



ICSR Feature

Libyan Elections in 2018: A Potentially Ruinous Endeavour

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My mission is not to slice the cake between competing greeds. First and foremost, it is to bring Libyans together around a common national narrative (...) Libyans insistently remind us of their wish for a new period of stability and certainty built on accountable and unified institutions. The present institutions are based on shallow legitimacy. They are built on tenuous mandates or are divided into competing bodies. To lead and unify the people and take difficult decisions for their own good, the Government must come from the people. That means that elections must be held.

Ghassan Salamé, Special Representative of the Secretary-General and head of UNSMIL, briefing of the UN Security Council via videoconference from Tripoli, 21 March 2018

Introduction

When a country is divided, national elections can often facilitate a peaceful transition of power. This logic perhaps helps to explain why Ghassan Salamé, head of the United Nations Support Mission in Libya (UNSMIL), announced that elections were a top priority, and that they were to be held in Libya by the end of 2018.¹ French president Emmanuel Macron took up the issue and proudly announced the agreement on a date for Libyan elections. In Paris, at the International Conference on Libya the leaders of the four key institutions agreed to an ambitious plan to stage “credible, peaceful” parliamentary and legislative elections in the country on 10 December 2018 and to establish the constitutional basis for elections by mid-September.²

The agreement, however, is endorsed, but not signed by the summit participants. In addition, the participants supported elections but the question what institutional framework should be implemented and what their respective powers would be remains open. Libyans are divided on the issue of future elections. Some argue that in order to hold elections, various prerequisites, such as a secure voting environment and a stable legal framework must first be in place, while others insist that presidential elections would unify political authority in the country,³ and still others prefer to retain the status quo they regard favourable to their hold on power.⁴

Even without elections being imminent, the prospect of this democratic procedure has already attracted the attention of

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- 1 United Nations Security Council Meeting, 8211 Meeting, 21 March 2018, accessed 4 April 2018 http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_pv_8211.pdf
 - 2 Fayez al-Sarraj, head of GNA in Tripoli; Khalifa Haftar, leader of the LNA; Aguila Saleh, speaker of the HoR in Tobruk and Khaled Mishri, head of the HSC in Tripoli.
 - 3 “Liqa’-un ḥaṣriyy-un ma’a ra’is-i majlis-i n-nuwwāb - al-mustashār Aqīla Šāliḥ” [Exclusives meeting with the head of the House of Representatives Advisor Aguila Saleh], *Libya Channel*, 30 April 2018, accessed 10 May 2018, <https://www.facebook.com/libyaschannel/videos/923640811149119/>.
 - 4 Claudia Gazzini, “Making the Best of France’s Libya Summit”, *Crisis Group Middle East and North Africa Briefing* No.58, 28 May 2018, <https://d2071andvip0wj.cloudfront.net/b058-making-the-best-of-frances-libya-summit.pdf>.

potential spoilers. The 2 May attack by Islamic State's Wilayat Tarabulus on Libya's High National Election Commission (HNEC)

headquarters in Tripoli is a case in point,⁵ only adding to its campaign of terror against election facilities, candidates and officials in Afghanistan, Iraq and Libya.⁶ The attack killed thirteen people and forced the HNEC to relocate to a new premise since the suicide attack destroyed the building. The High National Election Commission Chair, however, stresses the sustained preparedness of the Commission to conduct elections.

Such is the context for this paper, which explores some of the key challenges in the lead up to elections in Libya. Now is the time to highlight and ease these concerns if elections are to occur by the year's end.⁷ On the one hand, the citizens in this war-torn country desire improvement of their political and economic situation. On the other hand, acting prematurely without the necessary provisions might trigger further violence and instability in an already volatile state.

The political situation in Libya

Seven years have passed since the fall of Muammar al-Qaddafi, who ruled Libya alongside various alliances for 42 years. Following his overthrow, initiated by local forces and supported by Western military force in 2011, the country has experienced years of turmoil. The future is uncertain and Libya seems to be at a critical crossroads with various groups

5 *BBC Monitoring*, accessed 3 May 2018, <https://twitter.com/BBCMonitoring/status/991686100799381504>.

