



Europe's External Action and the Dual Challenges
of Limited Statehood and Contested Orders

Libya Country Report

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“More than ever, Libyans are now fighting the wars of other countries, which appear content to fight to the last Libyan and to see the country entirely destroyed in order to settle their own scores”¹

1. INTRODUCTION

This study on Libya is one of a series of reports prepared within the framework of the EU-LISTCO project, funded under the EU’s Horizon 2020 programme. EU-LISTCO investigates challenges posed to European foreign policy by identifying risks connected to areas of limited statehood and contested order. Through an analysis of the EU Global Strategy and Europe’s foreign policy instruments, the project assesses how the preparedness of the EU and its member states can be strengthened to better anticipate, prevent and respond to threats of governance breakdown and to foster resilience in Europe’s neighbourhood.² Libya is a special case within the EU-LISTCO project. It is in the western region of North Africa, bordered by the Mediterranean Sea to the north, Algeria and Tunisia to the west, Chad and Niger to the south, Sudan to the south-east and Egypt to the east. The security and stability of Libya is fundamental for the economic and political future of Europe, particularly in relation to migration, radicalisation and political economy. Because of the NATO-led intervention that brought about the collapse of the Libyan Arab al-Jamahiriyah, the country has now entered an interrelated social, economic and political crisis, and violence has been simmering for the past eight years. While the collapse of the previous government has been beneficial for some, numerous armed political actors now control the Libyan territory, supported and funded by external powers that often have contradictory political agendas. It is important to point out that while the role of EU member states and institutions is discussed Working Package 5 will focus more strictly on the role that these states can play in Libya and the instruments available to them.

The purpose of this report is to answer the following research questions: [Q1] What is the background of areas of limited statehood (ALSs) and contested order (CO) in Libya?; [Q2] How and when can areas of limited statehood and contested order in Libya turn into governance breakdown and/or violent conflict, and how can these threats affect the security of the EU?; [Q3] What are the resilience mechanisms in Libya?

Jedrzej Czerep and Andrea Dessi contributed to the section on External Actors, on African Neighbours/Russia (5.2 and 5.3) and International Organizations (5.1) respectively; Gabriella Sanchez contributed to the section on migration (4.2.3) and on human trafficking generally throughout the report; the rest of the report was compiled by Matteo Capasso. The last part (7) brings together all the previous ones with the aim of identifying possible risks and tipping points.

¹ Ghassan Salame, Special Representative of the Secretary-General and Head of the UN Support Mission in Libya – UNSMIL, July 2019.

² For details, see: <https://www.eu-listco.net>.



The report argues that external actors and their interests have exploited the local dynamics of order contestation that arose in 2011 and they have jointly transformed the country into pockets of ALSs. There is a cyclical and dependent relationship (Megerisi 2019) between international and local actors, which was forged from 2011 onwards, and requires a willingness of the former to convincingly sidestep from the latter's political struggles. Therefore, the collapse of central authorities and the persistence of conflict in Libya is influenced by numerous factors – both local and international. The report not only pays attention to the roles of external actors (i.e. EU member states, African states, the US and Russia) but also acknowledges the vulnerability of local dynamics, which poses a huge risk to the future of Libya.

The main findings of the report are:

- 1) External interference has exploited domestic vulnerabilities and crucially contributed to the creation of ALSs and CO in Libya.
- 2) Since 2011, foreign actors (i.e. EU member states, Arab Gulf countries, Russia) have pursued different political strategies and supported various political factions in Libya rather than adopting a uniform approach.
- 3) The biggest risks and threats to Libya's security might be of a military nature and relate to the difficulties in reconciling the political interests of the two main rival factions (the Government of National Accord and the Libyan National Army), whose power and legitimacy also appear dependent on external powers. Therefore, the nature of this risk is both internal and external, due to the interdependence of those components.

The report is divided into five parts. It starts with an explanation of the EU-LISTCO conceptual framework. It continues with a section dedicated to the identification of areas of limited statehood and contested order in Libya (3) and one discussing risks, tipping points and threats to EU security, divided along territorial and thematic lines (4). The last two sections provide a discussion of the role of external actors – with a specific focus on international organizations, African states and Russia (5); and identify possible resilience mechanisms in Libya (6). The report ends with a summary of all the above parts (7).

2. EU-LISTCO CONCEPTUAL FRAMEWORK

This report is based on the conceptual framework of the EU-LISTCO project, according to which Europe's internal and external environment is characterized by two risk factors which represent challenges to the external action of the EU and its member states.

The first risk factor is **areas of limited statehood**, in which central government authorities and institutions are too weak to set and enforce rules and/or do not have a monopoly over the means of violence. The ability to set and enforce rules or to control the means of violence can be limited along various dimensions: 1) territorial, i.e. parts of a country's territorial space; 2) sectoral, i.e. with regard to specific policy areas; 3) social, i.e. with regard to specific parts of the population; and 4) temporal. Areas of limited statehood are neither ungoverned nor ungovernable. Some of them are reasonably well governed by a whole variety of actors – state



and non-state, domestic/local and international – while others are not. The challenge for EU foreign policy is to foster good governance in areas of limited statehood.

The second risk factor is **contested order**, in which state and non-state actors challenge the norms, principles and rules according to which societies and political systems are or should be organised. Order contestation might relate to already existing governance systems and polities. However, order can also be contested in situations where actors compete to establish their own sets of rules. For instance, at the global and regional levels, powers such as Russia call liberal law-based order into question. Order contestations always involve competing ideas and discourses about what is considered an appropriate political, economic or social system. The challenge for EU foreign policy is to foster conditions in which order contestation remains peaceful and does not contribute to governance breakdowns in areas of limited statehood.

Both areas of limited statehood and of contested order create vulnerabilities and pose risks, but they do not in themselves amount to threats to the EU. Only if and when areas of limited statehood and contested order deteriorate into governance breakdown and violent conflict do the risks turn into threats to the security and stability of the EU, its member states and citizens. The moment ‘when’ is here described as a ‘tipping point.’ Whether or not risks turn into threats to European security depends on the extent to which resilient societies can successfully contain these risks through effective and legitimate governance at the local, domestic and regional levels.

The report builds mainly on a critical analysis of existing academic literature, think tank reports and policy documents. Additional material comes from individual case studies focusing on the political economy of the Tunisian-Libyan border and the existence of resilience mechanisms among international organizations involved in Libya. Moreover, while the report aims to provide an analysis of the possible scenarios and tipping points that might affect Libya, it also includes findings developed in other Working Packages within the framework of the EU-LISTCO project.

3. BACKGROUND ON AREAS OF LIMITED STATEHOOD AND CONTESTED ORDER

The EU-LISTCO project focuses largely on three policy issues of utmost relevance to the EU: radicalism and revisionism, migration and political economy. The structure and content of this Country Report aims to provide crucial information in relation to these policy issues. At the same time, the report also stresses the crucial role that foreign actors have played since 2011 in undermining the political stability of the country and it provides an objective evaluation of their interference, which is deemed essential to explain the status of areas of limited statehood and contested order in Libya.

3.1 Contested Order

Since 2011, Libya has been in an interrelated political, social and economic crisis. In order to understand how Libya has reached such a dramatic situation, it is important to reconstruct the



factors and events that have determined this outcome. In late 2010, many countries in the southern neighbourhood (SN) of the EU experienced major political upheavals (Dabashi 2012; Massad 2012; Borg 2016). Starting in neighbouring Tunisia, these protests had a similar leitmotif. Thousands of people flooded onto the streets demanding their respective presidents to step down and/or provide better living conditions. On 17 February 2011, Libya also witnessed similar protests. In this case, people took to the streets of Benghazi to protest against the arrest of the lawyer Fathi Terbil, who represented the families of the disappeared victims of the infamous state-led killings in the Abu Salim prison in 1996 (HRW 2006; Hilsum 2012; Zarrugh 2018). While they demanded the release of the lawyer and more clarity on the fate of their relatives, these protests offered an opportunity to voice a more widespread societal discontent with a worsening economic situation (Prashad 2012; Cole and McQuinn 2017). The protests, however, soon turned and escalated into open and violent conflict. On the one hand, protesters took to the streets and torched police stations, besieging army barracks and Benghazi airport and obtaining weapons (CNN 2011). In Bayda and the port town of Tobruk, they forced out people who were considered regime loyalists. In Zintan, south of Tripoli, protesters set a police station and security force premises on fire (Alaaldin 2012). On the other hand, the regime sought to contain the unrest with various means, including both violence and peaceful calls to the protesters to return to their homes.

In less than 10 days after the start of the protests, major western governments like the US, the UK and France, had already started to call on Qadhafi to step down “now, without further violence or delay,” as US Secretary of State Hillary Rodham Clinton said (Clinton 2011). All these countries cut diplomatic relations with the Libyan government, preventing Libyan officials from obtaining visas to travel to the UN (Lynch 2011). On 27 February 2011 they instead recognized the nascent National Transitional Council (NTC), which was formed to act as the executive and political face of the ‘revolution,’ taking up administrative roles, distributing weapons and paying salaries (Bartu 2015). Moreover, when government military forces gained back control of all the rebel-held areas, reaching the outskirts of the city of Benghazi, a moral consensus grew among numerous Western countries on the necessity of containing Qadhafi’s “killing of his own people,” in the words of the Libyan Ambassador to the UN, Hamid Dabbashi (Telegraph 2011).³ On 26 February, acting under Chapter VII, the United Nations Security Council (UNSC) passed Resolution 1970, which effectively precluded the African Union from dealing with the Libya situation diplomatically (UNSC 2011a). The UNSC Resolution effectively seized the initiative from the AU with regard to the Libyan crisis and paved the way for a military intervention. On 13 March 2011 the UNSC consequently voted favourably on Resolution 1973, which provided “any necessary means” and established a no-fly zone over Libya in support of the NTC (UNSC 2011b). A few days later, twelve countries started the ‘Odyssey Dawn’ military operation, initially led by US AFRICOM and then by the North Atlantic Treaty Organization (NATO), in support of the rebels.

Generally, the response of the international community to the Libyan crisis was welcomed for its unprecedented speed and unanimity (Koenig 2011). This speed, however, did not necessarily

³ It is important to highlight that Hamid Dabbashi based these claims solely on his personal interpretation of words delivered by Qadhafi during one of his speeches.



translate into clarity over the dynamics that were unfolding in the country. First, the idea that the Libyan government forces were going to wipe out Benghazi was widely accepted, as numerous post-2011 analysts and various government documents pointed out. The international community did not attentively gauge the level of evidence (Bosco 2011; Kuperman 2013) and selectively relied on inflammatory speeches by the Libyan leader and ignored other more peaceful calls.⁴ At the same time, it presented a military intervention as a necessary liberation exercise to capture and galvanize the expectations of audiences targeted at home (Bjerg Jensen 2014). In this regard, the role of international human rights organizations presented some very problematic aspects. For instance, from 23 February 2011 Amnesty International had been launching public accusations that the Libyan government was using mercenaries and that the African Union (AU) and United Nations were taking no actions against those crimes. As a UN fact-finding mission, which was only established after the passing of UNSC Resolution 1973, and the president of Amnesty International, France, Genevieve Garrigos, pointed out after the fall of al-Jamahiriyah, there was either no evidence that the Libyan government used mercenary forces or the accusations were based on long-standing racist attitudes among Libyans (Forte 2012, 251). In addition, many analysts have acknowledged that the 2011 events were not just a revolt by a part of Libyan society against the regime but were also a civil war between pro- and anti-Gaddafi communities (Diez 2016). In other words, the moral and crystalline division of Libya into ‘bad vs. good’ people did not reflect the nuanced nature of the protests and ignored popular support for the Libyan government (Gazzini 2011; Wai 2014).

Second, the speedy call for a no-fly zone completely side-lined the possibility of engaging in diplomatic efforts, which had been pursued – for instance – by the AU from the early stages of the conflict. Similarly, when in June 2011 the conflict reached a stalemate and the AU suggested looking for diplomatic solutions as a way out of the ongoing violence, the International Criminal Court (ICC) issued arrest warrants against Qadhafi’s family members (De Waal 2013). This move by the ICC, which had never before acted with such speed, jeopardized the option of Gaddafi quietly going into exile. An AU summit resolved that Africa would not cooperate with the ICC warrants, a decision derided by the international press as further evidence of the AU’s preference for siding with rich dictators (Hehir and Murray 2013). When the AU had its summit in Malabo, it did not hesitate to stress that the ICC warrant seriously complicated efforts to find a negotiated political settlement to the crisis in Libya and would not appropriately deal with outstanding issues of impunity and reconciliation (Meldrum 2011). Furthermore, the most troubling aspect of the ‘humanitarian intervention’ pertains to the way that selected countries involved contradicted and overstepped its mandate, paving the ground for what later became ‘a proxy war’ (Mezran and Miller 2017; Megerisi 2019).

