Conflict-Sensitive Assistance to Libya Forum

Summary of Discussions | 41ˢᵗ Meeting

3 June 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 41ˢᵗ meeting (CSA 41) on 3 June 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 4 February 2021 to 2 June 2021. Overall, progress through the Libyan Political Dialogue Forum (LPDF), which saw the agreement of a new Government of National Unity (GNU) on 5 February, led to positive changes in the peace and conflict environment, though significant challenges remain.

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.

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.

Political

On 5 February, the LPDF agreed the formation of the new GNU. The GNU, headed by Prime Minister Abdul Hamid Dabaiba, was appointed with a limited mandate to administer the country until new elections scheduled on 24 December.

Despite some controversy surrounding the election of the GNU, including accusations of vote buying, the overall response to the formation of the GNU by Libya's main political actors and by the international community was positive. Former Prime Minister Serraj resigned his position to provide space for the GNU. Khalifa Haftar, House of Representatives (HoR) Speaker Ageela Saleh and head of the High State Council (HSC) Khaled Mishri all made statements welcoming its creation. Interim Government Prime Minister Abdalla Thinni announced that he was ready to 'hand over power' once the GNU was formally endorsed by the HoR.

Public response to the LPDF was reportedly broadly positive. Some criticisms emerged in public debate around the size of the cabinet and the representativeness of GNU members. In the South of the country, a new political mobilisation was announced calling for the GNU to provide more resources to the South.

Nevertheless, actors appeared also to be hedging bets. At the time of reporting, the interim government had not yet formally stepped down. Haftar's response was also equivocal. He refused

to meet with PM Dabaiba on a trip to Benghazi in April, refusing to allow security by the PM's security detail. He conducted a number of meeting with key political and tribal actors around the country, in a bid to sure up support. Haftar also conducted a military parade in Benghazi in late May, during which he stated that he supported the political process but was prepared to go back to fighting if the 'militias' do not abide by it. This was condemned by other political actors as a threat.

The LPDF determined that elections would take place before a final constitution, based on a new 'constitutional basis'. During the period, some divisions emerged within the LPDF and among political actors in Libya around the nature of elections, particularly whether the president would be elected directly by the public or indirectly through an elected legislature. Without these being fully resolved, at the end of the update period UNSMIL pushed the HoR and HSC to clarify the constitutional basis and legislative framework for elections by mid-June.

Security and Justice

The update period saw relative improvements in the security situation as national level armed actors waited to see how the political situation would evolve. There was reportedly an increase in crime in the South and in Benghazi.

There were no significant incidents of violence between national level actors over the reporting period, but no significant drawing down of forces either. Despite the requirement under the LPDF for all foreign fighters to leave the country, there was no indication that numbers of foreign fighters had reduced.

On 5 April, Haftar addressed a Libyan Arab Armed Forces (LAAF) Forum of Officers in Ar-Rajma. On 29 May, the LAAF conducted a parade in Benghazi in recognition of the seventh anniversary of the beginning of the Dignity operation in Benghazi. The latter was condemned by political actors in Tripoli, including the Head of the HSC, Khaled Mishri, as a threat of violence. During the parade, Hafter declared that they would abide by the LPDF but were prepared to use force if 'militias' did not adhere to it. Both events have been interpreted as indications of Haftar's continued political intentions.

Several significant incidents occurred where armed groups attempted to influence government, including the new GNU, through force. On 3 March, wounded fighters reportedly unsuccessfully attempted to storm the office of the Eastern Central Bank of Libya protesting their lack of treatment. On 7 May, armed groups forced their way into the Corinthia Hotel, used as an office by the Presidency Council (PC), unsuccessfully looking for Mohamed Menfi, the head of the PC. The armed groups were reportedly angry at the appointment of a new head of intelligence and the role of Najla Mangoush as Foreign Minister.

On 24 March, Mahmoud Warfali, an armed group commander indicted by the International Criminal Court for human rights abuses, was assassinated in Benghazi by unknown gunmen.

