

July 2017 | PB No. 45

## THE LIBYAN POLITICAL AGREEMENT - TIME FOR RECONSIDERATION

BY MICHAEL ASIEDU

### BACKGROUND

The Libyan Political Agreement (LPA)<sup>1</sup> also known as the Skhirat Agreement has been bedeviled with significant deficiencies from its onset. In part, it was vouched for irrespective of the fact that necessary domestic support was not garnered pursuant to its approval - vital security sector actors missing at the negotiation table. This Policy Brief discusses how it has failed thus far and gives options for inclusive renegotiations given Libya is at a pivotal point with every action of the UN-backed Government of National Accord (GNA) key going forward in the country's quest for sustainable peace and unity. The Agreement as it stands is largely not a panacea to any of Libya's political and security predicaments with the battle against the Islamic State won in Sirte<sup>2</sup>.

### EARLY BEGINNINGS AND INTERNAL WRANGLING

The United Nations-brokered Libya Political Agreement (LPA) birthed in December 2015 in Skhirat, Morocco was envisioned to considerably reduce the internal wrangling within Libya and progressively forge a unified government. However, the LPA was called into question when a section of the Tripoli-based parliament during the war, the General National Congress (GNC) under

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\*Michael Asiedu is a Researcher at the Global Political Trends (GPO)T Center.

<sup>1</sup> In addressing the post-Gaddafi anarchy in Libya- (an offshoot of the broader Arab Spring that ended the over four decades rule of Libyan leader Muammar Gaddafi), members of the Libyan House of Representatives (HoR) and the New General National Congress signed a political agreement on 17 December 2015. This agreement signed in Skhirat, Morocco has come to be known as The Libyan political Agreement or The Skhirat Agreement. Per the terms of The Agreement a nine-member Presidential Council and a seventeen –member interim Government of National Accord (GNA) was formed with the notion of holding new elections within two years. The HoR was to continue to exist as a legislature and an advisory body to be called the State Council. The State Council was thus formed with members nominated by the New General National Congress. The GNA and Agreement is backed by the United Nations. To read the full Agreement visit: [unsmil.unmissions.org](http://unsmil.unmissions.org)

<sup>2</sup> Global Political Trends (GPO)T Center. (2016, Sep.). Regional Updates: December 2016. No. 17.Global Political Trends (GPO)T Center- Istanbul Kultarr University. p.6.

the tutelage of Khalifa al-Ghwell<sup>3</sup>, further supported by allied militias captured the offices of the new State Council (Presidency Council), brought forth to guide and support the GNA. Al-Ghwell indicated his aim of wresting executive power from the GNA and subsequently invited Abdullah al-Thinni<sup>4</sup> to form their own government of national unity. This proposal was however dismissed by al-Thinni. That notwithstanding, it brought forth one of the foremost deficiencies with regards to GNA's lack of a wide spectrum of national support.

Subsequently in August 2016, the internationally recognized House of Representatives (HoR)<sup>5</sup> voted to reject the GNA. This rejection was significant in twofold, first it demonstrated a deficiency in support within politicians from the eastern cohort. Again it exposed the insecurity of GNA Prime Minister Fayeze al-Sarraj. Essentially, he is burdened with carving out a new cabinet list. The problem lies not in the formation of a new cabinet list but the fact that, it could once again be rejected, inextricably jeopardizing UN-backed support. Al-Sarraj in an interview to the British Foreign Office in London also reiterated that, he was dealing with four spoilers. Colonel Khalifa Haftar<sup>6</sup> is a spoiler engaging in military escalation, Ageelah engages in political maneuvering and blockages as head of the HoR, Saddik Elkaber also engages in blocking financial and economic issues and Sheik Saddiq Gharini also has religious fatwas. Thus, "Some have money, others have army, others have media and another has religious authority".<sup>7</sup> Emphatically the divisions and battles within Libya's body politic is evident.

Of intrinsic significance is when forces loyal to Haftar captured key oil terminals in Libya's oil crescent in the northeast coastal region from the Petroleum Facilities Guard - a rival armed faction whose fidelity is with the GNA.<sup>8</sup> Eventually, Haftar permitted oil exports from the terminals through GNA's National Oil Company. This development further corroborated the UN-backed government's lack in capacity to control and consolidate security of major economic establishments

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<sup>3</sup> He was the prime minister of the new General National Congress, a group claiming to be the legitimate continuation of the former Libyan parliament in Tripoli. Previously, he served as a deputy to Omar al-Hassi, the prime minister of the disputed Tripoli-based government (GNC).

<sup>4</sup> Abdullah al-Thinni is the former prime minister of the internationally recognized Bayda and Tobruk-based government.

<sup>5</sup> The HoR came into power in August 2014 after the June 2014 Elections replacing the General national Congress. The current Chairman is Ageela Saleh Issa.

<sup>6</sup> Khalifa Haftar has been part of the Libyan political terrain for over four decades, he is the military commander of Libya's eastern government. He recently met Russian foreign minister, Sergei Lavrov and opined he was seeking assistance in the fight against the Islamic State militants in Libya per The Guardian report.

<sup>7</sup> Global Political Trends (GPoT) Center. (2016, Sep.). Regional Updates: December 2016. No. 17. Global Political Trends (GPoT) Center- Istanbul Kultarr University. p.6.

<sup>8</sup> Lisa Watanabe. Libya's Political Agreement Reaching a Breaking Point. IPI Global Observatory.

in Libya. Haftar on the other hand demonstrated his ability to withhold access to the nation's oil proceeds.