Many analysts have pointed out that the biggest shortcoming of the 2011 NATO intervention was its failure to assist the country with a comprehensive stabilization process following the

⁴ In a radio message, Qaddafi addressed the Libyan population and those who came out onto the streets to demonstrate against the regime. See YouTube (2013) ‘Khitāb al-qā’id mu’ammar al-qadh dhāfi ilā ahālī banghāzī ‘abra al-rādyū – kāmil’ [Radio speech by leader Mu’ammar Gadh dhafi to the people of Benghazi – full version], available online at <https://www.youtube.com/watch?v=IFPBd8BZz1M&spfreload=10> (access date: 10 February 2016).



military operation (Ibid). The involvement of regional and international actors, however, might suggest that the only aim was regime change (Forte 2012; Kuperman 2013; Capasso 2014). In fact, while UNSC Resolution 1973 did not allow foreign troops on the ground, many countries quickly began to provide military and logistical support in the form of weapons and training to the different groups of rebels, whose only common feature was their aim to oust Qadhafi from power (Corten and Koutroulis 2013. Neither Arab Gulf (UAE and Qatar), Western (France, Italy, the UK and the US: BBC 2011; Mazzetti and Schmitt 2011; RUSI 2011) nor African states (Sudan: De Waal 2013) hesitated to send troops to help the rebels. The ‘humanitarian’ mission, therefore, turned into a regime-change operation and contributed heavily to the continuation of hostilities at the national and international levels. During the Libyan crisis, the European Union appeared completely divided (Koenig 2011), as certain states pursued national foreign policy goals and the EU lacked a coherent political position. For instance, on 11 March France recognized the NTC as the sole legitimate representative of the Libyan people and announced an exchange of ambassadors. According to diplomatic sources, other EU member states were displeased with this unilateral move, arguing that it prevented the evolution of a common EU strategy towards the NTC (Fahron-Hussey 2019). On 18 March, Germany broke ranks with its EU and NATO partners and abstained in the vote on UNSC resolution 1973 (Ibid). There was – and still is – strong disagreement and incoherence among the positions adopted by various EU members, which held the EU hostage and deeply undermined its power at the international level (Lindström and Zetterlund 2012; Aghniashvil 2016; Marchi 2017).

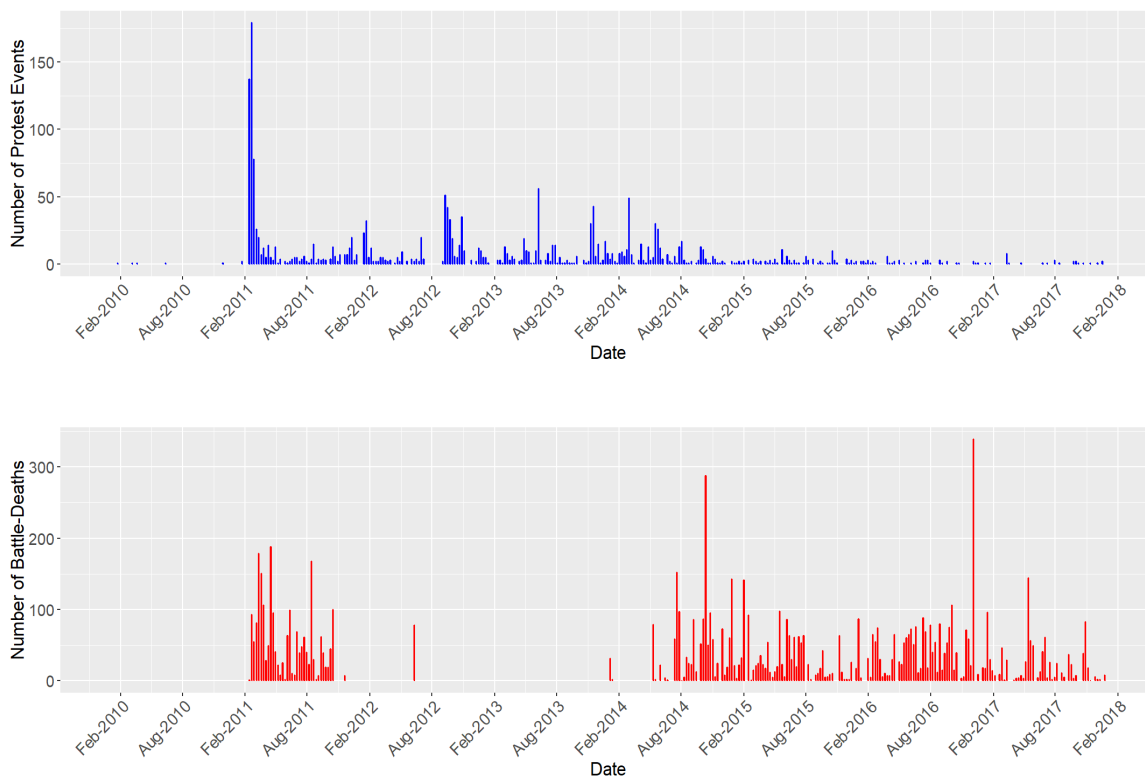


Figure 1. Protests (upper panel) and battle deaths (lower panel) in Libya 2010-2017.



It is important to reconstruct how central authority collapsed in Libya in 2011 because it allows us to highlight the circumstances under which order contestation took place and unfolded, and continues to affect the way governance takes place in the country. In retrospect, if the challenge for EU foreign policy was to foster conditions in which order contestation remained peaceful and did not contribute to governance breakdown, the humanitarian intervention was a total failure. The methods used and the countries involved ⁵ in supporting one side of the war, which consisted of a very heterogeneous group of political formations whose only common and unifying goal was to bring down Qadhafi, determined how the central authorities of the country collapsed. Starting as an uprising, the protests quickly turned into a civil war, which continued for eight months with the support of NATO military might until the collapse of al-Jamahiriyah, and so central authority, in October 2011. The capture and killing of Mu'ammar Qadhafi by rebels marked the end of a forty-two-year rule, yet the civil war continued. With the collapse of central authority via a military intervention, Libya saw the emergence of what the EU-LISTCO project defines as areas of limited statehood: "those parts of a country in which central authorities (national governments) lack the ability to implement and enforce central rules and decisions and/or in which they do not control the means of violence" (Börzel & Risse 2018).

At present, two separate governments are struggling to control the eastern, southern and western regions of the country, while armed groups – also called militias – continue to operate with impunity. As foreign involvement in the form of a military intervention contributed to the collapse of central authority in Libya, local actors have adapted to these new dynamics of interference and external support.

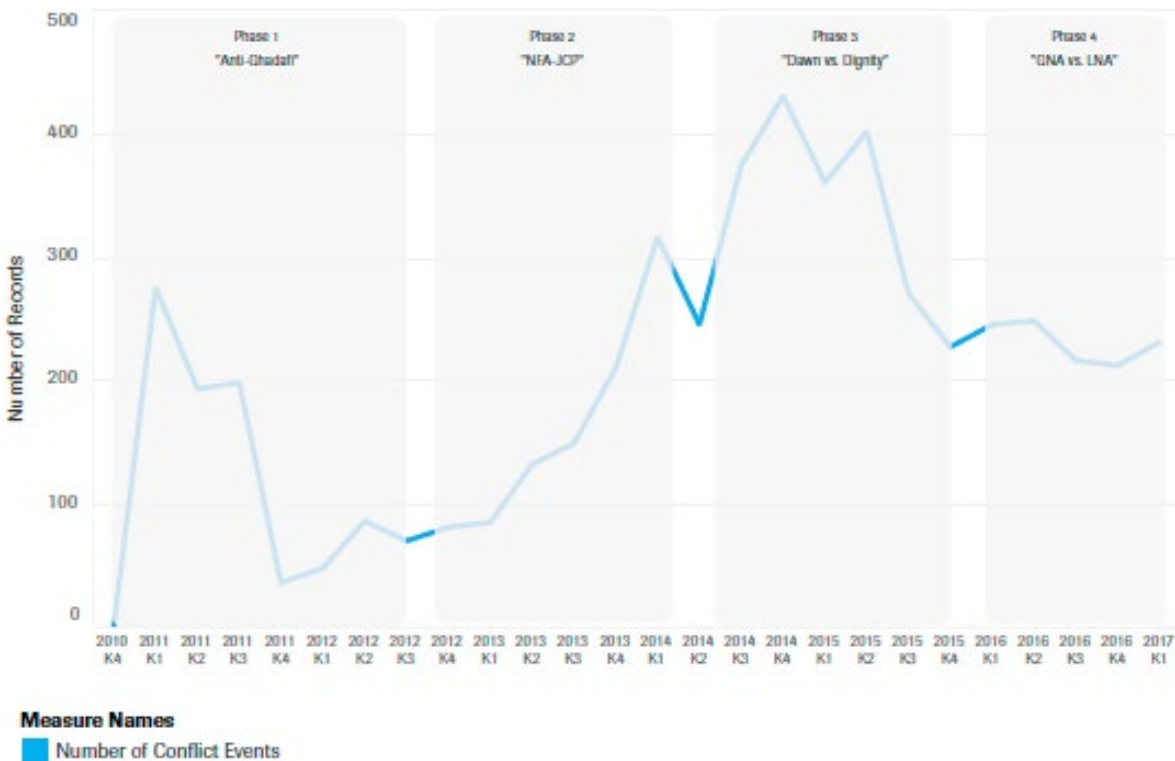
3.2 Areas of Limited Statehood

Most academic and policy analyses have tended to describe the political history of Libya as having avoided the establishment of state structures. Thus, the Libyan Arab al-Jamahiriyah is presented as a 'stateless' society (Vandewalle 2006; Martinez 2007; Bensaâd 2012; Geha 2014; Pack et al. 2014). In other words, the revolution in 1969 purposefully avoided creating state structures due to the presence of large oil revenues. These same revenues instead allowed legitimacy to be bought from the population, permitting an authoritarian leader to pursue a process of institutional formation according to his idiosyncratic ideas, such as those set out in his Green Book (Vandewalle 2006). Although it is possible to say that Western-style state structures did not emerge in Libya, it would be very misleading to conceptualise power as having been in the hands of one man since this would fail to capture the continuity and collapse of the mechanisms of governance before and after 2011 (Capasso 2014). It appears paradoxical that after 2011 Libya moved from being a stateless society to areas of limited statehood. Rather, it is more analytically appropriate to say that the complete collapse of central authority caused the consequent fragmentation of Libya into ALSs and ongoing low-level conflict.

⁵ The United States, France, the United Kingdom, Italy, Qatar, Turkey, United Arab Emirates, Norway, Sweden, Denmark and Sudan.



The outcome of the 2011 civil war did not translate into a smooth transition from a state of centralised control to a more democratic sharing of power. On the contrary, Libya descended into a state of total collapse, chaos and fragility, with various armed groups, and violence has been simmering for the past eight years. Since 2014, two governments have contended for legitimacy and control of the country, yet their prolonged fighting has the potential to lead to all-out war (ICG 2015a). While the Government of National Accord (GNA) resides in Tripoli (western part) and enjoys the support of the United Nations, the government of Tobruk (eastern part), also known as the Provisional Government, does not. Over the years, the United Nations has tried to find an agreement between the parties fighting for control of the territory and its resources, but in vain. All these dynamics have prevented the formation of a stable unified government. Many analysts refer to the country as a Somalia, Iraq or Afghanistan (Wehrey 2014) on the Mediterranean, citing the increasing process of militiaization (Boserup and Collombier 2018).



(Table from de Bruijne et al. 2017a, 2)

As the above chart shows, Libya has undergone four different phases of conflict. While actors and alliances have shifted throughout this period, two main elements remain crucial: the presence of numerous militias and international interference. This means that even if one identifies the main line of conflict as being between two actors, there are multiple interests that interconnect and shape the conflicts taking place.