Despite some incidents, at a local level violence was also reduced across the country, potentially as local level actors seek to understand the implications of national level political changes.

Economic

The economic situation improved during the reporting period, as Libyans reported greater access to their money in banks and to basic goods.

In April, the GNU proposed a budget to be approved by the HoR. The budget was rejected by the parliament under criticism that it was too high for a transitional government that would be in place until only 24 December. A revised budget of 93 billion dinars was submitted and then partially approved, specifically chapter 1 relating to salaries. Under the budget, the salaries of all government employees, including those in the East, would come under the GNU – a necessary step towards

reunification of administration. Budget chapters relating to capital development works were not approved, pending discussion with the HoR.

In early March, Ali Hibri, the governor of the Eastern CBL, requested his retirement. The request came several days after the attack on the Eastern CBL offices by armed groups, though focused on the economic challengels in the country and his reaching the legal retirement age. Hibri's resignation paved the way for reunification of the the Eastern and Tripoli based CBLs under the GNU.

Oil production increased over the period as a consequence of the relative stability. In April, however, National Oil Company head Sanalla declared Force Majeure on oil production in the East of the country, due to the failure of the Central Bank of Libya (CBL) to provide necessary funds for its operations. The decision reduced oil production by 280,000 barrels per day.

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.

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.

The complete CSA national peace and conflict analysis, as well as a more detailed overview of the updates for this period including updates to individual peace and conflict factors, can be found by logging into the OPSECA online platform at: https://opseca.humanidev.tech/opseca#?p=dashboard?a=6.

To register a profile and use of the platform, please contact libyacsa@peacefulchange.org. *Only organisations participating in the forum have access to the online platform (one login profile per organisation).*

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

Scenario 1: Elections successfully held and results broadly accepted

Scenario description

This scenario projects a situation where elections are successfully held within the scenario period and results are broadly accepted.

The political process maintains momentum due to a combination of significant diplomatic pressure on national actors and broad-based Libyan desire to see it go ahead.

Concerted efforts are made over the first half of the scenario period to ensure that the necessary fundamentals for elections are in place. These include necessary legal frameworks and technical capacity for the elections, but also security conditions and agreement by political and armed actors to abide by the results.

Elections are based on an interim constitutional basis agreed through the LPDF, which outlines elections for a transitional legislature and executive with responsibility for finalising a constitution.

With fundamentals in place, elections are held by the end of the scenario period. Despite some issues on polling day, the elections are considered to be broadly free and fair.

The election results are such that many of the significant political and armed actors feel that they have more to gain from participating in the new political setup than opposing it. While some armed

actors dispute the results, there is a significant enough coalition of other armed actors to control any attempts to spoil the process.

Over the scenario period, efforts by the GNU to reunify separate administrations between the East and West continue. Moves to unify line ministries, such as education and health, make significant progress, though ministries remain inflated.

Efforts to unify defence and interior ministries are more complicated. In an effort of compromise, key posts are allocated to actors aligned to different political and armed factions. This essentially internalises conflict between these factions within institutions, which corresponds to less violence but also undermines their capacity for necessary reforms.

The broad success of the political process and reduced violence leads to a gradual reduction in the presence of foreign fighters. Turkey and the GNU agree a presence in Libya at several bases, formalising an ongoing presence. Syrian fighters are ostensibly withdrawn, however some do not have anywhere to go and remain present in Libya, either absorbed into existing armed groups or functioning independently.

The improvement in the security situation and a larger budget, due to oil production and the devaluation of the dinar, allow the GNU to work towards improving economic conditions and addressing basic service needs. However, many of these are long-term issues which require more time than the scenario period. When improvements do not match expectations, local populations, particularly in the South and East, interpret this in light of unfair resource distribution. This contributes to social tensions against the GNU.

During the first part of the scenario period, local intra- and inter-communal conflicts remain reduced while different actors wait to see how the changing national political and security situation affects them. However, many of the drivers of local conflicts remain unaddressed and in some areas efforts to hold local elections exacerbate local tensions. Later in the scenario period, the pressure of tensions leads to significant inter-communal violence in the South.

