by 23 January, integration of security forces and establishment a joint mechanism to patrol a non-militarised zone along Sirte-Jufra frontlines, and a number of confidence measures including opening flight traffic and the coastal road between the east and the west.

Following the ceasefire agreement, the JMC has held several meetings including the first meeting on Libyan soil in its new headquarters in Sirte in November. As part of confidence building measures, two prisoner exchanges have been held. Besides that, the update period has seen little tangible progress in terms of operationalising the ceasefire agreement. Opening of the coastal

road is being opposed by GNA-aligned militias citing the departure of foreign mercenaries as a precondition. In turn, the LNA has accused the GNA of breaking the ceasefire agreement in its continued defence cooperation with Turkey and Qatar. On 24 December, Haftar gave a speech expressing his willingness to resume fighting to evict Turkish influence.

Forces remain at the frontlines and there have been reports of continuous military activity including patrolling, building fortifications and transfer of military cargo to bases. The GNA has on several occasions accused the LNA of breaking the ceasefire agreement by firing rockets across frontlines.

The update period further saw several incidents of localised violence throughout the country at times involving security and political actors aligned with competing national actors. Violent incidents have been reported in several areas in Tripoli, Tajura, Wershfana, Tarhuna, Tobruk, Sabha and Ubari.

Internationally, the update period has not seen significant withdrawal of military support and forces by international actors despite commitments made in the ceasefire agreement.

On 9 January, UNSMIL announced the intention to work towards deploying an international largely civilian monitoring mechanism to complement the foreseen Libyan monitors deployed by the JMC. The proposal is still awaiting approval by the Security Council.

Economic

The update period saw the resumption of oil production following a lift to the oil blockade and steps taken as part of the political process to improve the continuously deteriorating economic situation.

Following a lift to the oil blockade by the LNA, September and October saw a resumption and uptick of oil production. Ahead of this, revenues from oil production were frozen by the NOC to accommodate accusations of mismanagement by the CBL by Haftar. Subsequently, a joint committee of the key financial institutions was formed to agree on a mechanism for revenue management. Representatives of the key financial institutions have also met to discuss the country's banking crisis, issues around foreign currency and liquidity and a reunification of the country's budget.

16 December saw the first meeting of the CBL Board of Directors in six years, which resulted in an agreement on a new unified official exchange rate setting one USD at 4.48 LYD effective from 3 January. Although this measure was widely welcomed and led to a drop in the black marked rate, it has reportedly not led to a greater availability of currency. Moreover, it has resulted in an increase in prices of basic goods such as flour, which are heavily reliant on imports, adversely affecting living conditions.

On 24 January, eastern branches of the Petroleum Facilities Guard shut down oil facilities at Sidra, Ras Lanuf, Zuetina and Hariga ports in complaints of a lack of salary payment the past year. Activity was resumed after a day as the PC issued a decree to pay the salaries, but the incident has led other PFG groups to make similar demands.

Social

The update period reportedly saw increased space for moderate voices as a result of the sustained ceasefire and the political process but also an increasing pressure on many communities dealing with deteriorating living conditions and COVID-19 measures.

At a local level the relatively stable ceasefire and ongoing political process has reportedly enabled more space for moderate voices and local conflict resilience mechanisms. At the same time, many locations have seen increasing resentment towards migrants, refugees, IDPs and others being perceived as 'outsiders' who are scapegoated for poor service delivery, deteriorating living conditions and rising levels of crime and insecurity.

In Tarhuna, tensions have heightened amidst the continuous discovery of mass graves. The update period saw repeated protests and acts of reprisal against property of those believed to have been supporters of the Kani armed group.

Reportedly, there have been several incidents between communities and security actors in the East over complaints of land grabbing, abuse of power and implementation of lockdown measures to address COVID-19. This is in the context of dissatisfaction over corruption and deteriorating living conditions.

In terms of the COVID-19 pandemic, the update period has seen a significant increase in infection rates and a fragmented response to addressing it. On 14 January, the director of the NCDC, al-Najjar, warned of a significant increase in infections in recent days amid a shortage of hospital beds and quarantine centres being under pressure. Renewed lockdown measures were introduced in Tripoli on 22 January to stem the spread of the virus. Vaccines have been ordered but are not expected to arrive in the next four months.

