



## LIBYA: ELECTIONS OR NOT ELECTIONS, THIS IS THE QUESTION!

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After the truce signed by the parties in the field and the constitution of the Libyan Political Dialogue Forum, made up of 75 members representing the country's various political souls, Libya is heading towards elections on 24 December.

Despite the relative calm in the country, there are many obstacles that a hypothetical new Libya must face in order to complete the first phase of the post-Gheddafi transition. Indeed, despite the enthusiasm shown by the international community during the second round of the Berlin Conference, the relatively calm political climate in the North African country has in fact left many issues unresolved.

The main obstacles facing the Libyan political process today are essentially three: internal security, the legal framework that should regulate elections and the power structures that have been created over these long years of conflict.

### THE SECURITY DIMENSION

The security aspect is the main challenge Libya has to face in the short period. Indeed, if on one side the truce permitted the political dialogue, on the other it does not mean that the country is safe. The truce is weak and the return of violence is around the corner.

The second round of the Berlin Conference stressed mainly the role of foreign fighters, notably Syrian, Chadian, Russian and Sudanese; however the lack of appointment of a Defense Minister in the new Libyan Government (GNU, Government of the National Unity) represents a clear signal of the splits within the country and of the fact that security continues to be a real delicate issue for the future.

Militias in the West and the LAAF (Libyan Arab Army Forces), led by the warlord Khalifa Haftar, since the start of the civil war are the main threat for the stability and security of Libyans.

Haftar in the East did not recognize the new government

and has shown, more than once, the primary role of his self-styled army as the only body that could maintain the security in the country.

Although the power of Haftar has decreased, notably after the failure in taking Tripoli in 2020, the General is still a central actor in the country.

The presence of foreign fighters from Russia, Chad and Sudan on his side represents a threat for the security of the country. In addition, despite the fact that some of his main sponsors seem to have embraced the UN road map, other backers, such as the UAE, are still sustaining the General and his ambition to power.

On the other side, the presence of militias and armed groups in the Western region is still problematic giving rise to continuous clashes and, despite the façade acceptance of the GNU, they are continuing to act independently from the government.

This is the case of the 444th Fighting Brigade in Tripoli that recently has been protagonist of clashes with the Stabilization Support Force (a military body loyal to the GNU) after the former, according to [Libyan officials](#), *had deviated recently with its non-compliance with military orders, and its attendance at meetings that it was not authorized, and that the Brigade now includes people who were not official members of the brigade.*

This demonstrates, besides the impossibility to have a unified army, the weakness of the GNU in exerting full control of the militias and losing another opportunity to implement the UN mechanisms of DDR (Disarmament, Demobilization, and Reintegration) and SSR (Security Sector Reform), two cornerstones to create the prerogatives for a unified army and security forces.

In addition, notwithstanding President Dbaiba's attempt at a strong reaction to Tripoli's clashes, it is also true that those militias, nowadays, represent the only bodies that could maintain a sort of order in the Western part of the country and prevent other disorders. For this reason, the government is, in some ways, between the anvil and hammer.

## **THE INSTITUTIONS**

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The second factor that is threatening the democratic process and stabilization of the country is institutional. The constitution, in 2020, of the Libyan Political Dialogue Forum (LPDF), with the aim to gather 75 political and social personalities to initiate the dialogue for the future of the country, after an initial enthusiasm is now struck within divisions and obstacle on the modalities of the new

political-institutional asset, especially for elections.

Elections are scheduled for 24th December 2021 and Libya still lacks a legal framework which would provide the base for free and fair elections and, notably, the accounting for all the souls of the Libyan society.

Even in this sense, LPDF is divided in shaping the rules for elections. If on one side the High State Council (HSC) wants to draft new rules for the elections, the House of Representatives (HoR) in Tobruk is firmly convinced that existing rules and constitutional basis are already good to allow both parliamentary and presidential elections.

It is clear that the two institutional bodies (HSC and HoR) are taking on a political strategy in favor of the broader political polarization in the country. Indeed, if on one side the HSC is close to the GNU in Tripoli, the HoR and its President Aguila Saleh, after agreeing to the UN road map, have demonstrated more than once their hostility to the GNU.

This is preventing to reach an agreement on the institutional basis for the upcoming elections in the country. For the head of the HoR, the legal framework for presidential elections is already adopted but this law has not been voted by the parliament but only discussed in a session in mid-August, while many political figures linked to the GNU are opposing the law and calling for a deeper discussion.

All these political moves demonstrate that the conflict shifted at the political level and reconciliation is far from being reached. This does not mean that the country could return to a violent conflict but that the institutional steps won't resolve the splits within the country.

This may have a direct effect on the outcome of the elections, with the risk that the losing side will not recognize the winner and fuel the return of the armed conflict.

## **THE POWER STRUCTURES**

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The institutional framework that should function as the base of the election is strictly linked with the power structures which are characterizing the internal-external political polarization.

Indeed, the obstacles put on the abovementioned legal framework of the elections are the reflection of the power structures in both West and East.

Indeed, despite warlord Khalifa Haftar seems to be sidelined from the political process, he is still playing a central role in the East of the country putting at the core of

his power its self-styled army (LAAF or LNA) and military penetration within the economic (even if in some ways it is de jure informal) system.

This is helping the General to play a role in this new phase of the transition and, despite attempts of the internal political actors, the unification of the State institutions is far from reached.

These power structures today are acting in two different ways: on one hand they are pursuing their own agenda in order to re-establish their control over the territory and on the other participants in the political process made up by the international community by imposing their positions on it.

What is worrying in this phase is that the structures in East and West Libya are creating a duality of power that is hard to overcome. Both East and West are developing two ideas of the future country: if on one hand the West is more, but not fully, inclined to a possible democratization, the East is tending to that authoritarian stability that characterized many neighborhood countries.

Given that democracy is a long path, however the prerogatives to democratization of Libya have not been put in place yet by the different political forces.

The obstacle which is characterizing the LPDF reflects these different points of view on the future. This is affecting the population that is not polarized as the 'above' is.

Differences among East and West Libya are nothing more than the reflection of the international powers intervened in the conflict, starting from the downfall of the Gheddafi's regime.

Indeed, if on one side the history of Libya demonstrated that the national social fabric is totally different from that of Egypt, Tunisia and other countries in the region, on the other the tensions of the long civil war and the political struggle of the country generated a complete sense of distrust of the civil population towards the power.

## **WHAT TO EXPECT?**

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In this context, elections are only a little, but important step for the future of the country. If they are not held, it will also have repercussions on the GNU, which has staked a great deal on the elections and on the UN roadmap. If this scenario materialized, this would require a further step towards a new government, and it is a foregone conclusion that such a scenario could produce even more

instability and could lead to the emergence of new players who have so far been excluded, first and foremost Haftar and secondly Gheddafi's son.

Elections, and more broadly the democratic transitions, require time and general consensus around the whole process. The widespread consideration of elections as a democratic indicator and the enthusiasm of some European governments should be downgraded. Libya is facing a difficult process of State re-building in which the electoral mechanism represents a little step towards 'stability'.