Conflict sensitivity implications identified during groupwork:

- Participants highlighted a number of challenges relating to holding elections that are perceived as credible and accepted by all actors within the scenario period. In preparation for elections, getting the constitutional basis in place through a credible process will be a key challenge. It might have an impact on the credibility of the electoral process whether the constitutional basis is approved by the HoR or sent back to the LPDF for approval. If elections are held, there is a high risk that it will not be accepted by many actors. Although the GNU and the LPDF process towards elections ostensibly enjoys broad-based support from most major actors, some might not accept the results of the elections if they do not seem to be in their favour. For this scenario to unfold, it will be important for international assistance providers to work at all levels to support a credible electoral process and, as importantly, to proactively work to support a non-violent post-electoral process. This requires a solid understanding of existing divisions and sticking points and potential flashpoints relating to holding elections and strategic planning for how to mitigate those.

- It was further noted that an exclusive focus on preparations for elections without continuous attention to other sticking points such as security sector reform and the deportation of foreign troops during the transitional phase might risk such issues becoming further entrenched. A holistic and concerted approach to international assistance should be applied during the transitional phase to avoid pushing for elections while neglecting and potentially exacerbating other conflict dynamics.

- Participants also identified potential conflict sensitivity risks and opportunities for international assistance in the post-election period. If we see a long period of increasing stability following elections, international assistance providers will likely seek to move offices back into Libya. This will likely bring about a change in implementation approaches and to

the dynamics between international assistance providers and local partners and counterparts. On the one hand, this can encourage better and closer collaboration and a stronger focus on local ownership and enable support to local capacities for peace. On the other, it may lead to more direct implementation at the expense of supporting local civil society. Stronger on the ground presence of international assistance providers might also have an effect on local economies and worsen perception of internationals due to aspects such as differences in salary scales etc. Secondly, the post-election period, may see a change in priorities and funding patterns with negative or positive impacts. Positively, it could provide better space for more long-term approaches and for operationalising humanitarian-development-peace nexus approaches. Negatively, strong shifts in funding may lead to defunding or disruption of important work or see a siloed approach prioritising certain aspects and neglecting others.

Scenario 2: Elections delayed

Scenario description

This scenario project a situation where elections are not held by the end of the scenario period due to political challenges, but there are expectations that elections will be held in the near future.

Despite significant international pressure, efforts to get election fundamentals in place are unsuccessful within a time-period necessary to hold elections by the end of the scenario. Agreement on the legal framework is delayed around key points such as the holding of direct or indirect presidential elections and around the electoral law. Without necessary guarantees over security and acceptance of results, elections are delayed until necessary conditions are in place.

The delay in elections affects public confidence in the process. Nevertheless, the LPDF and the lead up to elections remains the primary focus of political activity in Libya. Major political and armed actors continue to participate, even as they decreasingly trust that others will do so. While armed actors are wary and look to sure up their positions in the even that the political process breaks down, there are no significant breakouts of violence during the scenario period.

Over the scenario period, efforts by the GNU to reunify separate administrations between the East and West continue. Moves to unify line ministries, such as education and health, make significant progress, though ministries remain inflated.

Efforts to unify defence and interior ministries are more complicated. In an effort of compromise, key posts are allocated to actors aligned to different political and armed factions. This essentially internalises conflict between these factions within institutions, which reduces the likelihood of violence but also undermines capacity for necessary reforms.

Despite pressure from some international actors, stalled progress in the political process means that there is no significant reduction in the presence of foreign fighters in Libya, or foreign military support, as different factions seek to preserve their options.

The improvement in the security situation and a larger budget, due to oil production and the devaluation of the dinar, allow the GNU to work towards improving economic conditions and addressing basic service needs. However, many of these are long-term issues which require more time than the scenario period. When improvements do not match expectations, local populations, particularly in the South and East, interpret this in light of unfair resource distribution. This contributes to social tensions with the GNU and decreased public confidence in the political process in the South and East.