Conflict sensitivity considerations related to projected scenarios for peace and conflict in Libya

Following the presentation of the summary update covering the changes to the context since the last CSA forum, PCi presented different scenarios outlining different potential future trajectories the conflict in Libya may take over the next 12 months. The scenarios are constructed around an analysis of possible developments in key variable peace and conflict factors. For this scenario update, the following variable factors were seen to be particularly important in shaping the context:

- Internationally-led political processes;
- Rival national authorities;
- International geopolitical competition;
- International military involvement;
- Military situation on the ground;
- Competition over national economic resources;
- National-local relations;
- Humanitarian situation and access to basic services;
- Inter- and intra- communal tensions;
- Political space and control; and
- COVID-19 pandemic.

> *Scenario projections are a recent focus of the CSA forum process, aiming to proactively identify potential changes in the peace and conflict context and consider the conflict sensitivity implications of those.*
>
> *Functionality and detailed information about scenarios will be added to OPSECA shortly. In the meantime, for any queries please contact: libyacsa@peacefulchange.org*

The ways in which these variables may shift were analysed and combined to create the scenario projections.

Working in groups on each of the scenarios, participants reviewed the scenarios, assessing whether they present plausible developments given the current context and recent trends. The groups also discussed which implications the given scenarios may have for delivering assistance, and identified conflict sensitivity risks and opportunities arising out of each scenario, including who should take actions to leverage the identified opportunities. The scenarios and summaries of discussions are outlined below.

Scenario 1: New Executive Authority is agreed, and continued political process

Description of Scenario

This scenario projects a situation where a new Executive Authority is formed, and the political process makes some progress towards unifying institutions and restarting Libya's transition.

Agreement by the LPDF sees the creation of a new Government of National Unity based in Sirte. The GNA and Interim Government both resign to allow the unity government to take its role. However, significant challenges persist as the new government contends with competing interests of political and armed groups throughout the country, who continue to be highly distrustful of one another.

Influential international actors demonstrate willingness to seek a common way forward; however, at least some international actors participate in the process for diplomatic appearance and pursue their own geopolitical interests by seeking to support affiliated national actors' interests.

The technical process to implement the transitional roadmap, implement reforms to unify institutions and prepare for elections continue throughout the period but show slow and intermittent progress as key sticking points remain unresolved.

As a result, positive conditions for elections are not reached within the scenario timeframe, though progress is made. Elections proceed anyway at the very end of the scenario period but face significant challenges and the results are contested by different factions.

Ultimately, efforts to reorganise the security sector remain largely unsuccessful, as the new government is unable to entice the various powerful armed factions into an effective single structure and armed actors are unwilling to give up their leverage.

Increased international pressure is applied to halt or reduce military support to rival national factions. An international monitoring force is agreed and deployed to support upholding the ceasefire, but this is under-resourced with a limited mandate.

Tension lines remain frozen around the Sirte-Jufra axis with isolated incidents of violence, as major international actors no longer see military victory as viable, reduce support to national actors and apply pressure to them. Diplomatic talks and the changing situation lead to significant progress in reducing the presence of foreign fighters.

Significant progress is made on agreeing the management and governance of national revenues and launching economic reforms, including conclusion of the international audit process of the two CBLs. However, significant deterioration of the national oil infrastructure, along with broader shocks to global oil markets as a result of the COVID-19 pandemic, mean that economic revenues do not return to previous levels. International early recovery assistance is needed to support national authorities' capacity to deliver basic services and some humanitarian assistance is required as public finances worsen.

Local conflicts continue to occur, especially given new tensions and grievances that have emerged as a result of the political polarisation and fighting from April 2019. At the same time, the absence of fighting and progress in the political process enables local conflict resilience mechanisms to support communities to overcome their differences and address grievances – some of these efforts are potentially supported by international peacebuilding and mediation actors.

Conflict sensitivity implications identified during groupwork:

- Participants noted that proceeding with holding elections in the context of insufficient technical preparation, lacking popular confidence in the process, and a lack of progress on security sector reform may pose conflict sensitivity risks. It is likely that elections held without sufficient foundational preparations will not be supported by many communal groups as well as influential political and armed factions. This may in turn contribute to fuelling polarisation and fragmentation, segmenting divisions and worsening grievances related to exclusion and lack of representation.
- While the new government will have the competency to prepare for elections, many Libyans will be focused on broader questions of services, economic recovery and security, which are much longer term issues. Without addressing these concerns, the new government may face disillusionment and a lack of confidence.
- International assistance is likely to shift to support and cooperate with the new elected government. This could be problematic in a context where that government does not enjoy broad based credibility and support. To avoid fragmented and unaligned approaches to working with competing authorities, international assistance providers should agree on a common approach.

Scenario 2: Political process agreed but contested

Description of scenario

This scenario projects a situation where a new Executive Authority is formed, preparations towards implementing the transitional roadmap face significant challenges resulting in a disputed election process that leads to violence.