6 Thomas Joscelyn, "ISIS Targets Elections in Afghanistan, Iraq, Libya", *Long War Journal*, May 7 2018, accessed 5 May 2018, <https://www.longwarjournal.org/archives/2018/05/isis-targets-elections-in-afghanistan-iraq-and-libya.php>.

7 Patrick Wintour, "Libyan factions agree to hold elections on 10 December", *The Guardian*, 29 May 2018, accessed 29 May 2018, <https://www.theguardian.com/world/2018/may/29/macron-hosts-libyan-factions-in-paris-in-push-to-secure-elections>.

competing for power and claiming legitimacy. Amid this, the possible forthcoming elections in Libya are influencing the political agenda and instilling hope in residents for a peaceful transition of power and future stability for a state that has been riddled with violence and impunity. Political authority in Libya is divided between rival parliaments in Tripoli and Tobruk and dispersed between different militias exerting control in parts of the country.

The Government of National Accord (GNA), based in Tripoli and led by Prime Minister Fayez al-Sarraj, remains the only internationally recognised government in Libya. It is backed by the UN and propped up by international powers, despite holding little sovereign power. However, militias nominally loyal to the GNA have dominated government offices and exhibited criminal network structures.⁸

The GNA resulted from the Libyan Political Agreement (LPA, also known as the Skhirat accord), a UN-backed peace deal signed in December 2015.⁹ It conducted its first meeting in January 2016 in Tunisia. This diplomatic process carried the laudable goal of ending Libya's civil war of 2014 and was intensified as the Islamic State advanced and developed a growing presence in Libya.¹⁰ More than two years after the signing of the LPA, it can be accredited with having brought some stability, but political and institutional separations continue.

The House of Representatives (HoR) in Tobruk does not recognise the GNA's authority. This is compounded by the fact that militias also exert political control across various parts of the country.

8 Wolfram Lacher, "Tripoli's Militia Cartel", *SWP Comment*, April 2018, accessed 5 May 2018, https://www.swp-berlin.org/fileadmin/contents/products/comments/2018C20_lac.pdf.

9 "The Libyan Political Agreement", 17 December 2015, accessed 12 April 2018 <https://unsmil.unmissions.org/sites/default/files/Libyan%20Political%20Agreement%20-%20ENG%20.pdf>.

10 Joseph V. Micallef, "The Islamic State in Libya: Why it Matters", 19 December 2015, accessed 20 April 2018, https://www.huffingtonpost.com/joseph-v-micallef/the-islamic-state-in-liby_b_8842944.html.

For example, Derna, a city on the Eastern coast, continues under the control of Islamist armed groups known as the Derna Mujahideen Shura Council (DMSC) and other local fighters.¹¹

While they have regularly defied encirclement and air raids by the Libyan National Army (LNA), a new offensive accelerated in May 2018 was advancing into the city at the time of writing. Still, even if the initial phases of success into Derna show the military strength of LNA forces, that in no way means that Derna will come under full LNA control soon – the local actors are still a powerful force to reckon with. Overall, if the LNA General Command fails to implement a real post-conflict agenda, citizens in Derna will likely be exposed to high levels of violence in the next months that will gradually concentrate into residential areas and the urban war will continue.¹²

The LPA became gridlocked already a few months after it was signed as it lacked a sufficiently broad consensus among parliamentary leaders and military camps.¹³ One major flaw was that it excluded powerful local players in the negotiations and therefore ended up being a deal by a “coalition of the willing”.¹⁴ In other words, it lacked a sufficiently broad consensus to be future-proof. The GNA and the Presidential Council (PC) were established after major political and military factions in the west and south of the country agreed on their formation in Tripoli in March 2017. These processes took place relatively peacefully without triggering large-scale violent incidents and the various groups have worked with the international community on the fight