The GNA, the central offshoot of the Agreement has to a larger extent failed to address pressing everyday issues affecting the Libyan populace in terms of power cuts, water shortages and acute currency crisis. In fact, the divisions within the country have only widened with pro-Haftar forces refusing to recognize the GNA. Effectively, the Presidency Council now faces a critical dilemma in unifying the country, disarming militias and implementing the Agreement as inadequate as it stands. Pursuant to this, sections in the international community asserting that the Skhirat Agreement should be implemented as it stands is not only erroneous but fails to acknowledge the altering dynamics of the Libyan conflict so far.

Haftar presently enjoys growing support from international backers such as Egypt, The United Arab Emirates (UAE) and [Russia]<sup>9</sup> be it 'overtly or covertly' in terms of political and military assistance. France operationalized their assistance on counter-terrorism grounds.<sup>10</sup> A section of mostly countries from the West on the other hand are rooting for the Presidency Council and the LPA having given recognition to government and the agreement respectively. Essentially there is a rift in terms of the way forward in the international arena as well.<sup>11</sup>

## OPTIONS FORWARD

Given these tensions, shortfalls and the inability of the LPA to forge the necessary unity so far, it is high time the UN and the international community acknowledged that the LPA has stalled hence the need for urgent reconsideration and realignment pursuant to the changing dynamics of the Libyan conflict. Primarily, the notion of a provisional government facilitating the activities of two parliaments and allies that could help bring forth a new political pathway; and disarm and reintegrate militias can no longer be banked upon without much needed alteration. Beneath are options for consideration.

There is need for new frank discussions on installation of a new unity government. Thus, the Presidency Council should sit at the negotiation table with the HoR on carving out a new unity government. An inclusive new unity government could solicit eastern opinion in addressing basic issues plaguing the Libyan citizenry with regards to power cuts, the acute banking crisis, etc.

The stability of Libya depends largely on its security sector. To this end, central security actors whose prominence is increasing by day and were not present during the Skhirat Agreement should

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<sup>9</sup> Per Reuters January 17<sup>th</sup> report, Lewis Aidan opines that, Russian support could embolden Haftar in making a play for power in Tripoli, a move likely to fuel conflict and represent a major setback for genuine unity government in Libya.

<sup>10</sup> According to the Middle East Monitor, French-led Western and Arab forces are in Benghazi to support Haftar.

<sup>11</sup> International Crisis Group Report No. 170/Middle East and North Africa. Libya Political Agreement: Time for a Reset.

be invited to renegotiate. Among them are Haftar and the Libyan National Army. This is cognizance of Haftar's capabilities especially with regards to his advances in both Benghazi and the Oil Crescent. There is also the need for a unified army command chain in a re-modified and unified security structure.

Again, as a means of de-escalating tensions that have the propensity to increase, the Presidency Council should not take over the Gulf of Sirte facilities, Haftar forces should also on the other hand adhere to their commitment that Sirte oil and gas facilities shall be controlled by the National Oil Company per the stipulations of Libyan Law and UN Security Resolution 2259.

On the diplomatic front much is required. Essentially, Western countries should promote a fresh platform for the main armed groups in western Libya to plan a roadmap for de-escalation in Sirte and Benghazi and other parts of Libya. This should form part of a larger framework with regards to the security concerns. Subsequently actors like the US, Russia, Qatar, UAE and other Western countries should assist in a new framework inclusive of an outcome possible of accommodating spoilers. Key focus should be directed towards addressing oil and gas export concerns - this is very necessary in the contribution to the stabilization of the Libyan economy.

### THE NEED FOR RECONSIDERATION

Currently the resistance towards government is borne out of the fear that same may come under the influence of Misrata brigades whose fidelity is with the GNA. The Misrata brigade has enjoyed prominence as they were central in the battle against the Islamic State in Sirte. Haftar on the other hand commands support of eastern Libyan politicians and is wrestling for a place in a reformed and unified security sector.

A HoR-endorsed GNA will still need the progressive assistance of Misrata brigades, Haftar's capture of oil terminals has also demonstrated that the GNA courts his support to an extent if not in its entirety. Either way it is vital for the UN and the International community to resolve the security sector impasse. An interim security arrangement that accommodates both GNA-allied brigades and Haftar forces provides a pathway for sustainable peace and unity in Libya presently.

More importantly, implementing the LPA without HoR full backing could be disastrous so as excluding Haftar in any subsequent renegotiations. Granted that the battle against the Islamic State in Sirte is won<sup>12</sup>, it is paramount for a renegotiation with regards to the LPA. Anything contrary may

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<sup>12</sup> The Arab Weekly. Libya officially declares liberation of Sirte from ISIS. Prime minister Sarraj however, warned that the battle against the Islamic rebels was not over.

potentially see a relapse in the peace process, for instance fighting between militias in the east and west respectively over Libya's oil and gas, a view equally buttressed by the International Crisis group.

\*This paper was first published with E-International Relations, <http://www.e-ir.info/author/michael-asiedu/>

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## **CONTACT DETAILS**

### **Global Political Trends (GPoT) Center**

Istanbul Kültür University  
Atakoy Campus, Bakirkoy  
34 156 Istanbul, Turkey

[www.gpotcenter.org](http://www.gpotcenter.org)

[info@gpotcenter.org](mailto:info@gpotcenter.org)

Tel: +90 212 498 44 76/65

Fax: +90 212 498 44 05