Agreement by the LPDF sees the creation of a new Government of National Unity based in Sirte. The GNA and Interim Government both resign to allow the unity government to take its role. However, significant challenges persist as the new government contends with competing interests of political and armed groups throughout the country.

The political process to implement the roadmap to end the transitional phase and implement reforms to unify institutions continue throughout the period but show slow and intermittent progress

and key sticking points remain. Efforts at economic reform and reorganising the security situation show little progress.

Within this context, influential international actors demonstrate willingness to seek a common way forward, however, at least some international actors participate in the talks for diplomatic appearance and seek to pursue their own geopolitical objectives by supporting affiliated national actors' interests.

An international monitoring force is agreed and deployed to support upholding the ceasefire but has a highly limited mandate and insufficient resources.

Ultimately, efforts to reorganise the security sector remain largely unsuccessful, as the new government is unable to entice the various powerful armed factions into an effective single structure and armed actors remain distrustful of other actors and are unwilling to give up their leverage. Efforts to reduce foreign military presence do not result in significant changes in levels of support.

Despite a lack of progress on demilitarisation, institutional unification and economic reforms, preparations for elections to end the transitional phase are pushed through with the intent of holding them in December 2021.

The preparation for elections triggers violence in several places throughout the country between rival armed actors who fear losing out, leading to increased instability and a delaying of the elections, initially for a few months or until conditions are appropriate. This creates uncertainty around the political process, though it is still seen by national and international actors as the way forward.

Increasing divisions and competition between national political and armed actors often spirals into violence at a local level as local communities disagree on who to support and local actors motivated by personal interest offer their affiliation to national actors in return for support. Local community resilience mechanisms attempt to deescalate and manage tensions.

As a result of the escalation in violence, continuously deteriorating economic situation and a worsening COVID-19 situation, more Libyans come to depend on humanitarian assistance. Humanitarian access is affected by insecurity, fragmented lines of control and the increasingly political lens through which different national factions see international support.

This scenario was not discussed during groupwork.

Scenario 3: New Executive Authority contested by national actors leading to increased political and institutional fragmentation

Description of scenario

This scenario projects a situation where a new Executive Authority formed through the LPDF is not accepted by national actors, leading to increased political fragmentation and competition, a weakened political process and increase in violence.

With the backing of the international community, the LPDF results in the formal naming of the GNU. This is formed and claims authority, but has limited political, economic and military capacity to act.

The existence of the new Executive Authority is contested by national actors and existing governance institutions, at least one of which refuses to formally disband citing technical or legal reasons. Significant armed factions also refuse to support the GNU.

Efforts alongside the political process aim to bring spoilers into the agreement, with little progress made towards implementation. Actors increasingly participate in bad faith and are unwilling to make concessions, which ultimately undermines the process.

Internationally led efforts to unify institutions and prepare for elections are complicated by the political fragmentation and sharpening of divisions and make little progress.

In the context of the faltering political process and an increasingly tense geopolitical environment, international actors hedge their bets by bilaterally providing diplomatic and military support to affiliated national actors. The level of foreign military support for armed actors does not significantly reduce.

Efforts to unify institutions and implement economic reforms stall. National and local actors seek to consolidate their control over economic resources and increasingly obstruct important economic infrastructure, including oil, water and electricity infrastructure, as a means to gain leverage to achieve political concessions.

As the political process drags on, tensions increase and incidents of violence between rival factions throughout the country become more common. This sees insecurity increase in general; however, large scale fighting does not break out.

Ongoing national polarisation and fragmentation translates into polarisation at a local level where communities are divided in political opinion. This triggers tensions at a local level as local communities disagree on who to support and national governance continues to be ineffective. Local community resilience mechanisms attempt to deescalate and manage tensions.

As a result of the escalation in violence, continuously deteriorating economic situation and a worsening COVID-19 situation, more Libyans come to depend on humanitarian assistance. Humanitarian access is affected by insecurity, fragmented lines of control and the increasingly political lens through which different national factions see international support.

