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# ORIGINS OF THE LIBYAN CONFLICT AND OPTIONS FOR ITS RESOLUTION

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## SUMMARY

After 42 years during which Muammar Gaddafi controlled all power in Libya, since the 2011 uprising, Libyans, fragmented by geography, tribe, ideology, and history, have resisted having anyone, foreigner or Libyan, telling them what to do. In the process, they have frustrated the efforts of outsiders to help them rebuild institutions at the national level, preferring instead to maintain control locally when they have it, often supported by foreign backers. Despite General Khalifa Hifter's ongoing attempt in 2019 to conquer Tripoli by military force, Libya's best chance for progress remains a unified international approach built on near complete alignment among international actors, supporting Libyans convening as a whole to address political, security, and economic issues at the same time. While the tracks can be separate, progress is required on all three for any of them to work in the long run. But first the country will need to find a way to pull back from the confrontation created by General Hifter.

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## INTRODUCTION

For 42 years, Muammar Gaddafi drove all of the important decisions about Libya. Even as he told Libyans that every one of them was equal and a king, Gaddafi alone allocated the country's only meaningful source of revenue, the proceeds from its oil production, to the people and for whatever he deemed Libya might need, for infrastructure, goods and services, and investment.

With Gaddafi's overthrow in 2011, Libya lost the driver of its engine. It faced a choice between moving forward to achieve mutual accommodation and inclusive government, or renewed civil conflict. Since the revolution, Libyans, fragmented by geography, tribe, ideology, and history, have resisted anyone, foreign or local, telling them what to do. In the process, they have frustrated the efforts of outsiders to help them rebuild institutions at the national level, preferring instead to maintain control locally when they have it, often supported by foreign patrons.

Prior to April 4, 2019, when General Khalifa Hifter launched his effort to take Tripoli by force from the internationally-recognized Government of National Accord (GNA) under Prime Minister Fayez al-Sarraj, the outcome had been an unstable stability, or a stable instability, in which each faction was in a position to limit the influence of others, but not to take control of Libya as a whole, and a functional impasse inhibited further

progress on most issues of importance. All of that was replaced by renewed civil conflict in the west, rekindled by General Hifter's ambition to take the country and to correct history by replacing Gaddafi's personal rule with his own new military dictatorship.

A ceasefire and negotiations that bring about interim political agreements remain the only means of avoiding potentially protracted conflict, the devastation of Libya's major population centers (as well as its capital), further descent into a corrupt war economy, humanitarian crisis, and the loss of more Libyan civilian lives, as well as those of fighters. Even now, Libya's best chance for progress remains a unified international approach built on near complete alignment among international actors, supporting Libyans convening as a whole to address political, security, and economic issues simultaneously. Such unity is not now in evidence. Indeed, some governments have sought to continue to recognize and support both the Sarraj government and General Hifter simultaneously, even as the latter seeks to overthrow the former by lethal force.

The timing of General Hifter's attack was not accidental. It came just 10 days before UN Special Representative for the Secretary-General (SRSG) Ghassan Salamé had scheduled a national assembly to bring Libyans together to compromise and reach decisions, and only five days after local elections, the

# MAP



# TIMELINE

**1951:** Libya becomes independent under King Idris

**1969:** King Idris deposed in a military coup led by Colonel Muammar Gaddafi

**1972:** Gaddafi bans political parties and institutes a system of “rule by the people”

**1996:** More than one thousand prisoners – many political – massacred at Abu Salim Prison

**February 2011:** Uprising in Benghazi leads to a full-blown revolution

**September 2011:** UN Support Mission in Libya (UNSMIL) created by UNSC Resolution 2009

**June 2014:** Libyan government splits in two, one governing in Tripoli and one in Tobruk

**December 2015:** Libyan Political Agreement signed in Skhirat, Morocco

first to take place in Libya in five years. General Hifter presents himself as non-political, other than anti-Islamist. But politics of all forms, aside from military rule, is anathema to General Hifter, and so he chose this moment to blow the political and diplomatic tracks up.

For political negotiations to have succeeded, international powers would have needed to press their clients to join and remain part of the UN-led process, as the alternative to both conflict and the status quo. An ultimate deal would have required geographic balance on the location of Libya's main institutions, agreement on economic reforms and a national security structure, and decisions on whether the government would be headed by a legislatively-chosen prime minister or a popularly-elected president as reflected in a final draft constitution. If all of that were to have been worked out in principle, the Libyan House of Representatives (HoR) would then need to authorize a vote on the draft constitution by referendum, followed by elections, which in turn, internationals would need to be scrupulous about supporting regardless of results.

Getting there would have been very difficult even without General Hifter's assault on Tripoli, and only possible if foreign actors that have sponsored rejectionist clients made it clear that anyone who fails to participate, compromise, and allow the process to move forward until a new government is formed would be cut loose and abandoned. The risk was always that ambitious individuals within Libya and

beyond would instead engage in lethal adventures that destabilized the country, sparked renewed conflict, resulted in partition, and/or led the country into a new Gaddafism. Emboldened by years of international support from Russia and France, as well as Egypt, the United Arab Emirates (UAE), and Saudi Arabia, Hifter decided to take the bet that he could roll into Tripoli in short order, and establish personal rule over the entire country.

General Hifter has staked all on his campaign to take Tripoli. In the process, he has largely unified resistance in Libya's western coastal region, including many otherwise disgusted by militia rule and the lack of capacity on the part of the GNA. There are three main likely outcomes to General Hifter's military gambit: The first would be a near-term total victory by Hifter, which would require continuing financial and air support from the mix of foreign countries that have abetted his rise since 2014. The second would be a humiliating defeat for General Hifter by Tripolitanian forces leading to the withdrawal of his troops back to the east, thereby reducing his influence throughout the country. The third would be protracted conflict, over a period that could last years.

A stand-off, or General Hifter's defeat, could set the stage for renewed political talks. For now, not only talks, but also meaningful diplomatic efforts, are likely to await the results on the battlefield. There remains a chance, however slim, that the UN could secure an unconditional ceasefire pending a national conference aimed at political

resolution of the crisis. That would require all UN Security Council (UNSC) members and the major foreign actors supporting each side to tell the combatants there is no military solution, and to back those words up by withdrawing support if they refuse to stop fighting and start talking.

## HISTORICAL FACTORS

Over thousands of years of history, the territory that comprises the modern state of Libya has been divided between north and south. City-states in the northern coastal area have been dominated by conquerors from elsewhere in the Mediterranean, while in the south nomadic tribes (Tuaregs, Tubu) living in pastoral economies have had little involvement with, let alone interference from, those in the north.

As Jacques Romani observed in *The Middle East Journal*, Libyans before Gaddafi tried and failed to forge national unity through governments based on pan-Islamism and pan-Arabism. In the end, they succumbed to persistent colonialist rule until the country became an independent federalist state with an ineffective national government under the monarchy of King Idris in 1951.<sup>1</sup>

Until Gaddafi's overthrow in the February 17, 2011 revolution, just two regimes had ruled Libya since independence: King Idris from 1951 to 1969 and Gaddafi from 1969 to 2011. King Idris's government of 1951-1969 was minimalist in practice, adjudicating disputes with a light touch, and with only nascent national institutions. Oil was discovered during his reign, in 1959,

and Libya subsequently went from being among a handful of the world's poorest countries per capita, to one with a broad social safety net.

Following the 1969 September revolution, in which Gaddafi and the Free Officers Movement deposed King Idris in a coup and abolished the monarchy, Gaddafi built a rentier, socialist society in which essentially all basic needs (water, electricity, cheap energy and food, health care, and education for both sexes) were met by the state. But these were provided by a government that extended no meaningful political rights and in which wealth beyond the basics was divided between the "haves" (those favored by Gaddafi) and the "have-nots" (everyone else).

Under Gaddafi's rule, elites included people from historically prominent families, plus his own, the small and previously uninfluential tribal group called the Qadhadhfa; successful importers; those trained as engineers and involved in infrastructure; and local tribal leaders. The technocrats stayed out of politics. They were generally competent, their capabilities enhanced by stints studying in any of the world's best universities, paid for by the state.