1. Phase 1 took place between January 2011 and August 2012 and consisted in the civil war between rebel and regime forces, as described above. As mentioned, the fundamental element that determined the outcome of this conflict was the involvement of international actors, which allied with the factions fighting against the government and brought about regime change. In the aftermath of 2011, international powers continued to play an important role, yet local actors and factions assumed greater importance.
2. Phase 2 played out as a struggle along the secular-Islamist divide and between forces associated with the two political parties, the National Forces Alliance (NFA) and the Justice and Construction Party (JCP). This period saw the first parliamentary elections since the end of the former regime. The NTC officially handed over its power to the newly elected GNC (General National Congress), which was then tasked with creating an interim government and drafting a new constitution. The GNC, however, struggled to maintain control of central authority and armed groups affiliated with conflicting political parties ousted numerous MPs, further increasing the instability of the country. This period witnessed blatant persecution and killing of Sufi brotherhood members across the country, and a major attack on the US embassy. In addition, armed groups pressured the government in Tripoli to pass the 'Political Isolation Law,' which was a decree banning former Qadhafi officials from holding public office or serving in high-level positions in state institutions (see the text in Libyan General National Congress 2013).
3. Phase 3 of the conflict took place in 2014 for two main reasons and witnessed the emergence of two distinct political groups across the east-west divide. First, in May 2014 former general Khalifa Haftar, who had participated in the civil war since 2011, announced his newly-formed Libyan National Army's (LNA) launch of 'Operation Dignity.' The aim of the operation was to restore security in the east of the country, particularly Benghazi, thus targeting so-called 'terrorist groups,' a term the LNA applied to a wide range of Islamist groups. Second, a new election took place in June 2014 aiming to create a Council of Deputies, which was supposed to take over from the GNC. The Islamist party rejected the victory of the secular one and broke away from the GNC, forcing the newly elected House of Representatives (HoR) to flee from Tripoli and move to the east in Tobruk, thus allying with the LNA. As consequence, the HoR in the east attempted to gain control over state finances by creating its own branches of the National Oil Company and the Central Bank of Libya. At the same time, in the west of the country the conflict escalated when Tripoli's Islamists and Misratan militias launched 'Operation Libya Dawn' to seize Tripoli International Airport, capturing it from the Zintan militia, which had decided to ally with General Khalifa Haftar.
4. Phase 4, the last stage of the conflict, took place in the aftermath of a UN-led initiative that proposed the formation of an interim government for Libya, the Government of National Accord (GNA), which was installed in Tripoli in March 2016 with Fayez al-Sarraj as Prime Minister. Despite previously supporting it, the Libyan HoR in the east later withdrew its recognition of the GNA, calling for new elections to take place in 2018. The true complication of this struggle, as ever, was geopolitics, in particular intervention by



forces that put their own national interests above those of the Libyan people. To this day, the GNA remains the only legitimate government recognized by the UN and relies on the support of Italy and Britain, while the LNA nonetheless continues to make territorial gains on the ground, being backed by regional powers (Egypt, the UAE and Saudi Arabia) and certain EU member states such as France (Landauro and Morajea 2016). As they fail to recognize each other as legitimate political interlocutors, while being supported by external actors whose interests go beyond the need for reconciliation among the Libyan people, the possibility of an open conflict between these two factions – and their multiple local allies – remains a major potential tipping point.

What transpires from the above stages of the conflict is the recurrent presence of two main political factions fighting over power, a persistent characteristic that has dominated the Libyan political landscape since the revolts in 2011. Despite this, these political factions have abandoned the political and ideological lines that unfolded during the first civil war, or rather realigned along ones that do not correspond to them. They have been able to capitalize on and re-adapt to foreign interference and support while claiming an independent political space in the Libyan landscape. Against this background, the next section moves on to discussing in detail the sources and dynamics of tipping points and risks present in today's Libya.

4. RISKS AND TIPPING POINTS

Libya has become an arena where multiple actors, both civil and non-civil, state and non-state, formal and informal, co-exist and compete (Collombier 2016) to act as providers of security and social welfare throughout the country. Political divisions and armed conflicts have afflicted Libya at all levels, including the local, national, regional and international. In Libya, there are very few truly national actors. The vast majority are local players, some of whom are relevant at the national level while representing the interests of their region, or in most cases their city. It is difficult to label those groups as exclusively illegal/criminal or government-allied. Many armed groups, in fact, can operate simultaneously at different levels. On the one hand, they can function as providers of security on the ground, acting on behalf of government authorities. On the other hand, their alliance with the GNA or the LNA does not necessarily mean that they do not participate in illegal activities such as oil smuggling and migrant smuggling. On the contrary, the reality on the ground requires comprehension of the fluid nature of these armed groups, their shifting alliances and their capacity and/or willingness to capture central authority in the country (de Bruijne and El Kamouni-Janssen 2017, 5). It is possible to understand the precariousness of Libyan statehood and the ensuing political fragmentation by looking at how governance is practised at the territorial and sectoral level in the country, as this is indicative of the interconnectedness between ALSs and CO in Libya.

4.1 The territorial level



4.1.1 Tripoli

The paradox of Tripoli resides in the fact that while the GNA sits in the capital, this government barely possesses the ability to exercise its authority over the population of the city and beyond. In the realm of security, Tripoli's landscape has been highly fragmented and already in 2014 became the theatre of major clashes between armed groups allied with the two broad coalitions that had emerged in the previous two years. Overall, four militias have been able to associate themselves with the GNA and divide control of the capital (Collombier 2018). These four militias – the Special Deterrence Force (SDF), the Tripoli Revolutionaries Battalion (TRB), the Nawasi Battalion and the Abu Slim unit of the Central Security Apparatus (Lacher and al-Idrissi 2018) – have expanded their control across large parts of Tripoli, gradually displacing rival armed groups in a series of heavy clashes. In December 2018, the four militias announced their unification under the umbrella of the Tripoli Protection Force (ibid). It is possible to understand from this scenario how Tripoli fits the notion of ALS, as the government appears completely in the hands of armed groups which, while nominally being loyal to its power, exert a degree of influence over state institutions and resources that is unprecedented in post-2011 Libya. The strategic and territorial importance of Tripoli inevitably turns the city into an important site of control for any alliance of militias or political forces aiming to establish power in the country.

Since early 2017, the consolidation of the four main militias in Tripoli has created the basis for a functioning cartel (Lacher 2018). Although tensions between the four factions exist, they have shown solidarity (ibid) when other armed groups have challenged their territorial control. In the areas under their control, the four militias have tightened their grip on economic assets and state institutions to an unprecedented extent. From 2012 to early 2014, the primary source of finance for militias was funds specifically allocated to these groups by the defence and interior ministries, which covered the salaries of individual militiamen. By inflating their payrolls and operating expenditures, they allowed militia leaders and their political allies to accumulate wealth, which was then partially reinvested in heavy weapons and other capital-intensive equipment (Lacher and Cole 2014). As state funding contracted in the successive years, armed groups searched for other ways to finance themselves. During 2015 and 2016 kidnappings soared in Tripoli, with the vast majority being financially motivated. In the same period, protection rackets emerged, with armed groups 'taxing' local markets or private businesses in exchange for 'security.'

Moreover, another important practice that emerged after 2011 was for armed groups based in Tripoli to threaten officials, such as those working in banks, in pursuit of their demands. This situation was heightened by the widening gap between the official and black-market exchange rates together with worsening cash shortages in banks. In this situation, the armed groups were able to profit from and control state revenue in numerous ways. First, banks sought protection from armed groups to manage cash distribution. The banks pay the groups 'guarding' their branches, supplementing the salaries that the same militiamen receive from the interior ministry or the army. This, in turn, has put them in a situation of total economic privilege. While ordinary citizens face major difficulties in accessing their salaries and savings, members of armed groups are able to withdraw their salaries in cash as soon as banknotes arrive at banks (Lacher 2018). What has allowed them to profit the most, however, are the fraudulent activities linked to



obtaining letters of access to credit. It is important to understand that the actors that engage in all these activities are not simply armed groups. Rather, their operations are sustained through complex webs of complicity, mutual benefit and coercion. At times, branch managers or businessmen are the first to link up with armed groups in order to obtain letters of credit. Such networks have been central to the emergence of a militia cartel in Tripoli. The knowledge and connections of influential businesspersons and political operators have given Tripoli's militias access to the resources they needed to expand across the capital.

Armed groups also play a very important role at the level of security and human trafficking. For instance, militias have developed a practice of arresting people first and then obtaining the corresponding arrest warrants from the general prosecutor afterwards (Lacher 2018). This again attests to their power superseding the authority of the GNA. Regarding migrants and human trafficking, Tripoli is not a key hub but the practices surrounding this activity are indicative of the larger situation that characterises Libya. In fact, some evidence suggests that armed groups often cooperate with smugglers, or release migrants kidnapped in the city or en route to Europe in exchange for ransom. They also rely on forced migrant labour. At times, guards give migrants for days or weeks to local residents demanding labour for their private businesses, such as construction. Once the guards have been paid for the work done by the migrants, the latter are freed (Porsia 2017). As a report by UNSMIL also stresses (UNSMIL 2018), migrants are often held at the Mitiga detention facility controlled by the Special Deterrence Force, mostly without charge or trial for prolonged periods or following grossly unfair trials at facilities under the Ministry of the Interior. Migrants are often subjected to torture and other ill-treatment, forced labour, prolonged solitary confinement and inhuman detention conditions (Altai Consulting 2017).

Tripoli appears to be under the control of armed groups which, despite not having a direct seat in the GNA, have quite solid control of daily activities on the ground. At the same time, forces excluded or marginalised from these state capture activities might react, leading to possible clashes and so a situation of governance breakdown. While the emergence of an oligopoly of armed groups has improved security for ordinary citizens, it has also prevented a growing range of powerful forces from accessing the levers of the state administration and its associated economic resources. Considering the strategic importance of Tripoli, it is crucial to comprehend how the ongoing struggle between the GNA and LNA has transformed the capital into a theatre for violent clashes among the two main factions.

4.1.2 The South: Fezzan

For centuries, the areas defining Fezzan in the south of Libya have always been very fluid (Kohl 2014; Bøås 2015) when it comes to borders, which hardly assume a defining role in capturing the dynamics of governance in the area (Lecocq and Klute 2019). The colonial divisions imposed, in fact, never reflected the interconnected way of living that characterised the population occupying the area, whose interactions and transactions stretched across Algeria, Chad, Libya, Mali, Niger and Sudan (Husken and Klute 2017). It is important to keep this characteristic in mind for two main reasons: first, their transnational way of living always meant



that Fezzan – to a certain extent – escaped the power of the central authority, thus making it an ALS; and second, in Fezzan it is not possible to divorce tribal and ethnic affiliations from national affiliations. On the contrary, all these categories interact and inform each other, which already allows one to comprehend why the collapse of al-Jamahiriyah in 2011 had repercussions that stretched across its neighbouring states (Strazzari and Tholens 2014; Strazzari 2014). For instance, the proclamation of the Azawad state related to the long-pursued political demands of the Tuareg, who live across these states (Lecocq and Klute 2019), particularly in the Mali and Niger area.

The main communities inhabiting the south of Libya are the Tebu and the Tuareg (Martin and Weber 2012; Boisbouvier 2012; Murray 2015). These two groups of minorities – compared to Arab Libyan communities – integrated in the pre-2011 political system in different ways. On the one hand, the Libyan government granted a special status to the Tuareg, a nomadic Berber people, and instrumentalised their status in order to further pursue a regional cross-border union. For the Tuareg, Libya was the so-called ‘Europe of the Poor’ (Kohl 2010), providing economic and social opportunities that permitted them to not only settle in the country but also concretely support the central authority, i.e. by joining the military forces and fighting on the side of the government during the civil war in 2011.⁶ On the other hand, the same government mistreated the Tebu communities (divided into two main sub-groups: the Daza and Teda) and pursued discriminatory policies against them, such as destroying their houses in the area of Kufra and not granting them access to education and health (Wehrey 2017). More broadly, racial discrimination against the Tebu and Tuareg communities also relates to what Ines Kohl calls ‘social pigmentation,’ whereby cognitive beliefs relate to descent and status, and skin colour only becomes the external manifestation of their status.