Conflict sensitivity implications identified during groupwork:
- Participants noted that this scenario outlines a process where the internationally led political process has proceeded in a way that has inadvertently contributed to worsening conflict by resulting in a more complex institutional and governance divide, increased political fragmentation and increased violence.
- A changed and potentially more complicated governance environment characterised by competition between the new GNU and at least one other national authority, as well as increased political fragmentation, poses a question to international assistance providers of how to work with governance authorities. There is a risk of contributing to fuelling conflict by being seen as supporting one side over the other. At a local level it will be difficult to navigate collaboration with authorities in the context of increased competition and shifting alliances. In this regard, it would be important that international assistance providers agree on a collective approach to engaging with authorities.
- A complicated environment in terms of contested governance authority along with shifting alliances and competition make it even more challenging for international assistance providers to adopt a coherent and consistent approach to working with authorities at a local level. This may in turn cause disruption to implementation with may cause dissatisfaction as expectations of assistance are not met.
- Similarly, restricted and changing patterns of humanitarian access due to insecurity, fragmented lines of control and politicisation of aid, may cause disruption to implementation which may also feed inadvertently feed into conflict dynamics and cause dissatisfaction as expectations of assistance are not met.
- The participants pointed out that despite the worsening conflict dynamics outlined in the scenario, conflict sensitivity opportunities may arise at a local level to facilitate dialogue processes between communities to find common issues that promote unity. These may not only contribute to preventing inter-communal violence, but also contribute to developing resilience and to build foundations for peace nationally.

Scenario 4: Increased tension between political/armed factions sparks violence and disrupts the political process

Description of scenario

This scenario projects a situation where the political process triggers competition between different political/armed factions, leading to significant violence.

The LPDF results in a set of appointments to a new Executive Authority. However, the appointments and political arrangements of the agreement are disputed as they exclude the interests of significant armed and political factions within the country.

The selected candidates to the Executive Authority do not demonstrate willingness to engage with different factions within the country and are seen to act in their own interests.

A new government is formally created, but at least one existing governance authority refuses to formally disband, citing technical and legal irregularities in the new agreement. This limits the capacity of the Executive Authority to exert influence.

International actors are unable or unwilling to apply pressure to affiliated national actors to participate in and adhere to the political process. Uncertain of the political outcome, they hedge their bets and continue to provide diplomatic and military support to affiliated national actors.

As the direction of the political process continues to exclude major armed groups, those groups look to gain de facto military control.

Efforts to take control of Sirte, the seat of the new government, spark counter-moves by other armed actors. Major fighting breaks out along the Sirte-Jufra line.

International actors increase military support to affiliated national actors in order to preserve their interests. This further intensifies violence.

The political process is severely disrupted as the Executive Authority is unable to secure itself in Sirte and the military situation undermines progress regarding the transitional roadmap.

Different armed actors realign along new political lines, increasing insecurity away from Sirte in areas like Tripoli, where armed groups seek to consolidate their influence and control.

Efforts to unify institutions and implement economic reforms are stalled and the economic situation continues to deteriorate. Actors occasionally obstruct important economic infrastructure, including oil, water and electricity infrastructure, as a means to gain leverage to achieve political concessions.

The humanitarian situation worsens significantly as a result of fighting, continuously worsening economic situation, deteriorating living conditions and the COVID-19 pandemic. Humanitarian access is limited in areas of fighting and national actors seek to redirect humanitarian and resilience/early recovery assistance for their own purposes.

Local level conflicts escalate in some areas as local tensions due to political polarisation boil and as national level actors get involved. In the South, the concentration of fighting in the North-West contributes to a security vacuum, providing space for crime and for rival local factions to compete over control of resources and administrative power.

Conflict sensitivity implications identified during groupwork:

- Participants noted that this scenario is plausible, but that some of the dynamics outlined in the scenario may occur over a longer timeframe than the 12 months scenario period.
- In terms of conflict sensitivity, the scenario poses an increased risk of diversion of humanitarian aid, which is further exacerbated by impeded access and restraints on

access to information. Disrupted access may also contribute to creating dissatisfaction as expectations of assistance are unmet.

- The increasing instability described in the scenario will pose challenges to local level dialogue processes and peacebuilding which may be disrupted by increasing tensions erupting into fighting or a breakdown in the processes or by impeded access to support sustaining the processes. This will erode resilience to breakout of violence at a local level.
- In general, a highly unstable and fluctuating environment with decreased access will make it more difficult for international assistance providers to get information on the context and on their programming, which decreases their ability to monitor and respond to cs interactions as they occur and increases risks of contributing to worsening conflict.
- Participants noted that the worsening peace and conflict context should encourage international assistance providers to 'take a step back' and review assistance approaches. This also applies to the national political process, which under new UNSMIL leadership could be recalibrated to be more effective, learning from past experiences.
- Similarly, the increasingly worsening situation in Libya may prompt some international actors to align their interests to agree on a common approach to Libya in support of a national political process. Some international actors may increase their support to processes aimed at reaching political solution.