Have-nots included the people of Cyrenaica east of Benghazi, whose territory produced most of Libya's oil wealth; the peoples of the Saharan interior; and Islamists, resentful of Gaddafi's purely secularist governance. They also began to include commercial and educated classes in Libya's most

prosperous cities, such as Misrata and Benghazi, whose elites felt politically marginalized despite their affluence.

Throughout Gaddafi's 42-year rule, Libyans were told that power rested in the hands of the people under a system Gaddafi called *Jamahiriyah* – the so-called “state of the masses.” In theory it was supposed to provide social justice, high levels of production, the elimination of all forms of exploitation, and the equitable distribution of national wealth. Instead of parliaments, Libya was supposed to have direct democracy, achieved through self-government, by the people through popular committees, rather than any form of intermediation. In practice, Gaddafi decided everything that mattered. In the words of James Gelvin, it was “an Orwellian nightmare,” as “rule by the masses” in principle meant control by “Gaddafi & Co,” backed by repression to keep the system going.<sup>2</sup>

Gaddafi's radical socialism is laid out in some detail in his 1975 manifesto, “The Little Green Book,”<sup>3</sup> which states that Libya's wealth belongs to all of its people equally, and they can decide how to manage it by participating in popular committees, congresses, and conferences. For the 42 years of Gaddafi's rule, they met, and he decided, especially after 1984, when he responded to an attempted military coup with a brief reign of terror. (In all, there were at least six attempted coups over the course of Gaddafi's tenure.<sup>4</sup>)

The country's political institutions were underdeveloped and immature. Political parties were banned in 1972, and “rule by

the people” was in practice limited to rule at the local level. There, where everyone knew everyone, Libyans had experience in adjudicating compromise as families and tribes could generally find solutions that made sense within the community. But Gaddafi had prevented this from ever happening on a national level.

Gaddafi centralized the functioning of the state and built a limited number of essential institutions: The National Oil Corporation (NOC); the Central Bank; the Great Man Made River and associated water infrastructure; the Libyan General Electric Company; and the Libyan Post, Telecommunications, and IT Holding Company. Each of these institutions was fundamentally technocratic, not political, and functioned reasonably well, even in an economy beset by corruption at the top and hobbled by subsidies at the bottom.

Gaddafi's oft-generous social policies and infrastructure projects bought him a measure of support inside Libya, despite ideological limitations that for many years inhibited the development of an economy beyond oil exports and the import of foreign goods. Restrictions on the right to have a private business were in place until 1988. Until then, post-coup Libyan commerce was run almost entirely by “revolutionary committees,” a structure that led to substantial shortages of consumer goods.<sup>5</sup>

Gaddafi's erratic foreign policy had long alienated other Arab leaders and left him increasingly isolated from other regional governments. Within Libya, his domestic policies were also increasingly seen as

arbitrary, as well as repressive. While he shared enough wealth to take care of the basic economic needs of most Libyans, his regime increasingly came to be seen as a corrupt kleptocracy that benefitted Gaddafi, his family, and his minions first.

A never-to-be-forgotten inflection point was the 1996 massacre at Abu Salim Prison, in which some 1270 prisoners, including a number of Libya's best and brightest political activists, were slaughtered and buried on the spot, before their bodies were exhumed and then ground into dust to leave no trace of what had happened. For this, influential Libyan families who lost fathers, brothers, sons, and cousins never forgave Gaddafi and his regime.<sup>6</sup>

More than four decades on, the young, handsome, and inspiring Gaddafi of 1969 had long since given way to an eccentric, embarrassing, and dangerous "crazy uncle" with an ostentatious lifestyle, given to wearing florid uniforms and making long, boring speeches. The initial rebellion in Benghazi exposed the long developing cracks in the social contract between Gaddafi and the Libyan people, which rapidly built into the earthquake of the February 17 Revolution in 2011.

By then, Gaddafi's support was a mile wide, but an inch deep: Within a week of the February 17 Revolution, which began as a civil protest on February 15, 2011, most of Libya was reported to be under the control of opposition groups, with Gaddafi's forces holding only Tripoli, Sirte, and Sabha. The first Libyan independent government, the National Transitional Council, established

itself in Benghazi on February 27, less than two weeks after the rebellion began, but was principally a public affairs operation. Once Gaddafi organized a response, his forces took back about half the country. Nonetheless, NATO's aerial bombardment soon turned the tide against him. With his death on October 20, 2011, the Council suddenly was required to exercise power in reality, not just in name.<sup>7</sup> Libya's salvation had come, but its troubles were just beginning.

## PRIMARY DOMESTIC ACTORS

Gaddafi's ouster created new opportunities for a range of Libyans who previously had been foreclosed from exercising political power. For the first time, without any previous experience, Libyans as a society would determine how their oil wealth (some \$25 billion a year) and national savings (\$150 to \$200 billion) would be spent.

As a result, from early 2012 on, numerous contestants vied for control of governance, territory, money, and oil resources. These included a wide scope of contesting forces, some more politically focused, and some principally military.

### POLITICAL GROUPS:

- Political elites who had done well under the Gaddafi regime, including successful importers of foreign goods, government contractors, and some technocrats.
- Local politicians spread across Libya's coast representing largely local interests, such as the Misratan business community.
- Tribal leaders from important families at the local level, along the coast, and representatives of the Tuareg and Tubu in the south. The role of these was elevated under Gaddafi as a foundation for society as a whole, especially to dispense patronage and to adjudicate disputes.
- Heads of nascent political parties of varying ideologies, including political Islamists.
- Highly-educated Libyans wanting to exercise political freedom for the first time, including highly educated Libyan women who had more in common with Italian women of their generation than with Libyans living more traditional lives.

## SECURITY FORCES:

- Remnants of the Libyan Army under Gaddafi, some of which coalesced in the east over the summer of 2014 under the leadership of General Hifter, with Egyptian and Emirati backing, and aided by Russia deciding to print and deliver some 10 billion dinars of Libyan currency from its state printer, Goznak, to the east from 2016-18.
- Heads of militias, whose continued power depended in no small part on their ability to deliver salaries to anyone who had been a member or could claim that they had. (The number of the latter ballooned dramatically due to these payments, from around 30,000 that actually fought against Gaddafi's forces in 2011 to an estimated 250,000 by 2014.<sup>8)</sup>)
- Local Salafist Islamist extremists and terrorists, including but not limited to Ansar al-Sharia and the groups that coalesced into the Benghazi Revolutionaries Shura Council in 2015. Elements of at least the former were among those responsible for the death of U.S. Ambassador to Libya Christopher Stevens and three other Americans in Benghazi in September 2012.
- International terrorist groups with Libyan components, including al-Qaeda in the Islamic Maghreb and later, ISIS. These included foreign fighters with ideologies and experiences derived from beyond Libya, who applied a level of violence and brutality that went well beyond the limited blood-letting between other competing Libyan forces.
- Petroleum guards with tribal ties, seeking to extort a greater share of revenue from the oil they were responsible for protecting, in both the west (Zintan) and the east (Ajdabiya).
- Criminal gangs, including kidnappers and smugglers.

Instead of institutions to govern the country, what Libya had was a lot of oil wealth and many contenders seeking to claim it, none with uncontested legitimacy at the national level, or the ability to enforce it through control of coercive force. (Libya's national army was largely destroyed by a combination of bombing by NATO forces and militia seizures during the ten months of 2011's civil war.)

Generally, with the exception of the criminal and terrorist groups, who were typically hated throughout Libya, no one was particularly more legitimate than anyone else. As a result, competition over power and resources, with no arbiter, brought Libya increasingly weak governments. Whoever emerged from negotiations over the exercise of leadership in Libya's transitional governments was inevitably a compromise candidate, chosen precisely because they would be unlikely to affect the balance of power among all forces participating in the political process. A description of the National Transition Council's chairman, Mustafa Abdul-Jalil, in office until summer 2012, could stand in for a description of Libya's appointed leaders generally: "Most Libyans agreed . . . he was a man of principle, but it was frequently unclear what, if anything, he did."<sup>9</sup>

Unprincipled persons also found positions of power, which were used as leverage to gain more and to oust opponents. A critical watershed came after the legislature in Tripoli was established in July 2012, when it was intimidated into enacting a political lustration law in May 2013, preventing

anyone with even a remote connection to the Gaddafi regime from holding public office during the country's transition.<sup>10</sup> The action was widely seen as vengeance and one-sided justice by "Islamists" aiming to deal a fatal blow against anyone competing for power who they could label as "Gaddafites." The lustration law covered anyone who had worked for Gaddafi, even if they had participated in and supported the revolution. In practice, it meant that those subject to the law were both delegitimized and removed from politics. It allowed those responsible for enacting the law, which occurred while armed guards from local militias helpfully watched over the proceedings, to consolidate their power by wiping out their opponents. This action paved the way for the civil conflict that followed a year later.