Since 2011, southern Libya has witnessed the growth of a patchwork of autonomous ethnic militias whose alliances have changed according to their economic interests (Tubiana and Gramizzi 2018). While these groups engage in intercommunity fighting, interference by rival authorities – the LNA and GNA – and neighbouring countries (Egypt, Sudan and Chad) has inevitably aggravated the situation. Both the rival parties have looked for alliances with local Fezzan tribes under a pretext of policing the area against jihadi/terrorist interference. However, the presence of extremist groups remains scarce and only anecdotal evidence exists to support such claims (Wehrey 2017; Murray 2017). What appears to have a greater impact and explain the possibility of conflict and governance breakdown in the region is the struggle for influence and control over roads, borders and infrastructure, which involves lucrative smuggling activities (of gold and cigarettes, and human trafficking), control of oilfields and salaries for militiamen. As is shown in the map below, the south of Libya hosts key passages in the trade routes that

⁶ In the light of their dark skin colour, many Libyan protesters labelled the Tuareg communities fighting for the Libyan government as African mercenaries being used by Qaddafi to indiscriminately kill the population. As many reports and academic analyses have now shown, these claims did not correspond to the reality on the ground. Instead, they mirrored a strong racist attitude among Arab Libyans that had already emerged before 2011. Unfortunately, many media outlets propagated this news throughout 2011, contributing to fuelling discriminatory and violent practices (Forte 2012).

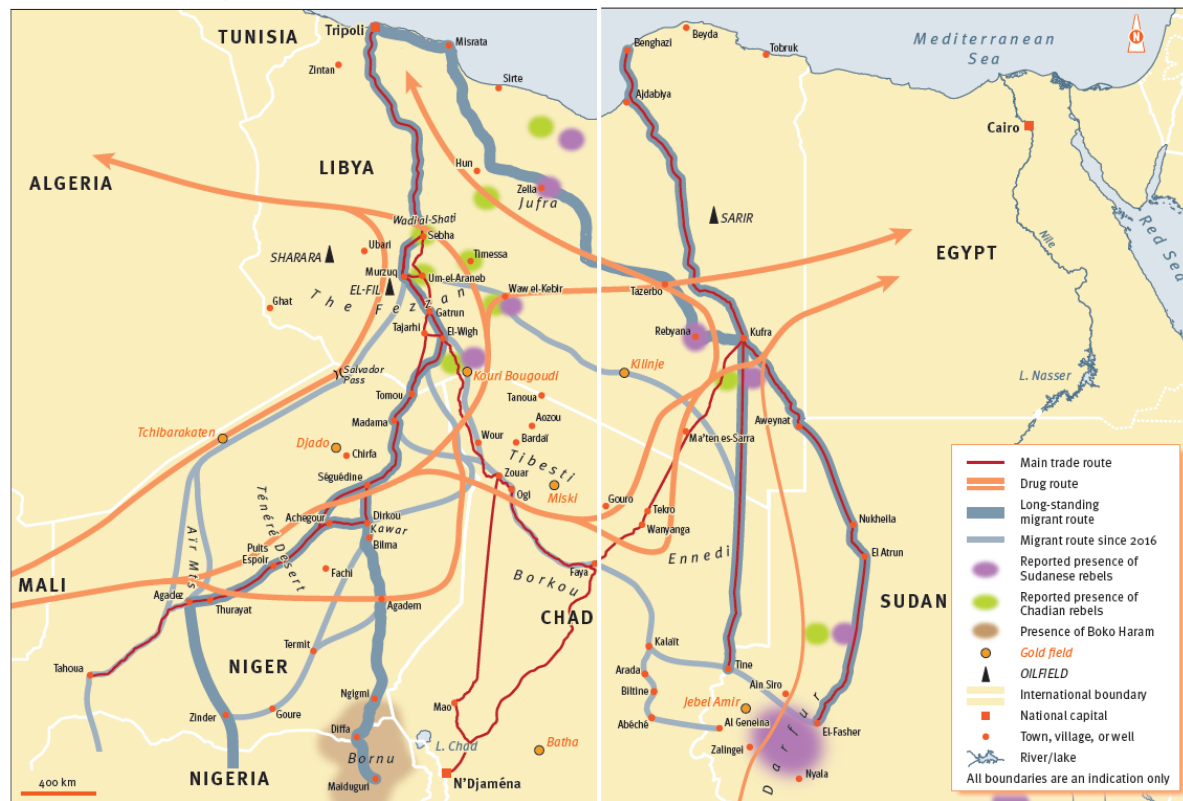


characterise and sustain the economies of many communities inhabiting the region and its neighbouring countries.

It is important to point out that the search for alliances has largely translated into arming and financing young men from the south and forging coalitions of convenience. For instance, violent conflict took place in 2014 in the cities of Sebha and Oubari for different reasons (Wehrey 2017; Murray 2017; Tubiana and Gramizzi 2018). In the case of Oubari, a conflict between the Tebu and the Tuareg was the result of multiple factors, including the French military presence in Niger (International State Crime Initiative 2015). Since 2012, the fall of Libyan central authority has brought about a sense of decline among the Tuareg community, which was further intensified by the decision of the French authorities to curtail their cross-border movement in Niger, after embarking on their military operation Madama (Ibid). Feeling themselves under national and international pressure, the Tuareg sensed that the Tebu communities were instead allowed to smuggle fuel and goods without any restrictions. Under this premise, the conflict in Oubari escalated as the Tuareg accused the Tebu of attempting to impose themselves militarily, despite the city being historically their territory (Tubiana and Gramizzi 2017; 2018). The Tebu instead claimed that they had to attack Oubari to defend members of their communities living in the city, which, in turn, had become a fertile ground for jihadists. The conflict also involved the seizure of the Sharara oilfield, control of which the Tuareg gained also due to support from the GNA (Murray 2017). In Sebha, the conflict that developed after 2013 mainly concerned Arab tribes (Awlad Sulaiman and Qadhdhafa) and Tebu communities in the region smuggling to pay salaries for their young militiamen (Wehrey 2017).

More recently, the military advance of the LNA in the south (January/February 2019) and its takeover of the Sharara oilfield, which took place quite peacefully, have been changing an already very fragile political balance in the area. The LNA appears to be allied with armed Tuareg groups and Arab tribes and its media statements show a willingness to exclude, if not marginalise, the Tebu communities, which are often conflated with Chadian-Sudanese groups destabilizing the area (Lacher 2018). The situation in the south of Libya indicates that economic opportunities, security concerns and human trafficking connect and inform each other, with each different armed group trying to establish or maintain its hegemony in the area. The struggle over resources and potential exclusionary powers is inevitably a key tipping point for governance breakdown and violent conflict in the region.

Map 1 Cross-border armed groups and routes across Libya's southern border



(Map from Tubiana and Gramizzi 2018, 18-19)

4.1.3 Eastern Libya: a LNA Stronghold?

The eastern region appears to have been under the firm control of the LNA since 2016. Despite being the area where the protests started in 2011 and being historically considered a hotbed of Islamist groups fighting against the Libyan al-Jamahiriya⁷ (Trauthig 2018), General Khalifa Haftar now has assumed control over most of the area. While the GNA draws its legitimacy from the international community but lacks military might on the ground, Haftar devoted significant efforts to establishing his domestic legitimacy after he launched his Operation Dignity in 2014 (Collombier 2016). The takeover process, however, started in 2016 when the LNA began replacing elected municipal councillors with appointed loyal military governors. While this move was widely accepted among the local population because the municipalities had been struggling to deliver basic services (El Kamouni-Janssen et al. 2018), it also met with much resistance among other groups (i.e. Islamists) and resulted in violent conflicts, as happened in Benghazi during the same year. To some extent, it is possible to say that the security provision in eastern Libya reflects the same patterns of alliances as in Tripoli, with one main group working out

⁷ Darnah and Benghazi were the hometowns of 84.1 percent of all the Libyan fighters who made their way to Iraq between August 2006 and August 2007, according to the Sinjar records.



alliances with other local armed groups. One of the most important allies of the LNA is the Salafi Madkhali (also known as Quiet Salafi) group. Its alliance with the LNA, which is based on religious principles,⁸ is seen as a way to increase the number of its followers by gaining more control over the public domain and attracting unemployed youths to their brigades, where they get military privileges and good salaries. At the same time, the LNA relies on them to fight its opponents – jihadists and takfiri terrorists – in the public domain and finds in the Madkhalists the necessary number of troops to support its military campaigns (Arab21 2016; Ali 2017; Watanabe 2018). In addition, foreign powers (Egypt, France and the UAE in particular) are also providing substantial financial and military support to sustain the LNA and its proxy-allies (United Nations 2017).

In the light of the LNA's military advance in the south of Libya, there are very few indications that the eastern part of Libya might escalate into a violent conflict or governance breakdown. While governance appears stable, the present alliances are not a synonym of stability. It is difficult to foresee whether – in the long term – this relation between Haftar and the Salafists might harm the former's relationship with Egypt, the UAE and Western countries. At the same time, the LNA itself appears to be a potential element that could trigger violent conflict if it refuses to negotiate an agreement with the GNA in Tripoli and instead decides to conquer the capital militarily.

As is explained in more detail in the following pages, another important question regards the sustainability of the LNA's economy vis-à-vis the local population, which relies heavily on the provision of salaries and employment for people in security-sector-related activities. A long-term solution requires the creation of other alternative means of living, moving beyond the security realm. Otherwise, the risk is that maintaining the security sector will require ongoing violent conflict.

4.2 The sectoral level

4.2.1 Political Economy

The Libyan economy is largely based on revenue from the hydrocarbon sector, namely oil, which constitutes 50% of the country's GDP (World Bank 2019a/b). After 2011, the combination of insecurity and political competition had negative repercussions on output and investment in the oil sector, with production falling to less than 500,000 barrels a day (b/d) in 2014-16. From late 2016, the trend in output improved because of cooperative efforts made by the NOC, the rival governments in Tripoli and the east and their associated armed forces (Baltrop 2019). Struggles among local actors and national rivals over oilfields, pipelines and terminals for the sake of direct or indirect financial benefit are certainly a key element in Libya. While oil provides

⁸ This group justifies its obedience to authority and power on religious grounds. Gilles Kepel, for example, describes the Madkhali as being the perfect example of pro-regime scholars in the Middle East. See Kepel (2006), *The War for Muslim Minds: Islam and the West* (Harvard University Press), 253.



the necessary revenue for the GNA and LNA to pay salaries and co-opt armed groups, fuel smuggling is another fundamental element in the Libyan war economy and has cost the country some US\$750 million a year (Ibid). As long as the local economy remains underdeveloped, any law enforcement or technical or bureaucratic improvements are likely to fail. There are deeply entrenched socioeconomic problems – a lack of diversification, national industries or tourism – that explain the struggle for resources and make people turn to smuggling activities. The lure of fuel smuggling is especially enticing, since a litre of gasoline that costs 10 cents in Libya will fetch a dollar in Chad (Wehrey 2017, 12). After 2011, these activities only became more rampant. In such a scenario with oil representing a key resource for the population, there are potential risks that governance breakdown and violent conflict could erupt because of the desire of different armed groups to control or access part of the revenue, as happened in Ubari between the Tebu and the Tuareg (Murray 2018).

Another fundamental element in the Libyan political economy is human trafficking (El Kamouni-Janssen 2017). Although the country has always been a land of transit for numerous migrants, after 2011 facilitating migrants' journeys became a very lucrative business for many armed groups. In Fezzan, for example, human trafficking of labour takes place at the vertical level. That is, the groups involved rely on such activities as a tool for empowerment rather than for competition over territory and the state (Ibid, 25). In the coastal area, the same activities present a horizontal configuration, since militias use them to acquire territorial power and state legitimacy in a context of direct competition between opposing actors (Ibid, 26). Our data also indicate that many migrants offset their costs by performing smuggling-related tasks. Therefore, human smuggling can be pursued for different reasons. Some local actors use it to gain legitimacy at the state level. Others rely on smuggling as an economic opportunity and a historically accepted way of earning a living, at times reinvesting the revenue to develop their local communities (Al-Arabi 2018). Lastly, human smuggling (and more specifically, availability to forced or low-cost labour) also permits to generate or strengthen local income and economies, thus potentially leading to the emergence of power at the political and local level. Despite the fact that migrant smuggling in itself has never led to violent conflicts, the shifting nature of its actors (who especially in Tripolitania went from being smuggling facilitators to official entities returning by force migrants attempting to depart from) as a result of the agreements the GNA signed with countries like Malta and Italy, have led to widespread human rights abuses and the deaths of thousands of migrants in the sea, detention facilities, and/or along smuggling routes. In other words, the absence of mechanisms allowing for migrants to travel safely, legally and in a dignified manner out of Libya has fostered the emergence of smuggling groups who can facilitate their journeys. Many of these, however, are known to act in coordination with the same government entities that are in charge of controlling migration into Europe, what ultimately leads to migrants being returned to Libya, and placed in detention camps where abuses are widespread.