During the first part of the scenario period, local intra- and inter-communal conflicts remain reduced while different actors wait to see how the changing national political and security situation affects them. However, many of the drivers of local conflicts remain unaddressed and in some areas efforts

to hold local elections exacerbate local tensions. Later in the scenario period, the pressure of tensions leads to significant inter-communal violence in the South.

Conflict sensitivity implications identified during groupwork:

- Participants highlighted that this scenario could potentially lead either towards a positive trajectory with eventual holding of elections (Scenario 1) or a negative trajectory similar to Scenario 3 or 4 with loss of faith in the process or rejection of results and an outbreak of violence. A delay in the election process needs to be accepted by key national and international actors to avoid a breakdown in the process. To ensure that, it is likely that the GNU will continue and intensify its efforts to satisfy key constituencies through securing financial benefits, key positions etc. This might serve to segment patronage-based relations and raise the risk that those actors will reject an eventual election result if it leads to loss of the benefits or power they've obtained. It is crucial to understand the motivations of national and international actors and to engage proactively with them in order to ensure a good faith participation in the prolonged election preparation process. The types of elections planned may also affect how different actors react to a delay.

- There is a sense that the Libyan public are keen for elections to be held. The way in which the delay in holding elections is communicated about both by Libyans and by international assistance providers becomes key to maintaining confidence by the public and by key actors in the process. There is an opportunity to communicate about it in a way that frames it as the importance of allowing for enough time to get the fundamental preparations in place and thereby maintaining engagement and momentum. This requires the adoption of a strategic communication approach already now and an intensification of awareness raising. Many locally driven initiatives exist that should be supported. Rather, if current communications send the message that a failure to hold elections by the agreed date will be disastrous, a delay beyond that date may lead to a loss of confidence in the process and to some actors seeing it as an opportunity to justify bad-faith behaviour with an ostensible breakdown in the entire process and turn to other solutions, such as military solutions.

Scenario 3: Elections trigger violence aimed at renegotiating political process

Scenario description

This scenario projects a situation where the electoral process is rejected by some armed actors. These actors seek to use violence, or the threat of violence, in order to spoil the process and change the terms.

Preparation for the elections proceeds but efforts to get the fundamentals in place, including the legal framework, security situation and agreement by parties to accept results, face significant hurdles.

In order to maintain momentum, prominent members of the international community push for elections by a deadline. As a result, the LPDF forces through the legal framework despite opposition and efforts proceed towards conducting the poll.

Either in the lead up to elections, or once results are announced, some Tripoli based significant political and armed actors determine that they will lose out in the post-election political configuration. They consequently attempt to spoil the process with the threat and use of violence, including by occupying key governmental institutions and attempting to kidnap key officials. These actions aim to force a renegotiation of the process in their interest.

Efforts by armed groups to spoil the process play into pre-existing tensions between armed groups. Other armed groups attempt to respond, sparking violence and broad insecurity within Tripoli.

Foreign fighters in Tripoli (affiliated with Turkey) are drawn into the fighting, ostensibly in a bid to preserve the political process. However, the actions of Turkey-aligned foreign fighters are perceived as partisan, reducing their effectiveness as an unbiased force.

By the end of the scenario period, ongoing insecurity in Tripoli reduces the ability of government to operate, reduces public confidence in the political process and the government, and plays into alternative political narratives about the future of Libya.

Over the scenario period, efforts by the GNU to reunify separate administrations between the East and West continue. Moves to unify line ministries, such as education and health, make significant progress, though ministries remain inflated.

Efforts to unify defence and interior ministries are more complicated. In an effort of compromise, key posts are allocated to actors aligned to different political and armed factions. This essentially internalises conflict between these factions within institutions. As armed group tensions play out in Tripoli, divisions within these ministries come to the fore.

The improvement in the security situation and a larger budget, due to oil production and the devaluation of the dinar, allow the GNU to initially work towards improving economic conditions and addressing basic service needs. However, many of these are long-term issues which require more time than the scenario period. When improvements do not match expectations, local populations, particularly in the South and East, interpret this in light of unfair resource distribution. This contributes to social tensions with the GNU and decreased public confidence in the political process in the South and East.