Western diplomats working on Libya generally agreed that their biggest collective mistake after the revolution was the failure to take action in May 2013 to refuse to recognize the lustration law for what it was: A power grab. It was a period in which U.S. policy had yet to recover from the death of Ambassador Stevens eight months earlier, and no ambassador was yet in place. Things were not made better by the American absence.

## PRIMARY FOREIGN ACTORS

Broadly speaking, the involvement of international powers and regional actors contributed to dividing the country and made it more difficult to undertake a credible process of national reconciliation.<sup>11</sup> While France, the U.K., and the U.S. were all deeply engaged in the air war to oust Gaddafi, thereby functionally destroying his ability to contain the revolution, at the end of the conflict, these and other European powers largely retreated and did not seek to exercise control over events in Libya. Instead, they offered a broad menu of assistance programs in every sphere (political, economic, and security), essentially all of which failed. It was left to private sector interests to exploit the contracting opportunities which first blossomed amid an orgy of Libyan spending, and then quickly withered.

By contrast, regional actors developed favored clients, based on a mixture of ideological and geographic ties. Egypt, Saudi Arabia, and the UAE on one side and Qatar and Turkey on the other helped fuel the conflict by covertly providing military support to their clients. Qatar supported Islamists with money and military aid through Sudan. Turkey engaged in relationships going back geographically to Ottoman times with friendly groups, primarily in Misrata and Tripoli. And from the summer of 2013 onwards, Egypt and the UAE, with support from Saudi Arabia and Jordan, worked with forces which previously had been associated with Gaddafi and against anyone who smacked of Mohammed Morsi's Muslim Brotherhood in Egypt, ultimately becoming the political and security backers of General Hifter's Libyan National Army (LNA), operating from bases near Tobruk, close to the Egyptian border.

The competition between forces backed by Qatar and Turkey on the one hand, and by Egypt, the UAE, Jordan, and Saudi Arabia (and later, Russia) on the other hand, played a substantial role in the ultimate splitting of the country into two governments in June 2014, neither of which controlled much territory outside their respective capitals of Tripoli in the west and Tobruk in the east. The decision by ISIS to enter Libya soon thereafter and to supplement the largely domestic al-Qaeda entities and their affiliates with foreign fighters from Syria and Iraq focused the attention of these regional actors. It also played a role in Algeria becoming further involved in efforts to reach a political accord, which in turn led to greater engagement from Morocco on the same mission. The ongoing competition between the governments of these two countries played out in a constructive fashion for Libya, as both saw a stable Libya as in their national

interest. For Algeria, this was a matter of protecting its border from terrorism and Islamic extremism, as well as reducing the risks of foreign military intervention. For Morocco, engagement brought with it an earned “equality” with Algeria on Libyan matters.

Simultaneously, the ISIS threat, together with the development of systematic criminal activity to smuggle migrants into Italy by local militias on the coast, especially in western Libya, drew renewed focus by Italy, France, and the U.K., as well as the U.S. Combating terrorism was not an academic concern for the U.S. after the tragic murder of Ambassador Stevens and three other Americans at the U.S. consulate in Benghazi on September 11, 2012.<sup>12</sup>

In response to these developments, there was renewed energy applied to the political process led by the United Nations Support Mission in Libya (UNSMIL) through a new SRSG, Spanish diplomat Bernardino Leon, appointed in the autumn of 2014 after it became clear that the existing SRSG, Tarek Mitri, was making no progress in securing a compromise among the contesting forces.

## UNDERLYING CONDITIONS FUELING CONFLICT

After four decades of highly personalized, centralized rule under Gaddafi and given a near total lack of developed national institutions, Libya was undoubtedly unpromising ground in which to sow a democratic revolution, even though this was almost certainly the desire and aim of most Libyans when Gaddafi was overthrown. Initially the Libyan revolution resulted in the distribution of armaments widely throughout the country as militias raided military depots. Afterwards, these self-selected militias all received continuing cash payments from the state as revolutionary *thuar*.<sup>13</sup> The Libyan army under Gaddafi had never had very strong leaders because he had ensured no one

became powerful enough to challenge him. Once the security apparatus was destroyed by the revolution and NATO bombing, instead of having a unified coercive force subservient to the will of a dictator, Libya's post-revolutionary security institutions were fractured along local, tribal, ideological, partisan, personal, and regional lines.

Libya's politicians were ill-equipped to govern, let alone lead. Its transitional political institutions struggled to do their work amid competing theories of legitimacy with no simple means to resolve them. As late as 2014, the judicial system was generally respected, as demonstrated when Libyans honored the ruling of its Supreme Court on the selection of a prime minister from two candidates nominated by competing governments.<sup>14</sup> But increasingly, court decisions, too, were ignored by the losers.

The big prize of Libya's oil wealth became increasingly contested, as different groups began to use their control of oil (from oil fields to pipelines to terminals) as a weapon to extort funds. This tactic had the predictable result of reducing oil production, in the process, slowly and then more rapidly, consuming Libya's national wealth and beggaring the country.

## **PRECIPITATING EVENTS LEADING TO OPEN CONFLICT**

Over the course of 2014, there were a series of provocations by competing interests in the west and the east. First, on February 14, General Hifter, recalling Gaddafi's own 1969 coup, announced on TV that he had taken control of Libya's main institutions that morning, and was suspending the GNC, the government, and the Constitutional Declaration in the name of the people. In response, the government ordered his arrest, which was as chimerical as his coup.<sup>15</sup> In May, General Hifter initiated Operation Dignity to reclaim Benghazi from Islamist forces, which in turn prompted the creation of Operation Dawn by those forces and others in the west to oppose him. In June 2014, after elections were held, the new HoR made the fateful decision not to convene in Benghazi as had been agreed but instead to move further east to Tobruk. That decision ruptured any sense of unity among Libyans in the west, prompting its predecessor, the GNC, to unilaterally decide to ignore the elections and declare it was still Libya's legitimate parliament. Over the duration of 2014, conditions further deteriorated, leading to the period of two ineffective and minimally

legitimate governments. Each claimed to control all of Libya, but in practice held little territory. Meanwhile, military forces aligned with each competed on the ground for control of Benghazi and a limited number of other areas.

During this disastrous period, Libya's historical grievances became current ones. East-west divisions intensified; oil production rapidly dropped, creating massive deficits that ate away at Libya's national savings; and space became increasingly ungoverned. Following fighting between Zintanis and Misratans, among others in Tripoli, and growing violence and criminality, the U.S. and most other international embassies quit the country entirely by mid-summer. Regional actors doubled down on support for their clients, providing funding, weapons, and in some cases overt military support. For example, Sudan, seeing an opportunity, sold Soviet-era Russian weapons to both sides, with funds and facilitation coming, respectively, from the Saudi-Emirati-Egyptian camp on one side, and the Turkey-Qatar camp on the other.<sup>16</sup> As the UN SRSG and UNSMIL sought to find a path to initiate talks, the country moved toward a low-intensity, but potentially broadening civil war.

## **MITIGATING FACTORS**

Yet even amidst the crisis of two governments in 2014, beyond Benghazi, Libya did not descend into widespread civil war or anarchy. A number of mitigating factors came into play that helped stabilize the country even as it was largely ungoverned.

The most important included the decision by the Central Bank to continue to pay all the salaries that had been established

following the 2011 revolution. This had the consequence of ensuring continued payments to a wide range of constituencies, including militias now fighting one another in Benghazi. These payments helped to maintain a foundation of a welfare state even under the terrible conditions of 2014, making it less of an economically-driven existential battle.

Other factors included minimal sectarian differences within Libya. Almost all Libyans are Sunni Muslims of the Maliki school of jurisprudence. The country has little tradition of sustained Libyan-on-Libyan violence, with 2011 being the exception, not the norm.