To fully understand these local dynamics, it is also important to take into account how the initiatives of the EU and its member states have not helped stop these unlawful activities. For instance, as mentioned previously, the French military mission in Mali, Operation *Barkhane*, curbed the cross-border activities and national demands for independence of certain groups



(e.g. the Tuareg). The securitization of the area across Chad, Mali, Niger and Libya, however, did not stop the flow of migrants but just made it more unsafe and less dignified. Similarly, the lack of consensus among EU member states on how to process the arrival of migrants (Dublin Convention) reveals the limitations of Operation *Sophia* (EUNPACK 2016; Loschi and Raineri 2017; Riddervold 2018; Himmrich 2019; UN High Commissioner for Refugees and REACH Initiative 2019). Italy, for instance, despite being the most fervent promoter of the mission, has recently strongly criticised other member states and is refusing to continue its maritime mission. Another fundamental element which has often been highlighted by international organizations working on migratory and anti-smuggling issues relates to the economic incentives that small and medium enterprises, i.e. in Italy, have to employ cheap labourers from sub-Saharan Africa.⁹

All these security operations aiming at improving the security of the EU ultimately rest on the creation of partnerships with local actors, which do not hold strong human rights track records. In this sense, the EU risks appearing more complicit in violating human rights than guaranteeing them (Baczynska 2017).

4.2.2 Radicalization

Radicalization and the emergence of radical movements have a complex history in Libya, which, as previously shown, ties up local, national and international actors. Moreover, as this subsection will show, labelling and considering a group as radical is a fluctuating process that can change in accordance with political interests and incentives. For instance, it is widely documented that Islamist/radical movements in Libya received funding and support from the US and the UK governments in the 1990s to oust Qaddafi (Nutter 1999; Woodward 2005; Vandewalle 2006), for example the *Libyan Islamic Fighting Group* (LIFG), also known as *al-Muqatila*. These groups were not only defeated by the Libyan government in military clashes but they were also listed as terrorist organizations by the same Western countries that supported them when Qaddafi renounced the WMD Programme in 2003. Consequently, in the mid-2000s al-Jamahiriyah began cooperating with Western governments – primarily the UK and the US – on a rendition programme against terrorist groups (Cobain 2018) which allowed the abduction and extrajudicial transfer of suspects from one country to another with the purpose of circumventing the former country's laws on interrogation, detention and torture (Ibid). One of the main figures in the LIFG, its leader Abdel Hakim Belhadj, was abducted as part of this programme and the UK authorities delivered him to the Libyan government in 2006. In 2011, however, Belhadj was now a leading revolutionary figure. In fact, he was the one who led the military conquest of Tripoli, fighting the government authorities in close coordination with foreign special forces on the ground (see Section 3.1; Gazzini 2011), despite a UN resolution prohibiting their deployment. Hence, many groups historically considered 'radical' are nowadays part of the new political establishment in Libya, affiliated – in particular – with the GNA. Furthermore, the LNA and General Khalifa Haftar are adopting a very similar rhetoric to that

⁹ A recent arrest of a criminal gang in Latina, Italy demonstrates the existence of extensive networks of economic activities across the Mediterranean that benefit from hiring and recruiting migrants arriving from Libya and sub-Saharan Africa from detention centres (see Il Fatto Quotidiano 2019).



used by al-Jamahiriyah in the past to present their fight against those forces, labelling them ‘terrorist and takfirist.’

The presence of radicalisation in Libya after 2011 mainly related to the emergence of ISIS in the towns of Sirte and Derna. On the one hand, the appearance of ISIS in Derna was mainly spurred by inflows of Libyan fighters returning from Syria, who had joined the struggle against the Syrian government (Fitzgerald 2016; Trabelsi and Collombier 2016; Varvelli 2017a; Al-Zubayr 2018). A military advance by General Haftar on Derna fought those groups back. The appearance of ISIS in Sirte, on the other hand, largely resembles the dynamics that followed the US invasion of Iraq. Sirte, in fact, was not only the birthplace of Qaddafi but also one of the most heavily bombed cities in Libya during the 2011 civil war (Forte 2012). Consequently, the marginalization of specific populations encouraged tribes and former high-level officials to join ISIS, which they saw as a lesser evil than what they considered a hostile regime (Varvelli 2017b). The intervention by Libyan troops, prevalently from Misurata under the direction of the GNA, made it possible to fight these groups back and they lost control of the city in autumn 2016 (Ibid). The south of Libya also witnessed the emergence of sporadic extremist groups in the aftermath of 2011. Recent reports have documented how weapons which flowed in to support the Libyan rebels were used in 2015-2016 in a series of terrorist attacks across west Africa (not Libya) claimed by Al-Mourabitoun, which officially merged into al-Qaeda in the Islamic Maghreb (AQIM) in December 2015 (Tubiana and Gramizzi 2018, 100). In this regard, it is important to note that the 2011 military intervention seems to have produced some unintended consequences, such as a resurgence of radical and revisionist ideologies across Libya and beyond.

While it is difficult to pinpoint the existence of radical groups in Libya, the fact that violence/security is the only sector offering economic opportunities for young people is more certain. The lure of salaries and weapons has led to many of them joining armed brigades and militias. The possibilities for various groups to lure young people into such activities inevitably creates potential risks and threats. First, there is a risk of allowing security to become an economic activity premised on the need to stop violence. This might become a vicious circle, with security feeding into violence and vice versa, as has happened in other conflict areas such as Afghanistan and Iraq. At the social level, the ‘empowerment’ of young people in armed groups also has the potential to create strong generational gaps/struggles, which only block the chances of starting a process of national reconciliation, and to reduce social trust in traditional leaders in local communities and consequently their legitimacy. Although the importance of young people in preventing conflict and creating possible stabilizing mechanisms is internationally acknowledged (Fitzgerald 2016; Crespo-Sancho 2018), very few steps have been taken to offer them alternative sources of income beyond the security sector. While this risk does not represent a concrete threat, it is certainly a tipping point if left unanswered.

4.2.3 Migration

Despite the conflict, migration into Libya has remained virtually unchanged. Data from IOM’s Displacement Tracking Matrix indicate that migrants continue to arrive in the country attracted



by potential employment in the informal sector and the relative stability of the Libyan dinar compared to other currencies in north Africa. They are also driven by a lack of change in their countries of origin.

The stability of migration flows into Libya, however, has not been emphasized enough. Media and political discourse have instead focused on documenting the situations of migrants in detention facilities and the prevalence of exploitative practices like forced labour and human trafficking. However, while conditions in these facilities, the specific number of which remains unknown, are admittedly deplorable, the population in detention is estimated to constitute only about 1 percent of the migrant population in the country. These factors raise significant questions regarding the migration dynamics in the country. This sub-section examines three different angles that together allow a wider grasp of the migration issue in the country: a) how and why migrants arrive in Libya; b) how armed groups/militias approach migration; and c) what the EU is trying to achieve through its measures and whether it reflects the concerns of all the different parties.

The lack of economic opportunities and the political persecution that characterise their countries of origin have pushed thousands of migrants to continue to migrate into Libya, even despite the security situation in the country (Amnesty 2010; Kohl 2010; Porsia 2017). Historically, the country has always been considered the so-called 'Europe of the poor' (Kohl 2010), as it provided better remuneration for work. Our fieldwork indicates that to this day Libya provides most migrants with a level of stability that is often lacking in their countries of origin. While it is virtually impossible for migrants to legalize their immigration status, they are often able to secure basic jobs in the informal sector, often relying on personal contacts and/or the diasporas of their respective countries. While the lack of cash often translates into migrants being unable to earn monetary compensation, they often negotiate the provision of board and lodging with employers. In sum, despite indicators pointing at high levels of tension and conflict, migration into Libya has remained quite stable.

As bodies like the UN and the international media have extensively reported, migrant smuggling and human trafficking offer lucrative business opportunities to numerous armed groups and militias that have mushroomed in Libya since 2011, and also to people living in marginalized communities in the southern and eastern parts of the country, along with many individual/independent operators (often migrants themselves) in Tripolitania. These activities are believed to generate vast amounts of income for militias and tribes. Our work reveals that they also generate income for people in remote communities in the southern part of the country. The break-up of old security patterns has created a demand for a protective (if precarious) system of mechanisms that allow migrants mobility across the country and into Tripolitania and the coastal regions from which boats depart.

Most migrants in Libya have no intention of moving forward into Europe, but those who aspire to reach the continent leave Libya from the western part of the country as this is the closest point from which to cross into Italy. The horizontal structure of migrant smuggling (Achilli 2018) means that in the absence of a state, and rather than large networks or competitors fighting for



territory, individual or localized efforts are behind the journeys of migrants. There is anecdotal evidence that these efforts cost smugglers a portion of their fees, which is given to militias as a protection tax similar to *pizzo* (Micallef 2017). Our fieldwork reveals that the income generated from these activities is most often immediately recirculated into the local economy. While researchers have found that smuggling may be especially profitable for some smugglers (al-Arabi 2018), most of them use the profits to cover their immediate needs.

According to reports, the post-2011 situation with its lack of a unified government has worsened the conditions faced by migrant workers, turning them into a much more lucrative commodity than they were before. It is, however, important to remember that most migrants opt to remain in Libya. It is uncertain how many of them attempt to travel with the assistance of smugglers because, on the one hand, there are no official numbers concerning departures and, on the other, as a result of an agreement signed with the Italian government the Libyan coast guard is entitled to return smugglers' boats before they reach international waters, from which NGOs can locate and rescue migrants. Furthermore, it is also unknown how many people lose their lives attempting to cross the Mediterranean. Only in 2019, the IOM Missing Migrants Project has recorded a total of 409 deaths among migrants leaving Libya (IOM 2019). What appears quite clearly is that, both before and after 2011, migrants have been a low-paid unprotected source of labour which has been unequally impacted by the economic changes in the country, meaning that they often have to enter into exploitative labour interactions with employers.

Many EU member state governments perceive migration as a threat, yet they fail to see how they have contributed to and benefit from such situations. First, the increasing migratory flows have created a very profitable bordering and security industry (Andersson 2014). For instance, by replacing local politics with international crisis management, Libya – and neighbouring states, particularly Niger – have been gradually integrated into an international border control zone (Brachet 2016). The Nigerien territory has become a platform for managing the new European border in the Sahel. It has become the new target of EU pressure to stop migrants upstream, a platform where a myriad national and international external stakeholders develop projects and opportunities dedicated to migration management on the route to Libya. This platforming of the European border in Sahel is part of an 'encampment' dynamic (Agier 2010) and experimentation with new forms of extra-territorial migration management which accompany the outsourcing of EU migration policies. The humanitarian discourse covers these mechanisms but fails to address the complexity of migrants' profiles, routes and ambitions. To approach the problem of migration as a threat outsourced to local actors, as mentioned earlier, is even more problematic because this practice contributes to the violation of human rights, considering the unstable political situation in the country and the way facilitating migrants' journeys has been incorporated into the economy, becoming an important source of income for remotely located marginalized communities. Therefore, it is possible to conclude that a wide hiatus exists between local interests and international priorities over a phenomenon that nonetheless is literally overflowing in the political discourse and agendas of many EU member states.



5. THE ROLE OF EXTERNAL ACTORS

5.1 International Organizations

The internationalization of the Libyan conflict represents a prominent constraint on any successful political reconciliation process in the wake of the 2011 NATO intervention. Multiple regional and international actors are projecting power and influence over Libya, each seeking to advance their own interests and concerns to the detriment of Libya and a collective international approach to the conflict. The NATO intervention was instrumental in causing the collapse of the Qaddafi regime, and international interference and meddling in Libyan affairs has remained a constant ever since, undermining the efforts of successive United Nations special envoys to Libya and the coordination role of the UN Support Mission in Libya (UNSMIL) (Dessi & Greco 2018).

Key elements that have contributed to further militarization and political fragmentation in the country have to do with the international community's abject failure to enforce an arms embargo on Libya, the continued political and military support provided by external actors to opposing camps in eastern and western Libya and the prioritization of migration and anti-terrorism dossiers, particularly among European actors. Taken together, these shortcomings have increased the prevalence of ALSs in Libya and they have also enhanced and exacerbated instances of order contestation both within Libya and between international actors involved in the country.