Violence in Tripoli later in the scenario period leads to displacement and an increase in humanitarian need.

During the first part of the scenario period, local intra- and inter-communal conflicts remain reduced while different actors wait to see how the changing national political and security situation affects them. However, many of the drivers of local conflicts remain unaddressed and in some areas efforts to hold local elections exacerbate local tensions. Later in the scenario period, the pressure of tensions leads to significant inter-communal violence in the South.

Conflict sensitivity implications identified during groupwork:

- Participants noted that current trends point towards this scenario or Scenario 4 where a push for elections or an ineffective process leads to an eruption of violence or to increased military build-up and tensions with localised clashes. Whether violence remains localised or evolves into national level fighting will depend on the actors engaged and their political affiliation as well as their ties to international supporters. This in turn, would influence the approach of a potential renewed internationally led mediation effort. It may be perceived as necessary to involve actors who initiated military actions in a political process to end violence, however, this also poses the trade-off of demonstrating that such courses of action are effective to achieve increased influence.

- The division of interests amongst the key actors of the political process. For instance, the support of HCS to the CDA constitutional draft, and the support of the HoR to the elections in December, might trigger violence.

- Participants highlighted the importance of humanitarian assistance, mediation, and reconciliation on the local level to withstand an effect of national polarisation.

- The scenario presents similar conflict sensitivity challenges as previous periods in the Libyan context. Increasing competition and fragmentation in governance nationally and an eruption of violence will likely lead to increasing polarisation at a local level and shifting alliances between local political and armed actors and national actors. This will complicate collaboration with national and local authorities and might have a disruptive impact on

access and acceptance of international assistance locally, which may increasingly be politicised. In this event, it will be important that international assistance providers agree on a common approach to dealing with authorities and to negotiating access.

- Finally, increasing humanitarian need might lead towards humanitarian assistance at the expense of long-term development and peacebuilding work, which compromises progress on addressing such issues. It is important that international assistance continues to support local capacities for peace and resilience at a local level to enable communities to withstand the effects of national level polarisation and insecurity.

Scenario 4: Elections trigger violence aimed at new 'military solution'

Scenario description

This scenario projects a situation where the lead up to elections, or the election results, triggers significant moves by the LNA/LAAF to undermine the process through force.

Preparation for the elections proceeds but efforts to get the fundamentals in place, including the legal framework, security situation and agreement by parties to accept results, face significant hurdles.

In order to maintain momentum, prominent members of the international community push for elections by a deadline. As a result, the LPDF forces through the legal framework despite opposition and efforts proceed towards conducting the poll.

Significant actors in the East determine that they will lose significantly due to the election results. In preparation of this, they make quiet military preparations, including prepositioning military forces in the Southwest of the country under the guise of addressing cross-border threats.

Either before the election, or immediately afterwards, the LNA/LAAF make military advancements from the South towards Tripoli, backed by regional supporters. Tripoli based armed groups, backed by Turkey, counter-attack and significant fighting occurs on the outskirts of the city.

The LNA/LAAF frames the political process as illegitimate and their actions as an attempt to deliver a military solution for political stability.

By the end of the scenario period, fighting undermines the ability of the government to operate. The reach of the GNU in the East and South is reduced, and efforts to reunify administrations are reversed.

Violence near Tripoli leads to displacement and an increase in humanitarian need.

During the first part of the scenario period, local intra- and inter-communal conflicts remain reduced while different actors wait to see how the changing national political and security situation affects them. However, Haftar and the LNA/LAAF work to secure the support of key local actors in areas such as the Southwest of Libya and in the approach to Tripoli. This plays into inter-communal tensions, particularly in the South.

As fighting breaks out, local communities polarise along different political perspectives. Some local areas side with the GNU while others side with the LNA/LAAF. Some communities are internally divided, leading to potential violence between factions.

This scenario was considered during the meeting by the same group that worked on scenario 3. Consequently, the implications identified by participants for scenario 3 apply to this scenario as well.