The entire country retains a national interest in continued oil production, due to the geographic spread of the oil reserves and infrastructure from interior to coasts, making all mutual hostages and no one in a position to capture it all. Libya's licit economy is almost entirely based on oil production,<sup>17</sup> and oil has been, and for the foreseeable future will remain, its only significant revenue source. This reality requires its problems to be addressed nationally and inclusively, as any division of Libya would be inherently incomplete, unstable, and incompatible with maintaining even a minimally functioning state.

Most Libyans appear to believe conflict is in neither their local nor the national interest. By 2015, regional actors recognized that



Tarek Mitri, then Lebanon's acting foreign minister, at a meeting of the Arab foreign ministers at Arab League headquarters in Cairo on January 6, 2008. From 2012 to 2014, Mitri served as the second head of the UN Support Mission in Libya. (KHALED DESOUKI/AFP/Getty Images)

they had enough to deal with in Syria, Iraq, and Yemen without adding an unstable Libya to the mix. Western actors realized that they had a real stake in stabilizing Libya to counter the growing flow of migrants through Libya to Europe, and in preventing it from becoming a safe haven for terrorists who would export terrorism elsewhere.

Indeed, within Libya, an additional and often underappreciated restraint on intra-Libyan warfare was the ugly presence of ISIS, which by 2015 had taken over the coastal city of Sirte and a substantial crescent to its south, as well as the eastern city of Derna. To cite the famous adage of British writer Samuel Johnson, “the prospect of a hanging concentrates the mind.” Libyans and foreign actors alike saw the beheadings of Egyptian Copts by ISIS, terrorist attacks on tourists in Tunisia carried out from safe havens in Libya, and a lethal assault on one of Tripoli’s major international hotels, and concluded that geographic control of any portion of Libya by ISIS was not something that any of them could tolerate.

Ironically, ISIS’s presence in Libya proved to be a major mitigating factor that enabled international

actors to bury their differences and work in common to promote a national Libyan Political Agreement (LPA), as was eventually reached in December 2015 in Skhirat, Morocco, with the help of essentially every regional and international actor with any relationship to Libya.<sup>18</sup>

## **THE SKHIRAT PROCESS LEADING TO THE LPA**

UNSMIL began its work after the revolution with the goal of helping Libya through its transitional period from post-conflict to a permanent government. It simultaneously had reconstruction, humanitarian, human rights, security, and political missions under UNSC Resolution (UNSCR) 2009, enacted in September 2011. Over the course of the two-year tenure of its second leader, Tarek Mitri, from 2012-14, UNSMIL’s mission narrowed in practice to aiming to resolve the political crisis, eventually stalling out amid Libyan boycotts and the June 2014 Tripoli-Tobruk split into divided governments.

Mitri’s successor, Spanish diplomat Bernardino Leon, appointed in September 2014, focused his efforts

on forging a political agreement to create a new transitional government to replace the two competitors (Tripoli and Tobruk) that had emerged by June 2014, and thereby to curtail the civil war that had developed over the course of 2014. Over a period of 15 months, he picked representatives from a range of Libyan groups to join what he called the Political Dialogue. He assembled relevant international actors, including both neighbors and Western countries, and overcame recurrent Libyan boycotts. Through a round-robin of meetings in Algiers, Berlin, Cairo, Geneva, London, Paris, Rome, and Tunis, among other locations, as well as interminable iterations in Skhirat, Morocco paid for by the Moroccan government, Leon was able to create a framework which became the LPA. The agreement was signed at Skhirat in December 2015 a few weeks after his departure and replacement by German diplomat Martin Kobler.

Notably, the LPA depended entirely on securing the full alignment of major international actors. Egypt, the UAE, Saudi Arabia, Qatar, and Turkey all contributed to getting reluctant and oft-truculent Libyan clients to participate in the talks. Among the greatest difficulties in achieving international alignment was the conviction by Egypt and the UAE that the Qataris and the Turks were providing arms to the "Islamists," and the "Muslim Brotherhood," and the equal conviction of the latter that Egypt and the UAE were providing them to General Hifter and the "Gaddafites." Russia, despite complaining about NATO's role in having removed Gaddafi in the first place,

also supported Leon's activities. China did the same without reservation. Everyone involved also agreed to cease supplying funds and weapons to their clients, pulling them back from using force to change geographic areas of control.

## **POST-SKHIRAT BALANCE OF POWER**

The GNA established through the LPA created a geographically and ideologically balanced nine-person Presidency Council (PC) as well as two legislative bodies, the State Council in Tripoli and the HoR in Tobruk, and extended the tenure of the latter, which otherwise had run out in the fall of 2015. It established a process by which the HoR was supposed to consult with the State Council, and endorse a cabinet selected by the PC, whose ministers would reflect appropriate horse-trading among Libyan constituencies.

In practice, the requirement of a functioning HoR proved to be the Achilles' heel that ensured the GNA would never be effective. The HoR's speaker, Aguila Saleh Issa, rejected the idea that anyone outside of his control should exercise power from Tripoli. He told those close to him that the east had only just started receiving benefits after suffering for decades under Gaddafi and should try to retain as much power as possible. When his faction saw that a majority of the HoR would endorse a cabinet proposed by the PC in June 2016, they turned off the electricity in the building and locked the doors to prevent a vote.<sup>19</sup>

Over time, the fractious nine-person PC transitioned into a more traditional form of governance. The head of the PC, Fayez al-Sarraj, acted as prime minister; other members, including two representing the easterners and one from the Tuaregs, resigned. A few PC members carved out concrete portfolios, especially Ahmed Maiteeg from Misrata, who focused on practical issues such as securing the coastal highway. Prime Minister Sarraj elevated his status domestically through frequent meetings with foreign counterparts. His cabinet, appointed but not confirmed, functioned at various levels of competence, including several Gaddafi-era technocrats who knew what they were doing.

Western governments with their own interests in Libya's economy supplemented UNSMIL's efforts by establishing working groups to bring together Libya's economic institutions so that basic decisions could be made about expenditures despite Speaker Aguila's functional boycott. Prime Minister Sarraj made the brave decision in March 2016 to take up residence in Tripoli in the face of threats issued by the self-proclaimed head of the previous government in the capital displaced by the GNA. He was supported in this decision by the Italian government, as well as Maiteeg, who had friendly forces available to help. He then built up sufficient support to enable the government, however shaky, to remain there and provide some basic stability to the country. Despite this stability, the country remained beset by power shortages, crumbling health care facilities, a banking crisis, a more than two year long struggle for control of Benghazi

that damaged much of the city's physical infrastructure, and the take-over of Sirte and its surrounding region by ISIS.

The U.S. and allies worked closely with the Sarraj government and military forces from Misrata and Tripolitania to oust ISIS from Sirte in 2016, at the cost of hundreds of Misratan lives. At the same time, the UAE, Egypt, and France provided various forms of support to General Hifter's LNA forces in the east. This enabled him ultimately to take Benghazi in July 2017 after years of fighting and to establish military governorships along many of the coastal cities east of Benghazi, even as his efforts to take Derna from Islamist extremists continued to face fierce resistance. Equipment provided earlier through the UAE and continuing support from Egypt played a key role in enabling General Hifter to take military action in September 2016 to push out Ibrahim Jadhran and the National Petroleum Guards at Ras Lanuf, al-Sidra, Zuwaytina, and Brega in the so-called oil crescent along the coast, both confirming his position as Libya's strongest military force and enabling oil production to resume by ending Jadhran's extortion racket.

In June 2018, Jadhran once again tried to retake the oil crescent. In response, General Hifter pushed back and declared that from then on, the oil would be distributed by the "eastern NOC," rather than the national NOC, required under Libyan law and by applicable UNSCRs.<sup>20</sup> In the short term, the result was to take hundreds of thousands of barrels of Libyan oil off the market, denying the revenues to the Central Bank,



Colonel Muftah al-Muqarief (L), who heads oil guards loyal to Libyan military strongman General Khalifa Hifter, and Colonel Ahmad Mesmari (C) hold a press conference at the Zueitina oil terminal on September 14, 2016.

*(ABDULLAH DOMA/AFP/Getty Images)*

which continues to pay salaries to millions of Libyans, including soldiers serving in General Hifter's LNA.