Having taken over from NATO in the post-intervention phase, the UN was instrumental in supporting a quick political transition, by convening elections (2012 and 2014), through calls for a constitutional drafting committee and by unveiling successive political agreements (2015 Shikrat Agreement) or road maps for Libya (Dessi & Greco 2018). However, each of these measures failed to reconcile opposing political parties in Libya, not least since a number of regional and international actors who were nominally backing UN efforts were simultaneously providing bilateral support to one actor or another in the country (Fishman 2018; Mezran 2018, 2019). This effectively diminished their propensity to negotiate or compromise.

The largely understudied economic domain and Libya's flourishing war economy also played a significant role in limiting the need for dialogue and reconciliation (ICG 2019; ICG 2018a; Eaton 2019 and 2018; Pack 2019). Indeed, each actor in Libya is largely able to secure important sources of funding to support its political ambitions and/or war-making capacities thanks to Libya's vast natural resource wealth. Ultimately, after each election or unveiling of a UN political plan for a Libyan transition, elements of order contestation (local, regional and international) increased, effectively hardening the positions of local actors and further increasing their propensity to look for outside backing and support.

With the US largely disinterested in Libya, apart from its anti-terrorism campaigns and the impact of Libya's hydrocarbon sector on the global economy (Wehrey & Feltman 2019), and the EU deeply divided on what course of action to pursue in Libya, the United Nations has been



unable to achieve its avowed objectives in the country. This situation led to a gradual weakening of UN legitimacy and influence over Libyan actors, particularly in the wake of the controversies surrounding UN envoy Bernardino Leon's dealings with the United Arab Emirates (Maghur 2015) and the repeated failures to negotiate and implement a political agreement. While the UN remains a recognized and legitimate interlocutor for most Libyan actors, the decision by General Haftar in April 2019 to launch his military assault on the GNA in Tripoli at precisely the same time as the visit of UN Secretary General Gutierrez served as another indication of a dangerous weakening of the UN's legitimacy in the country.

Deep uncertainty and contradictory US policy statements on Libya have not helped international diplomatic efforts by the UN. In particular, in April 2019 President Trump dumfounded his advisors and seemingly contradicted his Secretary of State when he held a surprise telephone call with General Haftar in which he signalled support for the general's anti-terrorism efforts in the country, thereby seeming to overturn official US support for the GNA-led government in Tripoli that was being attacked by Haftar (Al-Atrush et al. 2019). While this opening towards Haftar was subsequently walked back by other senior officials in the State Department, this criss-crossing of US policy has only added to the general confusion over international policy towards the country (Chulov & Borger 2019). The US Trump Administration's disinterest in (or ignorance about) Libya was further put on display even before Trump's inauguration as president, when media reports surfaced in 2017 of a close Trump advisor apparently proposing to partition Libya into three states during a meeting with EU officials (Kirchgaessner & Borger 2019).

While US involvement in the diplomatic and political sphere in Libya has been marginal, with the important exceptions of efforts to prevent the export of oil through non-official Libyan channels and more general support for efforts to consolidate central authority over the Libyan Central Bank and other key Libyan economic institutions through US influence over global energy and financial markets (Blanchard 2018; Wehrey & Lacher 2019), Washington has been particularly forceful in the anti-terrorist domain, carrying out drone strikes and targeted killings or arrests of suspected militants, often causing substantial civilian casualties (Blanchard 2018; Schmitt 2019). It has also been involved in strengthening security along the Tunisian-Libyan border, with almost 20 million USD spent to install high-tech sensors and cameras in cooperation with Germany (Pollock & Wehrey 2018). This US air and anti-terror involvement in Libya, coupled with the absence of a clear political strategy or efforts to foster cooperation among the numerous external actors involved in the country have no doubt deepened the ongoing conflict, undermining the UN's role in the process while further alienating European allies and the Libyans themselves.

In addition to the UN, other international organizations that have been active in Libya include the World Bank, the OECD and a wide variety of UN agencies, including most notably UNHCR. The concrete contributions of these actors to foster resilience and contain the prevalence of ALSs or CO in the country have been limited, however. This is mostly due to the security realities in the country and the absence of a united and legitimate political authority with control over the Libyan territory due to the prolonged stalemate in the top-level diplomatic track. In the absence



of concrete improvements on the ground, such international organizations are unable to conduct the necessary assessment visits or mapping exercises of critical sectors in the economy or socio-economic domain. These exercises are key to gathering reliable data and local understanding to then propose improvements and reforms, including in the domains of service provision and structural economic reforms, particularly in relation to the long-term objective of diversifying the economy away from the hydrocarbon sector.

As a result, and while a number of programmes and projects have indeed been implemented within the framework of the MENA Transition Fund,¹⁰ which emerged from the G7 Deauville Partnership, or other initiatives such as the MENA-OECD Resilience Task Force¹¹ (co-chaired by Lebanon, Germany and the Islamic Development Bank), their concrete impact on the ground has been limited. These organizations have gathered significant data and expertise in framing and understanding indicators of resilience and risk and they are likely to be of significance for both Libya and the broader region when and if conditions on the ground permit (OECD 2014; OECD 2018). In this regard, the World Bank has helped establish the Libyan National Institute of Statistics, which is vital for the implementation of other initiatives and projects in the country (World Bank 2019a). In the interim, the UN and other international actors should not overlook factors tied to local governance, particularly at the mayoral level, where there exists a degree of stability and where certain targeted interventions to improve service provision to the population can be carried out (Proctor 2019; Mezran & Talbot 2018; Miller & Taylor 2017).

Targeted measures in the socio-economic domain aimed at providing concrete improvements to local populations should be prioritised to strengthen social cohesion and the legitimacy and institutional design of the state. Today, around a third of Libya's 6.4 million population live on or below the poverty line, and UN figures for 2019 estimate that 823,000 people in Libya, including 248,000 children, require humanitarian assistance, half of them being Libyan citizens (United Nations 2019; UNOCHA 2018a&b). The price of consumer goods increased by 17.6% during the first four months of 2018, an improvement compared to the 26.9% increase registered in the same period in 2017 but still a source of concern. Moreover, while inflation has begun to decline, the cumulative impact of rising inflation since 2014 has led Libyan households to lose almost 80% of their purchasing power (World Bank 2019b). Should such efforts get underway, it will be important to preserve a degree of balance between Libya's three major regions in order to avoid the appearance of the UN or others supporting one side over the other, an appearance that would not only harm the UN but may also further exacerbate the military and political conflict between the sides.

Ultimately, it will again fall to the UN and the UN special envoy to seek to create the necessary political, military and economic conditions to allow for stabilization in Libya. For this to come about, increased efforts to diminish the rivalry and competition over Libya among external,

¹⁰ For more information, see MENA Transition Fund 'Objectives and Scope,' available at: <https://www.menatransitionfund.org/overview/objective-and-scope> (access date: 21 October 2019).

¹¹ For more information, see OECD 'The OECD and MENA,' available at: <http://www.oecd.org/mena/> (access date: 21 October 2019) and OECD 'Economic Resilience in Fragile Situations,' available at <http://www.oecd.org/mena/competitiveness/resilience-fragile-situations.htm> (access date: 21 October 2019).



regional and international actors will be needed, as will a more in-depth focus on the Libyan war economy and its intersection with the local, regional and international levels. In this latter domain, it will be indispensable for international actors, including the US and European states, to do everything possible to avoid the current conflict moving from the political and military domains to that of the economy, particularly with regard to three key Libyan institutions – the Libyan Central Bank (LCB), the National Oil Corporation (NOC) and the Libyan Investment Authority (LIA) – which are indispensable in any recovery and stabilization of the country and for the objective of preserving Libya’s territorial integrity (ICG 2019a). Increased efforts by the UN and supported by its member states should be directed at completing transparent audits of these institutions and the government budgets of both the GNA and HOR, while also redoubling efforts to clarify the status of frozen Libyan assets abroad, allowing the provision of interest and dividends from these assets back to Libyan actors and seeking as much as possible to employ the funds to enhance the living conditions of ordinary Libyans.

Overall, the role and impact of international organizations in Libya, and in particular that of the UN, have been limited by the deep divisions among its member states that comprise their decision-making bodies. On the one hand, this has undermined the leverage these organizations may enjoy over political and military actors on the ground and, on the other, it has also contributed to damaging their legitimacy among ordinary Libyans. Libyans are growing increasingly frustrated by the lack of political progress and the periodical breakdowns in security, but most importantly are suffering from an acute crisis in the socio-economic domain characterized by a decline in public service deliveries and basic services. If left unaddressed, these trends may lead to either increased radicalization and fragmentation among Libyans or to increased bouts of violence targeting international organizations and/or foreign citizens in Libya, events that in either case would signal a further breakdown in the Libyan transition and a potential further tipping point in the political and diplomatic domain. It is for this reason that international organizations and the UN must do everything possible to provide concrete improvements at the local level, relying on a closer identification of risk indicators and mitigating strategies, including through an increased use of local Libyan staff members and a strengthening of the UNAMIL team presently based in Tunisia.

5.2 African Neighbours

Historically, what characterised Libya’s relations with its southern sub-Saharan neighbourhood was the provision of (in)security undertakings, including patronage and political interference in local affairs (Huliaras 2001). The fall of Qaddafi re-defined the roles of Libya’s southern neighbours on the regional meridian axis. Increasingly, it is now the northbound vector that defines a variety of flows of (in)security phenomena in the region.

Both the governments and rebels from Sudan and Chad have attempted to create areas of influence and infiltrate local proxy forces inside Libya, particularly in the south of the country. Throughout the conflict, the government forces in Chad and al-Bashir’s Sudan felt themselves naturally entitled to cross Libya’s borders to counter the activities of their own rebels and to seek to expand their policies into a broader transboundary context. The support of al-Bashir’s



government for the Arab Zway in Libya's Kufra reflected a logic that had once been applied domestically in Darfur: to establish a tribally-centred proxy based on an Arab identity (artificially nurtured within a complex ethnically-blurred environment). Control over the Zway was also seen as a means to limit trade relations between them and Darfuri rebels. In 2015, the Sudanese government provided armaments to help Arab Zway militias regain control over Kufra-Sudan roads from the Tebu (Tubiana and Gramizzi 2018). In 2016, pro-government Sudanese *Rapid Support Forces* (RSF) militia fought Tebu fighters in the Kufra region to weaken their alliance with Darfur rebels. In doing so, the RSF, then part of the joint Sudan-Libya border patrols, manifested their political and military superiority over their Libyan counterparts. In mid-2018 the Sudanese Intelligence Forces (NISS) were able to free Egyptian hostages from southern Libya (Sudan Tribune 2018). Similarly, the Chadian government shares Sudan's preoccupation with limiting its rebels' access to Libya. President Idriss Déby, who belongs to the Zaghawa tribe, sought to build alliances with some factions of the Tebu in Libya, which – he hoped – would limit the Chadian rebels' northbound expansion. In a more ambitious project, the Chadian government attempted – but failed – to build a broad coalition of Tebu leaders in Libya that would dominate the entire Tebu movement in the country and secure Chadian influence over it. Nonetheless, it succeeded in limiting the Libyan/Chadian Tebu outreach to other Chadian rebel forces inside Libya, which only started to change around 2017-2018 with the formation of the multi-ethnic Nation for Democracy and Justice in Chad (FNDJT) in Murzuk, linking with Chadian Tebu rebels in Tibesti. These efforts, together with similar ones undertaken in Niger – i.e. supporting Tebu leader Barka Sidimi – proved largely counterproductive due to the Tebu tendency to reject foreign-controlled leaders. However, they showed a pattern of political interference in which the Chadian government felt ready and entitled to build its own 'strategic depth' zone inside Libya. It also aimed to access Libyan gold mining through local allies. Transboundary army raids in pursuit of the rebels seem to have steadily intensified in magnitude since they were first reported around Kufra back in 2013 and culminated in multiple raids on the Libyan side of Kouri Bougoudi in 2018 (Tubiana and Gramizzi 2018). A Niger-Chad-Sudan agreement with the Tripoli government (2018) was partially a way to legalise this trend and clearly showed that the sub-Saharan states were the stronger members of this partnership. Their Libyan counterpart's position was more one of passive recipient than active agent.