The ability of the HoR to defy international demands that it endorse a cabinet and work with the GNA was facilitated by the provision in spring 2016 of billions in ersatz Libyan dinars by Russian state printer Goznak. These dinars went to a separatist "eastern Central Bank" operating under Speaker Aguila. Due to the liquidity crisis, neither the official Central Bank governor, Sadek al-Kabir, nor Prime Minister Sarraj, took steps to declare the currency to be counterfeit. This resulted in General Hifter and Speaker Aguila having very large sums available to them with no accountability or oversight, enabling them to ignore international pressure for the most part.<sup>21</sup>

Russia has never explained its reasons for issuing the fake currency. However, in this period, it also undertook public efforts to promote General Hifter, meeting with him in several venues and treating him as a near head of state. This had the predictable result of enabling him to ignore demands from the U.S, Italy, U.K., France, and others to deal with Prime Minister Sarraj and the GNA until pressure from Egypt and the UAE (as well as France and Italy) ultimately enabled the two to meet.

Periodically, General Hifter declared his intention to take over the entire country by force and by popular acclaim, mimicking the 1969 coup against King Idris.<sup>22</sup> But in practice, he has lacked sufficient support both to take further territory and to hold it. Recurrent health problems, infighting, and

allegations of corruption have further inhibited his ability to act unilaterally, especially in light of the recognition by his sponsors that Egyptian security depends on a stable, unified, Libya with national institutions, which General Hifter alone cannot provide. And yet, with foreign backing, he has remained the only plausible candidate to become a purely military successor to Gaddafi.

During its first two-and-a-half years of existence, the GNA experienced an array of crises. These included multiple resignations at the PC, the replacement of the head of the State Council in Tripoli, struggles over control of the Central Bank and NOC, multiple claimants to Libya's sovereign wealth fund, periodic terrorist attacks, and turf wars among militias. Despite these challenges and others, including ongoing power outages and runs on the banks, Libya's institutions have successfully avoided both progress and collapse. It has remained in the interests of those who hold power to maintain the status quo rather than to take chances on change.

The system is working, at least to some extent, as evidenced by the fact that for most of 2018, Libya was pumping around one million barrels per day (bpd), generating some \$25 billion a year in revenues, until local militias closed the gigantic Sharara oil fields at the end of the year, costing Libya some 300,000 bpd. Annual revenues of \$25 billion would be more than enough to meet its near-term needs in terms of salaries and necessities. However, Libya could be producing much more: It has proven reserves of 48 billion barrels, the largest in Africa,<sup>23</sup> and up to 2011 its output was as high

as 1.6 million bpd. With investment, it could reach that again, or even top it, reaching as much as 2.1 million bpd.<sup>24</sup>

But under the current system, much of the revenue generated from oil is squandered on patronage networks, cash payments to large numbers of Libyans who do not actually do any work, militia-related bribes and corruption, and anyone able to obtain letters of credit from the Central Bank. This allows access to hard currency at the official rate, facilitating enormous profits on the black market. Libya's patronage networks are extensive: In the west, the militias receive official salaries (guaranteed by the Central Bank and the GNA) and are also well-positioned to extract extortion of various kinds from their territory and assets (like airports); in the east, General Hifter's LNA is sustained in similar ways, while HoR Speaker Aguila has used government contracting and counterfeit Russian dinars, among other tools, to build out his system.

## **MOVING BEYOND SKHIRAT: POLITICAL AGREEMENT OR STALLING FOR TIME?**

After securing the Skhirat Agreement during his first weeks in office through vigorous diplomacy, UN SRSG Kobler had to deal with the reality that major stakeholders, in particular Speaker Aguila and General Hifter, would not accept the GNA's authority. In practice, he was unable to make much further progress over his remaining 18-month tenure.

In the summer of 2017, a new UN secretary-general appointed a new UN SRSG, Ghassan Salamé. Like SRSGs before him, he began with great enthusiasm and a new political road map. First, the road map would reduce the PC's membership from nine to a more manageable three to address widespread frustration and resignation of many council members. These three would make political decisions to be implemented by a separate prime minister on an interim basis until the country could hold elections. Second, the UN would convene a democratic national assembly so that many Libyan voices could be heard on the country's future. Third, there would be a vote on a constitution, so that Libya could move beyond a transitional government to a permanent one. Finally, elections, including both a direct popular vote for the new position of president of Libya and elections for a new parliament, would take place.

Over the following nine months, whenever the Salamé road map gained traction, one or more major Libyan actors boycotted, retreated, prevaricated, reinterpreted, or otherwise failed to take the necessary steps, blocking progress due to a lack of trust or good faith and divergent regional, political, and personal interests.<sup>25</sup> Then, on May 29, 2018, after intensive consultations involving the participation of a wide range of international actors, French President Emmanuel Macron was able to convene a meeting in Paris attended by Libyan Prime Minister Sarraj, General Hifter, Speaker of the House Aguila, and Head of the State Council Khaled Meshri. At its conclusion, President Macron announced that the Libyans present had agreed in principle to support the Salamé plan, including a national conference,

a vote on a permanent constitution, and elections on a president and parliament by December 10, 2018.

This appeared to be a hopeful, and important, moment. But implementation of this plan required Libya's leaders to be uncharacteristically willing to put aside personal ambitions for the good of the country. Characteristically, it was immediately followed by General Hifter and Speaker Aguila telling their followers that they had agreed to nothing in Paris. Moreover, diplomats were privately saying that France had given General Hifter too much attention and he was taking the Macron initiative as a sign that France was ready to join Russia, the UAE, and Egypt to support him taking power by force, if necessary.

In practice, the Paris Agreement triggered military action on the ground. Within days of the meetings, a militia group affiliated with disgraced former National Petroleum Guard force leader Jadhran sought to reclaim control over the heart of Libya's oil crescent. In response, General Hifter retook it. Following that, Speaker Aguila's self-appointed eastern "government" issued a statement authorizing sale by representatives of the eastern NOC. Such efforts to take and sell the oil without regard for existing contracts, Libyan law, or applicable UNSCRs remain a fundamental threat to the country's survival.

While General Hifter was able to gain control over the oil in the east, this did not enable the eastern NOC to sell the oil, as neither it nor the eastern government are recognized internationally. But blocking the oil deprived Libya of revenue, and risked widespread



People gesture and wave a Libyan flag as a fighter jet flies by the Zueitina oil terminal on September 14, 2016  
(ABDULLAH DOMA/AFP/Getty Images)

criticism. Accordingly, UN mediation resulted in the oil returning to NOC control. Libya's unified oil production and sales system has been a central factor in keeping the country from splitting apart, and any effort to grab it threatens to break civil accord more broadly.

Coming right after the Paris Agreement, the episode highlighted the ongoing struggle for control of Libyan national resources. Implicitly, it begged the question of whether everyone would honor the results of any future national election – or instead, would see it as an occasion for groupings to claim power locally through taking whatever opportunities may permit regardless of the impact on the country as a whole.

## THE CURRENT CONFLICT

Although micro-skirmishes over territory were common, at a macro level Libya achieved some stability under the first 36 months of the GNA, despite growing criticism, especially of Prime Minister Sarraj's dependence on militias in Tripoli. However, that near-term stability did not resolve the issues over grievance, greed, power-sharing, separatism, and personalities that have fractured the country since Gaddafi's fall. An example of that type of violence took place at the end of August 2018, when competing militias attacked one another in Tripoli's suburbs with heavy weaponry, killing dozens of civilians, prompting international warnings, and leading to a call for a ceasefire by PM Sarraj with uncertain

results. The ability of the prime minister and his government to maintain their presence in Tripoli has recurrently been put at risk by such violence, and in turn, caused them to buy off militias, thereby further ensconcing them into the fabric of Tripoli's security.

General Hifter pointed to the militias providing security in Tripoli as the justification for his decision to overthrow the country's internationally recognized government and his April 2019 assault on the capital. During its first month, the conflict he initiated left 300 dead, 1600 wounded, and an estimated 40,000 people displaced. General Hifter has issued an order for PM Sarraj's arrest, and Libya's public prosecutor has reciprocated with an order to arrest General Hifter and six of his lieutenants for bombing Mitiga airport and shelling and killing civilians. In such an environment, efforts at political settlements inevitably take a back seat to the more immediate goals of securing a ceasefire and access for humanitarian relief, which General Hifter has to date ignored, instead calling on his troops to "wipe out" resistance.