Throughout the Libyan conflict, the foreign rebel presence grew to the extent that in March 2018 Hamid al-Khayali, mayor of Sabha, dramatically stated on Libyan television that "foreign forces are occupying Libya's south" (Howes-Ward 2018). The Darfuri rebels' movement into Libya was part of a survival strategy after their domestic situation and the 2010 Sudan-Chad rapprochement limited their ability to sustain their presence and operations in Darfur proper, and they left their bases in South Sudan after the civil war erupted in 2013. Around 2015, their rush towards Libya was evident and nobody wanted to miss the opportunities arising. Apart from their motivations to enrich and re-equip (especially with cars) themselves and set up rear bases, the Libyan chaos offered a perfect environment for seeking and shaping new alliances. Their stance with regard to the Libyan Tebu rebels is particularly interesting due to historic similarities in the positions of the Darfuri-African (who are mostly of Zaghawa ethnicity, which has ties to the Tebu) and dark-skinned Tebu components within the Arab-dominated Sudanese and Libyan states. Members of the Tebu community can be found among the leadership of the Darfuri



Justice and Equality Movement (JEM), which does not rule out the possibility of a broader political project emerging in the future should the Tebus' aspirations become more explicitly and consensually defined (JEM 2018). Political possibilities could be seen in the Darfuri and Chadian rebels' fight alongside the Tebus in Ubari and Kufra in 2015 (Wanjala, Darracq, Kravetz Miranda, Melia and Srivastav 2017; Tubiana and Gramizzi 2018). JEM's appeal to the Tebus of Kufra in 2018 resonated particularly strongly in the wake of a perceived threat of Arabization (Tubiana and Gramizzi 2018). After 2011, the Chadian rebels increasingly treated Libya as an area in which to project their own agendas, a task that was easier due to the already blurred lines between their Chadian and Libyan identities. Prominent Chadian Tebu commanders, such as Omar Togoïmi from the Movement for Democracy and Justice in Chad (MDJT), became instrumental in solidifying Tebu gains in Sabha and other areas of southern Libya. At times, the Darfuri and Chadian rebels worked together inside Libya. JEM's historical (and ethnic) ties to the Chadian Union of Resistance Forces (UFR) led to them taking joint actions in Libya on multiple occasions, including fighting against the IS elements. The Darfuri SLA-MM attempted to recruit from the Beri gold miners in Chad's Tibesti to boost their presence in Libya and eventually re-enter Darfur (Tubiana and Gramizzi 2018). Sudanese and Chadian factions increasingly "fight their wars" and "do politics of their home countries" in and through Libya (Karamalla 2019). This was the case of a 'janjaweed' faction formerly under Musa Hilal, which lost their privileged position in Sudan to Mohamed 'Hemeti' Dagalo's RSF around 2013 and in 2017 were about to be put under his command. Some ex-Hilal forces, now based in Libya under Darfuri Arab Zakaria Musa 'Ad-Dush,' attempted to financially lure RSF mercenaries into their ranks and eventually re-enter the Sudanese scene (Tubiana and Gramizzi 2018).

The increasing reliance by factions in the Libyan conflict (pro- and anti-Haftar) on foreign manpower may lead to mercenaries being able to pursue their agendas on national and international stages – such as in the case of the Sudanese RSF's massive involvement in the Yemeni conflict on the Saudi side (Heras 2017). After the fall of the Muslim Brotherhood-linked Omar al-Bashir in Sudan in 2019, a quasi-consensus emerged among the Sudanese pro-government and rebel factions to stand by Haftar as a way to block any Muslim-Brotherhood-linked government from dominating Libya and possibly supporting the deposed Sudanese Islamists (Karamalla 2019). RSF's support for Haftar's Tripoli offensive translated into the dispatch of up to 4000 troops could significantly increase Hemeti's leverage over Haftar. Symbolically, Hemeti's involvement in the Libyan conflict was also evident in his contract with the Canadian PR company Dickens & Madson Inc (York 2019). His fight alongside Haftar was considered a means to achieve international recognition after his image was tarnished by the RSF-perpetrated massacre of civilian protesters in Khartoum on 3 June 2019 (Elliott 2019). Again, Libya became an arena for the unfolding of internal Sudanese struggles.

Despite their political connotations, mercenary-like and criminal motivations seem to prevail among the active foreign former rebels and pro-government fighters. Chadian, Sudanese and Nigerien criminal actors have developed local alliances to secure access to Libya and to fill the vacuum left after the departure of the Qadhadhfa tribe, which previously dominated the smuggling routes (Tubiana and Gramizzi 2018). Their activities include cigarette and drug



trafficking (including bringing hashish from the Chad-Darfur-C.A.R. border triangle), semi-criminal gold mining, extortion at illegal checkpoints and collecting booty during their patrons' offensives (Wanjala, Darracq, Kravetz Miranda, Melia and Srivastav 2017). Among these illicit activities, migrant smuggling plays an increasingly important role and the lack of effective control over the south of Libya has proved key to the failure of any migration-control policies (Wehrey 2017). While presenting itself as protecting the Sudanese northern borders from human trafficking, the Sudanese RSF (Baldo 2017) became a key decisive force streaming illicit migration flows towards Libya (Tubiana 2019). Similarly, a Nigerien rebel leader, Barka Sidimi, who since 2017 has aspired to be recognised as leading a key border-protection force at the Niger-Libya frontier, himself has a long history of involvement in trafficking (Tubiana and Gramizzi 2018) and is likely to seek to monopolise control over the smuggling routes.

The Libyan territory and specifically the southern region have increasingly become a laboratory for external interference, and symptoms of a major regional shift can be observed there. The fall of Qaddafi and the exit of the Darfuri rebels from South Sudan after 2013 in pursuit of new safe havens to rebuild their capacities resulted in the acceleration of competition between numerous state and non-state sub-Saharan actors inside Libya. The south's deep-rooted socio-political and economic vulnerabilities contributed to opening it up to foreign exploitation as soon as Libya abandoned its former role as provider of security and insecurity to its sub-Saharan neighbours. As the motivations of these foreign actors range from opportunistic and temporal to strategic and long-term, the future depends on both developments in their countries of origin (such as the Sudan peace process) and the evolution of the Libyan context (the local situation after Haftar's southern offensive), particularly in relation to the border areas.

5.3 Russia

Russia aims to exploit the Libyan crisis from a position of overseas influence. The Syrian experience proved that Moscow has regained its ability to enter a distant armed conflict zone and become an agenda-setting game-changing foreign force – probably for the first time since the fall of the Soviet Union. The new Russian 'way of doing foreign policy' overseas tends to combine official foreign policy tools with the use of semi-private actors (in reality controlled by the Kremlin), notably 'private' firms providing military contractors whose origins can be traced to the 2014 capture of Crimea and eastern Ukraine. Russia operates by seeking local political partners with limited authority (like Assad) that are willing to accept external support that can make them regain political power on the ground at the expense of becoming dependent on Russian support (Czerep 2018). After Syria, Libya became another fertile ground to test this 'military first, then contracts' approach and Haftar, with his access to natural resources, was the most suitable choice for a local ally. Despite representing an unrecognised parallel government, Haftar was given a hero's welcome in Moscow in November 2016 and his fighters received warm treatment in Russia.



First, private Russian military contractors, operatives of the RSB Group under Oleg Krinitsyn, arrived in Libya in 2016 and completed their missions in February 2017. The anti-Western narrative accompanying Russia's foreign policy resonated well in Libya. RSB veterans recalled that Russians were perceived as "more welcome than other foreigners" by local militias (Tsvetkova 2017). The contractors' tasks included clearing Haftar-captured oil facilities of mines, apparently in anticipation of a share of extraction revenue. Moreover, when Russia began printing Libyan dinar banknotes on behalf of Haftar's Al-Bayda-based 'Central Bank of Libya,' it marked a *de facto* recognition of alternative state institutions (Assad 2018). In late 2018, at least 300 Wagner Group forces (controlled by Yevgheny Prigozhin) arrived to repeat and develop the RSB-initiated strategies. They were also reported to be offering support for Haftar's offensive in the south in early 2019 (Belsat 2019).

In Libya, Russia exercised the 'military first' type of engagement: supporting the potentially strongest actor (Haftar) would be a means to obtain potential economic cooperation projects in the future, particularly in the fields of security, nuclear technology, railway construction and mining. For helping Haftar, Russia was promised 2 billion USD contracts (Meyer, Al-Atrush and Kravchenko 2018). In early 2017, when Russian engagement was already significant, Rosnieft and the Libyan National Oil Corporation signed a cooperation agreement for joint exploration and extraction of oil.

Talks with Haftar over a permanent Russian military presence in Libya started in 2016 and included requests to run Russian bases in Tobruk and Benghazi. The nucleus of their materialisation came in the form of deployments of Spetsnaz forces in both locations in 2018 and a subsequent arrival of Wagner forces with heavy weaponry in Benghazi (Cousins 2018).

Apart from massive support for Haftar, Russia also appears to favour a more pluralistic approach in Libya. It therefore welcomed Haftar's decision to take part in the Palermo conference in November 2018 and supported Saif al-Islam in his bid to stand in the 2019 election (Dyner 2019). Moreover, a trip to Russia in March 2019 by Khaled al-Mishri, a representative of the Libyan Muslim Brotherhood and president of Libya's High Council of State (HCS), offered Russia the chance to challenge the general perception that Russia is putting all its money on Haftar (Semenov 2019).

Russia sees Libya as a major foreign war theatre where it can make strategic advances in the pursuit of regaining a position of global power. Libyan involvement is instrumental in further developing a Russian *modus operandi* built on its Syrian experience. It also offers chances to exploit local economic opportunities. Showing preference for the strongest military actor, aspiring to nationwide legitimacy but cooperating with other forces in parallel mimics the Russian tactics that worked well in the Central African Republic. There, Moscow was able to obtain access to resources across political divides and to stand as both kingmaker and peacemaker.



6. RESILIENCE MECHANISMS

This section of the report deals with possible resilience mechanisms identified in accordance with the ALS/CO conceptual framework which the EU could foster in Libya. As the report has argued throughout, to foster resilience in Libya one should approach local, national and international actors in a cyclical and collective way since they all participated – after 2011 – in the fall of the previous government and all share a strong responsibility to rebuild the country. However, before moving on to discuss them, it is crucial to ask this question: what role can external actors, particularly European member states, have in promoting resilience at the local level when some EU member states continue to pursue policies that reflect distinct national economic objectives? Over the course of the recent years, it has become clear that a political and economic conflict exists in Libya between two major EU countries, France and Italy, which is also attested by the fact that their respective Ministries of Foreign Affairs have refused to share any information on the country for this project. While France appears to support the rising political figure of General Khalifa Haftar and his LNA, Italy has been backing the UN-recognised government in Tripoli, the GNA. It is beyond the scope of this report to try to identify the most appropriate political actor to govern Libya, as it should be a task left to the Libyans. However, the increasing competition between Italy and France and their interference, not only over Libya but also on how migration should be dealt with, is another symptom of the increasing division among EU member states. This premise is fundamental because, no matter what forms of local resilience are identified, the lack of a common vision among EU states ultimately harms the credibility of the EU as an institution and its potential role in fostering resilience. As Anand Menon also argues, these frictions should be considered among the wider structural problems of the EU in implementing the treaty on a Common Security Defence Policy. The same rivalries that were intended to be overcome through the creation of a common framework for EU member states continue to derail these efforts (Menon 2011).

6.1 Social Trust

Engaging different communities in a national dialogue is an important measure to foster social trust. For instance, informal institutions are a key mechanism for maintaining and restoring social trust between members of different groups in Libya. Libya has a long history of informal mechanisms of governance and so it would be important to engage tribal and nomadic communities – and their leaders – in political dialogue over national reconciliation and the economic vision for the country. At the same time, these traditional figures may have less inclination to trust and accept the role of young people or businesspersons, as their values do not always conform to traditional customs. Therefore, it is important to maintain a balanced approach that does not privilege a certain set of actors but aims to engage different communities in the pursuit of a common cause. In other words, social trust should come more from common causes and themes than from specific actors, who might not share the same visions. In past experiences, Libya has seen possibilities for fostering social trust and giving birth to unexpected bonds and solidarities among people coming about in the face of aversion and injustice. The case of the families of the Abu Salim prison massacre is an emblematic example demonstrating that families could find the courage to contest the government through



constant enquiries about the fate of their relatives (Zarrugh 2018). The results of these actions marked the history of the country.

Another possible measure to foster social trust among rival factions in Libya (GNA and LNA) could entail efforts and diplomatic dialogue to integrate and unite the various military institutions of the two parties. However, it remains difficult to gauge whether the militias and brigades in some regions would accept such arrangements. At the same time, it is difficult to speak about social trust when foreign countries (i.e. the UAE, Saudi Arabia and Turkey) are allowed to provide weapons and/or funding to rival factions, which in turn increases the militarization of society (see section 4.2.2). EU member states should not stop short of applying political and economic sanctions to any of its member states – or other international actors – that violate the UNSC weapons embargo on Libya. A UN Report and media accounts have unveiled, for instance, that the UAE (Lewis 2018), Turkey (Alwasat 2019) and/or Saudi Arabia (Malsin and Said 2019) have been providing weapons to rival factions. There is a strong and cyclical correlation between the impunity of militias operating in Libya and the impunity of external actors providing unlawful support. To foster dialogue, the EU – following the UN resolution – should take a much stronger stance toward this cycle of lawlessness that continues to affect the country. As the 2011 civil war showed, the free flow of weapons, which bluntly contradicted the UNSC (2011a) Resolution 1970, has not only brought the country to its current situation but also triggered major consequences in the neighbouring states (Strazzari 2014).

6.2 Empirical Legitimacy

Several actors in Libya possess a certain degree of empirical legitimacy, yet how such legitimacy is constructed and perceived varies. For instance, the EU and its member states have a capacity to increase the *output* legitimacy (effectiveness) of governors. However, the pursuit of different national policies and interests by some EU member states has divided rather than united the populations in the country. The cyclical relationship between local, national and international actors can also be increasingly counter-productive, as the discussion on migration has shown. When EU member states outsource security provision to armed groups with very poor human rights records, these brigades acquire legitimacy at the international level. At the same time, their actions become increasingly divorced from their local constituency. The high level of state capture by armed groups and militias translates into very little *input* and *throughput* legitimacy in Libya. These armed groups have been able to construct inclusive power-sharing mechanisms at the local level, yet their balance is very fragile as it largely depends on their control of and access to resources. Traditional authorities, as mentioned earlier, carry a substantial amount of legitimacy throughout Libya, yet their role varies according to the type of issues at stake: cultural, social or political. In other words, ethnic, tribal and national affiliations are not mutually exclusive; instead, they can reinforce each other, as discussed in section 4.1.2. At present, actors that have the highest level of legitimacy in the country seem to be those who are able to deliver and provide goods to the population. The provision of salaries through military brigades is a key process for understanding how actors acquire legitimacy. This, in turn, shows that violence and security have become key mechanisms in the country's political economy. Libya lacks a set of institutions and civil society mechanisms through which people



can peacefully express their grievances against those who hold power (Perroux 2015). The increasing militiafication of society and the legacy of the past are strongly impeding the emergence of such mechanisms (Boserup and Collombier 2018).

6.3 Institutional Design

The most important institutional design mechanism that could improve governance in Libya is decentralization. Since its creation in 1951, the country has seen several types of arrangement organized along the lines of federalism and decentralization, which were, however, side-lined after the discovery of oil. Oil, in fact, favoured the creation of a strong centralised state with the government taking control of its revenue. A recent National Reconciliation Dialogue Report emphasised that “a clear consensus emerged that the role of all governments should be to distribute resources fairly and that this can best be achieved through a more decentralized system (UNSMIL 2018a).” The report also suggests that decentralization could provide a valid institutional setting for Libya. However, decentralization should not aim to replicate ethnic, tribal or regional lines, but it should set both a fair distribution of resources and fiscal power as guiding principles for the creation of a new institutional setting (Bockenforde et al. 2013; Allen et al. 2019). International actors might support such a plan by empowering individual municipalities, thus shifting their attention to local actors – elected municipal governments, supportive militias that are willing to cease criminal misconduct and civil society groups (Allen et al. 2019). There are, however, strong limitations to this approach that relate to equally distributing oil revenue and whether the various local actors would accept such an arrangement. In Libya, there is great scepticism about asymmetric arrangements since asymmetry can lead to a privileged treatment of some areas over others, reminding many Libyans of the old system of favouritism (Allen et al. 2019). Another important indication of the level of legitimacy, also discussed in section 4.1.3, is the role of the National Army, which the LNA currently performs. The need for stability and everyday security allows the army to occupy a central role in the collective imagination. This appears to suggest that fostering a dialogue on security sector reform could potentially contribute to a wider resilience of the whole society. Finally, as mentioned previously, the cyclical and dependent relationship between international and local actors which was forged from 2011 onwards requires a willingness of the former to convincingly sidestep from the latter’s political struggles, immediately stopping the provision of funds and weapons. This is a crucial condition for undertaking any form of project or initiative aiming to help the reconstruction of Libyan statehood. If such willingness fails to materialize, the future of the country will remain more in the hands of international actors than in those of the Libyan population.

7. CONCLUSION

The relationship between Contested Order (CO) and Areas of Limited Statehood (ALSs):

This report has found that a strong, cyclical and dependent relationship between international, national and local actors has existed in Libya since 2011, when the civil war brought about the fall of the previous Libyan government. While Libyan statehood has collapsed, the country has



witnessed the emergence of numerous Areas of Limited Statehood. In these areas, diverse international states and national coalitions of local actors (various armed groups, military brigades and militias) compete to provide basic services and security. However, the power and legitimacy of these actors is strongly interrelated with the support and legitimacy that international actors provide. The nature of the struggle between the two main factions in Libya, the Government of National Accord (GNA) and the Libyan National Army (LNA), emblematically captures this cyclical relationship. While the GNA is the result of a UN-brokered political agreement and resides in Tripoli, the LNA has been receiving diplomatic recognition, funds and weapons from other international actors, i.e. Egypt, France, Russia and the United Arab Emirates. Therefore, there is a cause-effect relationship between CO and ALSs in Libya, where contestation among different parties has led to the emergence of ALSs.

Risks, Threats and Tipping Points:

1. **Violent conflict and governance breakdown in Tripoli and its surrounding area continues.** This tipping point might surface if: a) the LNA refuses to come to a political agreement with the GNA and decides to further pursue its military advance to the outskirts of Tripoli; or b) the international actors continue supporting rival factions and do not develop a uniform strategy. Maintenance of the current situation represents a risk because it can bring the normalization of war and further destruction of the country's resources.
2. **General Khalifa Haftar conquers Tripoli.** This is a concrete risk and, although some might argue that the presence of a strongman will restore security and stability in Libya, the variegated factions and tenuous alliances that form the LNA might not last and other conflicts could quickly ensue. For instance, this report has raised doubts over the lasting relationship between Makhdali Salafists and the LNA. While this tenuous relationship does not represent a tipping point in the short term, it is indicative of the fragile alliances that exist and characterise the composition of the main rival factions in Libya, the GNA and LNA. In the long term, all these **alliances could trigger violent conflicts and governance breakdown over power-sharing disagreements.**
3. **Violent conflict and governance breakdown in the south of Libya** remains a strong possibility for two main reasons. First, the two main rival factions (GNA and LNA) are trying to co-opt an already fragmented ensemble of local actors (Tebu, Tuareg and Arab tribes) in the south to pursue their respective political agendas. Consequently, the arming of various groups and control of oilfields and resources could lead to further conflicts. Second, since the closure of the port of Sirte, the economic situation in the south of Libya is declining and this has already created tensions in the cities of Ubari and Sebha. Furthermore, the presence of international missions in the Sahel continues to affect the situation in Libya detrimentally. The EU member states' security agenda clashes with local priorities and might increase the resentment toward an enduring colonial presence in the area.
4. As the current stage of the Libyan conflict shows signs of exhausting the potential for local recruitment and increasing the parties' reliance on foreign support, another tipping point may materialise when **Sub-Saharan mercenary providers obtain the ability to**



impose elements of their political agendas on their nominal patrons, such as General Khalifa Haftar. This risk is tangible, considering the increasing power of the Sudanese paramilitary Rapid Support Forces, their regional ambitions and their growing involvement in Libya. Regarding Russia, risks accompany a possible expansion of the numbers of its private military contractors on the ground. So far, only highly disciplined and professional elite forces have been sent to Libya, yet a growing demand for more troops may result in **deployment – as in Syria – of poorly paid ‘cannon fodder’** whose presence may cause conflicts with the local population. This could change the nature of the Russian presence along the lines of the sub-Saharan forces – less organised, often involved in criminal activities and potentially harmful to civilians.

5. **The inability of migrants to depart from Libya through legal, safe and dignified mechanisms can lead to the escalation of violent acts against them at the hands of smuggling groups but also of groups who benefit from their detention at camps or containment facilities.** While this activity is unlikely to develop into a political struggle, it has been argued that it represents a lucrative business for many armed groups. It has however become an important source of income for marginalized and remote communities, which will be impacted by the growing reduction of migrant flows, and will invariably need to venture into different markets, many of which can be of illicit nature.
6. **The radicalisation of young people due to the easy availability of salaries and employment in armed groups** suggests a protraction of violence and conflict in the future. Moreover, the importance of brigades associated with Islamist actors has provided them with vectors of influence in the western and eastern regions of the country, which could translate into influence in Libya’s future security structures. Should such brigades become integrated into a unified army structure, their opposing agendas could affect unity within it. The growth of Madkhalism in the east could also pose challenges to a revived democratic transition in Libya if undemocratic forces are predominant at any time. It could also reinforce ultra-conservatism in this already more conservative part of the country (Watanabe 2018).
7. **A wide gap exists between local interests and international priorities in relation to security and migration management.** The decision by EU member states (such as Italy) to outsource migration management activities to local armed groups, providing funding and logistical support, has produced contradictory effects. The EU missions’ interest in short-term goals is not helping to stop the violation of the human rights of migrants.
8. **Any expansion of the military conflict into the oil sector and the management of institutions, such as the Libyan Central Bank (LCB), the National Oil Corporation (NOC) and the Libyan Investment Authority (LIA), would imply a much graver politico-military and economic tipping point** (ICG 2015b). Indeed, such is the extent of order contestation in Libya that it is not limited to the outcome of the political track – an area where contestation is also present at the international and regional levels, being reproduced in the actions of a number of international organizations, particularly the UN. It also extends to the very foundations of the modern Libyan state, including the sanctity of its borders. The risk of Libya disintegrating into three (or more) smaller states cannot



be ruled out, notwithstanding the fact that key local actors (as well as their foreign backers) are ostensibly in agreement on the need to keep Libya united.

9. **Due to the lack of cohesiveness among EU member states, the increasing interference by other international actors, mostly China and Russia, represents a concrete risk.** The report has observed a continuity of divergent national political interests among EU member states since the civil war in 2011. Since 2012, the diverging positions of EU member states at the level of the Commission are also apparent in Libya. The EU as an institution appears highly fragmented and incapable of acting as a multilateral hub vis-à-vis the various political factions present in the country. This trend, therefore, might incentivize other international actors to be more proactive and advance their economic and political interests.

Resilience Mechanisms:

1. A balanced approach should be maintained that does not privilege a certain set of actors but aims to engage different communities (businesspersons, civil society organisations, tribal chiefs, young people and women) in the pursuit of a common cause: **a national dialogue that provides mechanisms for conflict resolution and intra-Libya reconciliation.**
2. EU member states should not stop short of **pursuing the application of political and economic sanctions to any of its member states – or other international actors –** that violate the UNSC weapons embargo over Libya.
3. Decentralization could provide a valid institutional setting for Libya's future. However, this process should not aim to replicate ethnic, tribal or regional lines but it should set a fair distribution of both resources and fiscal power as guiding principles for the creation of a new institutional setting.
4. An important area of support by international organizations revolves around efforts to **increase transparency and oversight of the management of Libya's hydrocarbon revenue and state budget.** Significantly, with the agreement of the eastern authorities in mid-2018 the GNA in Tripoli called on the UN to set up an "international technical committee" to "review and audit the expenses, revenues and transactions" of the LCB in Tripoli and Benghazi (previously in al-Baida) (Libya Herald 2018). The UN planned to run the audits in 2019 as part of its broader efforts under the Libyan Action Plan, which also includes the reunification of the LCB. International actors and the **UN should condition any renewed political and diplomatic engagement regarding Libya on a prior agreement by all sides to implement the international audits and fully reunify the LCB and NOC** (ICG 2019).
5. Greater attention should be paid to security sector reform and the establishment of a national army which brings together the various armed groups in the country.
6. While efforts to contain and dismantle the system of detention facilities in the country must be carried out, it is also important to consider that the **migrant population** in the country –rather than those in detention alone – also **face significant forms of inequality and vulnerability.** Thus, long-term solutions to address the everyday challenges they face (from extortion and kidnapping to wage theft and discrimination) must be developed.



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