To secure his dictatorship, General Hifter needs to control not only Libya's oil, but also its oil revenues, and national savings, which remain under the control of the Libyan Central Bank under the internationally-recognized government. This can only be accomplished if General Hifter obtains international recognition, and such recognition is withdrawn from the Sarraj government. To date, not even General Hifter's strongest foreign

supporters have taken that step, even as U.S. President Donald Trump, following a meeting with Egyptian President Abdel-Fattah el-Sissi, took an April 15 phone call with General Hifter, and then announced that they discussed their "shared vision for Libya's transition to a stable, democratic political system."

In actuality, General Hifter has made clear his intent to repress every alternative to a military dictatorship, with all that entails. This risks the unintended consequence of giving new oxygen to terrorists, who could be joined by members of western Libyan militias that find themselves on the losing side. As a result, rather than ending the terrorist threat in Libya, a military dictatorship headed by General Hifter risks substantially exacerbating it: Libya under General Hifter could come to resemble Syria under Bashar al-Assad.

General Hifter can only conquer Tripoli with an extended air campaign undertaken by fighters and drones supplied and largely operated by foreign actors. General Hifter was ultimately successful in conquering Benghazi and Derna, but in both cases, it took him years to do so, with substantial foreign assistance, including from Egypt, France, the UAE, and Russia. In both cases, large parts of the cities have been left in ruins. While there have been some reports of foreign drones in Tripoli, accompanied by photographs that purport to document their presence, it is not yet clear how far General Hifter's foreign supporters would be willing to go to secure his victory in what remains by far Libya's largest city as well as

its capital, or what Tripoli would look like at the end of what could be a protracted military assault.

As General Hifter's attack on Tripoli continues, there remains the further risk that Libya's more than 7000 miles of oil pipelines and other infrastructure will again be attacked or closed by those seeking advantage or expressing grievance. Sustained conflict over energy would put not only the entire sector, but also the entire economy at risk. That, in turn, would further threaten nationwide infrastructure failure (electricity and water), governance failure (cash, food, and health), and a downward spiral of atomization, emigration, migrant trafficking, and terrorism, east to Egypt, west to Tunisia and perhaps Algeria, and north to Italy, while worsening conditions to Libya's south. The national interest of all of these countries, as well as of Europe generally and of regional actors, is to ensure that the nightmare of Libya coming actively apart does not come to pass.

## **PATHWAYS TO END CONFLICT**

Libyans are experts at boycotting initiatives designed to help them achieve progress in governance. No one within Libya has had the ability, the position, and the will to act as a convener of a national process. Whatever chance the UN has to do this depends on international actors convincing Libyans that a negotiated settlement and elections are the only viable way forward, rather than a military dictatorship, or if General Hifter's campaign fails, partition or civil war.

For now, international actors are divided on what course to take. In April 2019, after President Trump's telephone call with General Hifter, the U.S. joined Russia in blocking action in the UN Security Council calling for a ceasefire. The U.S. position directly contradicted its previous policy of opposing General Hifter's military action, announced less than two weeks earlier by Secretary of State Mike Pompeo, leaving the State Department, as well as the rest of the world, unable to discern the U.S.'s intended policy regarding Libya. France has similarly sought both to support the existing Sarraj government and General Hifter, even as they are locked in combat, on counter-terrorism grounds. In early May, Russia joined Turkey in calling for a ceasefire, even as it continues its deliveries of Russian-printed Libyan dinars to General Hifter and Libya's east. Such policy incoherence does not auger well for near-term international diplomatic efforts.

While internationals continue their policy straddles, the people of Tripoli face the risk of an extended war of attrition by General Hifter, unless the forces in Tripolitania are capable of delivering defeat on the ground sufficiently substantial to cause General Hifter's forces, who are far from home, to withdraw, or even abandon the cause. To do this, the Sarraj government will surely draw on every financial tool they have to reward participants in its anti-Hifter coalition. Given the all-or-nothing stakes, the conflict could deteriorate into a protracted Syria-like, if non-sectarian, civil war, providing new opportunities for ISIS

and other terrorist groups, such as al-Qaeda in the Islamic Maghreb and Ansar al-Sharia, to take advantage of the chaos.

The alternative would require Libyans, backed by internationals, to again enter into a political process to resolve their differences. The UN has been the only entity that has had the ability, the position, and the will to act as a convener of a national process in Libya. Whatever chance the UN has had to do this has depended on international actors convincing Libyans that a negotiated settlement and elections are the only viable way forward, rather than a military dictatorship, protracted war, or partition. At this point, this pathway would require General Hifter's international supporters to stop supporting him, militarily and financially, until he agrees to a ceasefire and enters into talks, and then to keep the reins on absent a viable deal.

One can imagine the outlines of such an agreement, even if it remains out of reach as General Hifter continues his effort to conquer Tripoli by force. A viable deal would need to address political, security, and economic issues simultaneously. While the tracks can be separate, progress is required on all three for any of them to work in the long run.

For diplomatic efforts to produce results, internationals must work together to prevent any illegal oil exports, including by General Hifter and those with whom he is aligned, acting within the UN as needed to secure authorizations for measures to stop any such exports, if necessary on the high seas. The U.S. boarded and seized one such ship carrying oil that had been grabbed by easterners, the *Morning Glory*, with UN approval on March 17, 2014, and united action by the UN Security Council resulted in the deflagging by India and return to port of a



Heads of state, ministers, and special envoys attend an international conference on Libya at Villa Igia in Palermo, Italy on November 13, 2018. (FILIPPO MONTEFORTE/AFP/Getty Images)

second such vessel on April 26, 2016. These actions were critical to countering eastern secessionist efforts and reducing the risk of a broader war over resources.

Those who have been political winners under the existing system, either by obtaining control of state expenditures or support from foreign patrons, have demonstrated they are willing to see Libya as a whole decline so long as they maintain their own power. The country will not get beyond its current impasse unless outside actors with Libyan clients ensure those clients accept compromises to enable the government to move forward.

For a political settlement to be possible, there must be continuing unified foreign support for the Salamé-led UN process with countries withholding backing to anyone responsible for missing deadlines. The first step in this is insisting that representatives of all factions meet together somewhere in Libya to discuss reforms and to agree, at least, on the scheduling of elections to give the Libyan people their first opportunity in five years to vote on and thereby select their leaders. Should elections actually take place, there must be unified foreign support for whoever is elected to run the country, whether as prime minister by parliamentary agreement under the current system, or by direct popular vote as a result of enactment of a presidential system by constitutional declaration or a permanent constitution.

To provide stability, Libya's leaders would need to be elected with a strong national mandate, govern with competence and inclusiveness, initiate economic and security reforms early, and secure comprehensive and rigorous international support from the outset. Any gaps in these foundations would be likely

to lead to cracks in any new government's legitimacy, effectiveness, and stability, engendering contests for power, and the risk of renewed conflict.

One notable feature of the draft constitution is that whoever is elected president by direct vote of the people also becomes commander in chief, subjecting the military to civilian control. A popular referendum on a constitution would enable the Libyan people to support or reject a permanent legal framework for their government. The HoR would need to vote to set the date for such a referendum, and set out a clear road map for the contingency that the Libyan people reject it. Getting all of this done would be very hard. For this reason, it appears the UN has now recommended postponing the proposed referendum on a permanent constitution and instead moving to another interim government, through getting the HoR to pass another constitutional declaration amendment, which would set the rules and the date for elections.

Even this simplified plan requires overcoming a number of obstacles, starting with the fact that any meaningful elections will threaten the patronage networks of Libya's existing leaders. Whatever their promises in principle, such figures often prove loath to give up power in practice. For progress to be made, all of these constituencies and more must receive some share of Libya's wealth. Elections, therefore, are not alone sufficient: Sharing resources is essential.

For elections to have legitimacy, Libyans must agree on the structure of the government and measures to ensure its inclusiveness. Geographic balancing is likely to be essential in practice for elections to move forward. An obvious compromise would be to distribute

some key national functions to Benghazi, historically Libya's second city, where security is now provided by LNA forces, as well as some other key agencies such as the NOC headquarters.

Prior to General Hifter's assault on Tripoli, there had been little visible progress on any of this since the May 29, 2018 Paris agreement. A conference hosted by Italy in Palermo on November 12, 2018 was supposed to ratify the commitments made in Paris, but ended without further substantive agreement on anything. Italy, like France before it, treated General Hifter like a head of state, thereby further legitimizing him, even as he engaged in a semi-boycott of the event, attending at the last minute at the behest of Egypt and refusing to participate in meetings with political opponents.

To achieve security for the long run, Libya requires national security institutions that include a national army as well as local police forces to supplant militias. Building these necessitates reconciliation between the forces assembled by General Hifter in the east as the LNA, and other members of the Libyan Army who served under Gaddafi but who have been located elsewhere. Some form of military council would promote inclusion and alignment, accompanied by some additional force to reduce the risk of a coup. Militia members willing to give their allegiance to the state would be allowed to join local police or the national army on an individual basis. One could create incentives to make this possible by introducing a salary differential for those entering legitimate state institutions in lieu of militias, and then phasing militia salaries out over time. Inflation, through the devaluation of the

Libyan dinar, can assist in this process. One fundamental barrier to such plans has been that they have not been in the interest of any of the leaders of Libya's militias, or those who rely on them.

There are economic reforms that would make a huge difference for the Libyan economy and create jobs and opportunity for the Libyan people. Libya should devalue the formal exchange rate until it reaches equilibrium with the black market rate. The government should eliminate fuel subsidies to counter smuggling and the black market; make cash payments to individuals and families who have been verified through the national ID system to offset the loss of money due to the elimination of subsidies; increase salaries of those who actually do real jobs and who agree to accept the civilian authority of a new president; agree on a formula for revenue sharing with municipalities on a per capita basis to give them a stake in a united, productive Libya; and undertake new contracting activity to rebuild national infrastructure and to provide jobs and opportunities.

A government taking these steps would see Libya's economy rapidly grow and foreign investors and companies return. More oil could be identified and extracted; natural gas resources could be properly exploited; and Libya's location and comparatively smaller population would again enable it to become a destination for workers from neighboring countries in need of jobs.

None of this road map is consistent with General Hifter's vision of establishing a Libyan government as a military dictatorship under his sole control. Based on his own words, a victorious General Hifter would instead

impose martial law to stomp out dissent and to enable him to exercise absolute power and control throughout the country, if necessary through a dirty war of extreme violence and brutality similar or worse to that which took place in Algeria during its civil war in the 1990s. Instead of mayors, Libya would be ruled locally by military governors appointed by General Hifter. Libya, already ranked among the most corrupt countries in the world by Transparency International, would likely sink further, as General Hifter and his military associates were free to take advantage of all of the opportunities that oil revenues and rule-free government procurement can bring.

For General Hifter and for many of the Libyans opposing him on the ground, the die is cast: He has chosen to risk all on taking Libya by force. Those he would exile, imprison, or kill may feel they have little choice but to risk all to stop him. By contrast, the foreign countries that have been providing support to General Hifter retain some flexibility: They can continue to provide General Hifter military and financial support; stand back with fingers to the wind until the situation on the ground is resolved; or withhold further support to push him to accept a ceasefire and a return to a UN-backed political process. Countries such as Turkey and Qatar, which previously have supported General Hifter's opponents in Tripoli and Misrata, will also be making calculations about the benefits and risks of a proxy war. Other, more neutral actors, starting with the United States, will need to decide whether Libya's future can best be determined by military means, or by political settlements, and act on the basis of such an assessment. A single presidential phone call to a would-be military dictator, made without consultation with the U.S.'s most knowledgeable military

officials and diplomats, is not a policy. But it can lead to one, or alternatively, merely represent a momentary blip that does not change fundamentals.

Those focused on countering terrorism might remember that ISIS was able during the period of divided government and civil war in 2014 to secure control of some 150 miles of Libya's coastal region around Sirte, and was extirpated there in 2016 not by the forces of General Hifter, but by those aligned with the Tripoli government, with whom the U.S. military combatant command for Africa, AFRICOM, has stayed in close touch. A Libya divided and weakened by civil war, or nursing unresolved grievances under a military dictator, risks again becoming a receptive host for terrorism. As the country enters the new phase of civil conflict unleashed by General Hifter, Libya remains riddled with landmines from past wars. When these landmines blow up, they serve as reminders of just how much must be overcome for Libya to successfully navigate the path to security, stability, and peace. Libya will need help from foreigners in removing the concealed explosive devices that already litter its landscape, both literally and metaphorically, rather than their assistance in laying new ones.

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12. While I was Special Envoy for Libya, what the U.S. wanted most in Libya was a stable government it could rely on to partner in counter-terrorist activities. Despite all of its limitations, once the GNA was created, the U.S. could call the prime minister, ask for permission to carry out strikes against terrorists, and receive it.
13. U.S. ambassador to Libya from 2013-2015, Deborah Jones, trenchantly told me in early 2014 that if Libya had issued an edict providing continuing cash payments to people who had been taxi drivers during the civil war, rather than fighters, instead of militias now fighting over turf with guns, Libya would only have a traffic problem.
14. The decision to accept the verdict of the Libyan court and step aside later made Misratan real estate developer and politician Ahmed Maiteeg a logical choice for selection as one of the deputy prime ministers in the GNA.
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17. The illicit economy, dominated by smuggling, is a different matter, and exists outside — but alongside — the state, with its comparative importance ebbing and flowing based on how well or poorly Libya's governance and formal economy are doing otherwise. Its significance has been and is likely to remain especially substantial for Libya's Saharan peoples, as well as for criminal groups operating in Libya's coastal region west of Tripoli.
18. After the Skhirat accord, I separately contacted each of the nine newly minted members of the Presidency Council and asked them whether they would support U.S. airstrikes against terrorist camps in Libya. Without hesitation, each of the nine, including the so-called "Islamist" members, told me Libya needed the U.S. to take out foreign fighters based in Libyan camps, and we had their permission to do so.
19. Over time, it became clear to me that Speaker Aguila's goal was to maneuver his way into becoming president of Libya, with the ability to hand-pick his own prime minister. By late 2016, even Egypt, which had been his prime sponsor, threw up its hands, with senior officials from Egyptian intelligence, military, and foreign service telling me his word could not be relied upon.
20. France, Germany, Italy, Spain, the United Kingdom, and the United States *Joint Statement on Libya 2016*. [www.gov.uk/government/news/joint-statement-on-libya--15](http://www.gov.uk/government/news/joint-statement-on-libya--15).
21. In the spring of 2016, I pressed the Sarraj government to declare publicly that the Russian dinars were counterfeit and would not be honored. I warned that their circulation would exacerbate the devaluation of the currency, increase the power of the black market, and decrease the purchasing power of ordinary people. I also expressed the view that the ersatz currency would provide the parallel structures in the east established by Speaker Aguila and General Hifter the means to expend Libyan funds to whomever they wished, without oversight, and thereby make it easier for them to ignore political processes aimed at making the GNA work. Two years later, the official rate remains 1.35 dinars to the U.S. dollar. The black market rate is 6.25 dinars/dollar, nearly six times the official rate, more than double the price prevailing at the time of the introduction of the currency from the Russian printer. I have been told that the Russia provided a total of 10 billion Libyan dinars to the east between 2016 and 2018, and is providing another 1.9 billion Libyan dinars to General Hifter and those aligned with him in early 2019. This has provided the foundation for a vast patronage system for General Hifter, but did not address his hard currency needs. See Humanitarian Access Team "Developments of the Currency Black Market over Time," in "Libya's Shadow Economy," *Mercy Corps* (April 2017), 17.

[www.mercycorps.org/sites/default/files/Mercy%20Corps\\_Libya%20Shadow%20Economy.pdf](http://www.mercycorps.org/sites/default/files/Mercy%20Corps_Libya%20Shadow%20Economy.pdf)

22. When he met with me in the summer and fall of 2016, General Hifter rejected talks with Prime Minister Sarraj to unify the country, and stated it was his intention instead to conquer enough territory so that the rest of the country would agree to make him president by acclamation. Libya's politicians were no good, he said, and he would eliminate them by abolishing the legislature and political offices and placing technocrats in charge of things like health care and education. He would then rid the country of the men he called "the beards," and "Muslim Brotherhood," leaving them the choice of prison, exile, or "the graveyard." He stated that of the three places, everyone would agree the graveyard was the best.
23. "Libya," Organization of Petroleum Exporting Countries, 2018. [www.opec.org/opec\\_web/en/about\\_us/166.htm](http://www.opec.org/opec_web/en/about_us/166.htm)
24. "Libya Crude Oil Production 1973-2018", Trading Economics, chart. [www.tradingeconomics.com/libya/crude-oil-production](http://www.tradingeconomics.com/libya/crude-oil-production).
25. Speaker Aguila became notorious for failing to show up at agreed-upon meetings. Late in 2016, after the U.S. elections, he invited me to meet him in Morocco, embraced me, and seemed anxious to get U.S. support for reforms to the GNA that would enable him to support some kind of Libyan government. In early January 2017, he asked me to meet him in Cairo. I demurred – I was a lame duck, and did not see the point. His

representative said Speaker Aguila really wanted to meet me one more time to see if progress was possible. I had his word that he would make it worth my time. I agreed to make the trip to Cairo, but on arrival, I was told Speaker Aguila had changed his mind and would not show up. During my years as a diplomat, I never saw anyone behave quite like him. During my tenure as Special Envoy, we never knew when a Libyan boycott would occur, or what might prompt it. At the 2015 UNGA in New York, Libyan delegates from the "Tripoli side" suddenly walked out of a UN discussion on Libya to protest the fact that they had to go through metal detectors, a rule applied to anyone who had not been badged regardless of nationality. It turned out they were also upset that they had been forced to get taxis rather than provided limousines to get them to the meetings, and that it was raining. By the time they were prevailed upon to return, the UN Secretary General and many other dignitaries had already left the scene.

26. See "Libya Constitution Final Draft," July 29, 2017, English translation available at: [www.temehu.com/CDA/final-draft-libya-constitution-29-july-2017-english-translation.pdf](http://www.temehu.com/CDA/final-draft-libya-constitution-29-july-2017-english-translation.pdf)

**Cover Photo:** Soldiers from the Libyan National Army, led by General Hifter, advance towards the area of Qanfudah, south of Benghazi, on November 30, 2016, after they retook the area from jihadist fighters. *(ABDULLAH DOMA/AFP/Getty Images)*

## ADDITIONAL READING

### BOOKS

General history of Libya: *A History of Modern Libya*, Dirk Vandewalle, Cambridge University Press (2012)

Life under Gaddafi and the Libyan Revolution: *Libya: The Rise and Fall of Gaddafi*, Alison Partager, Yale University Press (2012)

Impact of NATO intervention: *Toppling Qaddafi: Libya and the Limits of Liberal Intervention*, Christopher Chivvas, Cambridge University Press (2014)

Libyan Revolution and first phase of transition: *The 2011 Libyan Uprisings and the Struggle for the Post-Qadhafi Future*, Jason Pack, Palgrave MacMillan (2013)

Recent political and military history of Libya: *The Burning Shores: Inside the Battle for the New Libya*, Frederic Wehrey, Farrar, Straus, and Giroux (2018)

The Libyan economy and its options: *The Libyan Economy: Economic Diversification and International Repositioning*, Waniss Otman and Erling Karlberg, Springer-Verlag (2010). While this book is pre-revolution, its summary of Libyan economic and commercial structures, sectors, laws, and the need for diversification and a multi-decade plan remain sound, taking into account Libya's damaged infrastructure due to the 2011 uprising.

### ARTICLES

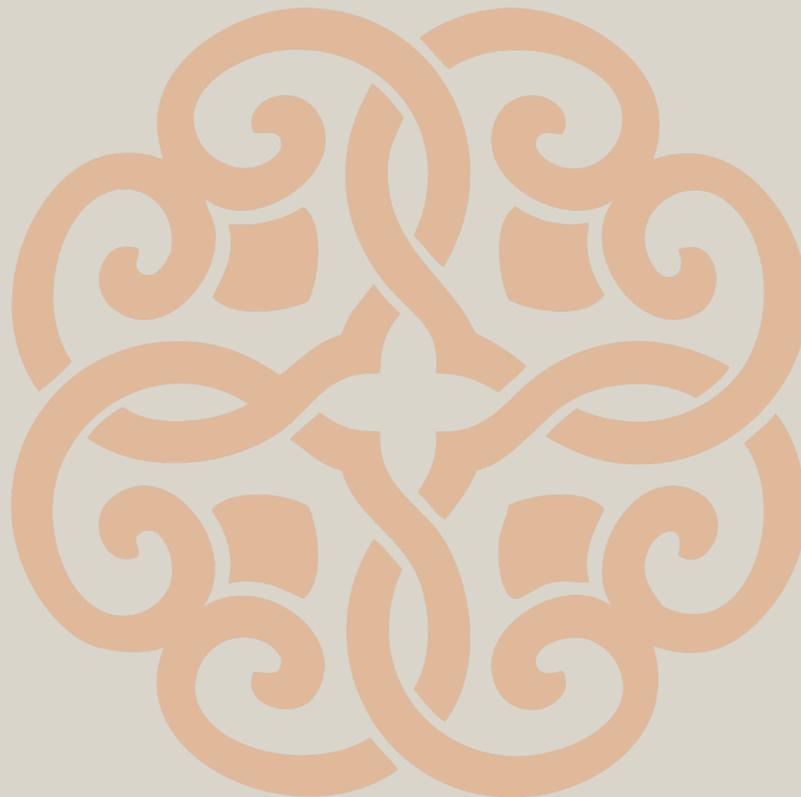
Assessment of recent Libyan oil politics: "After the Showdown in Libya's Oil Crescent," International Crisis Group, August 9, 2018 [www.crisisgroup.org/middle-east-north-africa/north-africa/libya/189-after-showdown-libyas-oil-crescent](http://www.crisisgroup.org/middle-east-north-africa/north-africa/libya/189-after-showdown-libyas-oil-crescent)

The recent view of the UN Special Representative of the Secretary General Ghassan Salamé: Remarks of SRSG Ghassan Salamé to the United Nations Security Council on the Situation in Libya, May 21, 2018. [unsmil.unmissions.org/remarks-srsg-ghassan-salam%C3%A9-united-nations-security-council-situation-libya-21-may-2018](http://unsmil.unmissions.org/remarks-srsg-ghassan-salam%C3%A9-united-nations-security-council-situation-libya-21-may-2018)

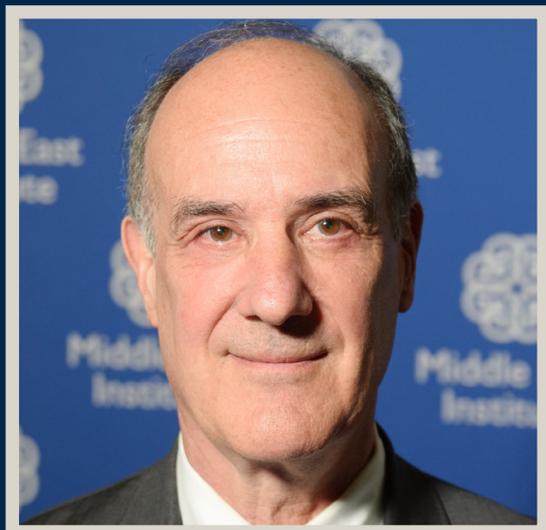
Paris Political Declaration on Libya, May 29, 2018. [www.elysee.fr/communiqués-de-presse/article/declaration-politique-sur-la-libye/](http://www.elysee.fr/communiqués-de-presse/article/declaration-politique-sur-la-libye/)

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## ABOUT THE AUTHOR



Jonathan M. Winer has been the United States Special Envoy for Libya, the deputy assistant secretary of state for international law enforcement, and counsel to United States Senator John Kerry. He has written and lectured widely on U.S. Middle East policy, counter-terrorism, international money laundering, illicit networks, corruption, and U.S.-Russia issues.

In 2016, Winer received the highest award granted by the Secretary of State, for “extraordinary service to the U.S. government”

in avoiding the massacre of over 3,000 members of an Iranian dissident group in Iraq, and for leading U.S. policy in Libya “from a major foreign policy embarrassment to a fragile but democratic, internationally recognized government.” In 1999, he received the Department’s second highest award, for having “created the capacity of the Department and the U.S. government to deal with international crime and criminal justice as important foreign policy functions.” The award stated that “the scope and significance of his achievements are virtually unprecedented for any single official.”

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