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- 11 Twitter Channel of Oded Berkowitz, accessed 11 May 2018, <https://twitter.com/Oded121351/status/995172201379835905>.
 - 12 “Qūwāt-un Ḥaftariyy-un: tu’aththiru ‘alā ātraāfi Derna” [Haftar’s Forces: Reaching the edges of Derna], *Al-Akḥbar*, 17 May 2018, accessed 17 May 2018, <https://al-akhbar.com/Arab/250172/دريا-اطراف-على-تعث-قوات-حفتر-ليبيا>; Salem Al-Zubayr, “The war in Derna: what’s happening now, and what’s next? *Middle East Directions (MED)* Series No.9 2018, accessed 10 June 2018, http://cadmus.eui.eu/bitstream/handle/1814/56084/Policy/Brief_2018_09%28EN%29.pdf?sequence=1&isAllowed=y.
 - 13 *The New Arab*, “Libya: Escalation feared as pro-Haftar parliament calls for elections”, accessed 1 April 2018, <https://www.alaraby.co.uk/english/news/2017/3/9/libya-escalation-feared-as-pro-haftar-parliament-calls-for-elections>.
 - 14 Claudia Gazzini, “The Libyan Political Agreement: Time for a Reset”, International Crisis Group, *Middle East and North Africa Report* No.170, 4 November 2016, accessed 1 April 2018, <https://d2071andvip0wj.cloudfront.net/170-the-libyan-political-agreement.pdf>.

against the Islamic State and illegal migration.¹⁵ While there has been initial progress in countering the Islamic State, such as

forcing it out of Sirte in December 2016, the bridging failure of an inclusive deal deepened the prevalent political division separating the deal's supporters from its opponents and additionally led to the spread of new fractures within both factions.

General Khalifa Haftar remains the most prominent defector. As the leader of the LNA, which is based largely in the east of Libya, Haftar is a dominant military figure who returned to the Libyan political scene after about fifteen years of absence. The seventy-five-year-old general was originally among the officers who supported Qaddafi when he seized power from King Idris in 1969, but afterwards he was disowned by Qaddafi, before being extradited and receiving a death sentence in absentia. After tumultuous years, he settled in the US from where he tried to take part in uprisings against Qaddafi (without much success). He eventually returned to Libya in 2011 to support the NATO-backed revolution.¹⁶ Nominally, Haftar answers to the HoR but he has his own power base and is crucial in negotiations to unite Libya.¹⁷ He turned against the LPA in January 2016, after realising the implementation of the outlined security arrangements would side-line his authority. He therefore undermined the eventual goal of the deal - territorial integrity under a unity government which would enhance the political, economic and security situation, while laying the foundation for a more integrative and stable country.¹⁸ Instead of being dovetailed with the Libyan people, the GNA became to be widely viewed as a government imposed on the Libyan people by outside powers

15 Virginie Collombier, "Libya: Moving beyond the transitional mood", *Middle East and North Africa Regional Architecture: Mapping Geopolitical Shifts, regional Order and Domestic Transformations*, *Future Notes* No.11, April 2018, accessed 12 May 2018, http://www.iai.it/sites/default/files/menara_fn_11.pdf.

16 Aidan Lewis, "Veteran commander vies for power in Libya's shifting sands", 26 February 2018, accessed 11 March 2018, <https://uk.reuters.com/article/uk-libya-security-haftar/veteran-commander-vies-for-power-in-libyas-shifting-sands-idUKKCN1GA0YS>.

17 International Crisis Group, "Libya's Unhealthy Focus on Personalities", 8 May 2018, accessed 13 May 2018, <https://reliefweb.int/sites/reliefweb.int/files/resources/b057-libyas-unhealthy-focus-on-personalities.pdf>.

18 Gazzini, "The Libyan Political Agreement: Time for a Reset".

and having acquired its power from influential militias in Tripoli who allow it to “operate securely”.¹⁹

After four years of political polarisation, the emergence of parallel authorities, the development of competing economic institutions, and the number of figures that assert authority and therefore act as potential spoilers rising, international powers are exhausted. As such, elections are charged with the hope of carrying the potential to disrupt the status quo and trigger positive change for political reform and institutional reunification.²⁰

Elections: hope for a strong, unified government

After the four major players agreed on elections in 2018 during the International Conference on Libya in Paris, the summit’s host hailed the outcome as a milestone towards reconciliation in Libya, emphasising it portrayed new impetus to restore Libya’s sovereignty.²¹ But the French undertaking portrays unilateral characteristics and other Western countries with an interest in Libyan developments such as Italy are already pushing against it. Similar to the final negotiations of the LPA, the vast array of participants in Paris was still lacking key Libyan veto players – such as the Misratans. Therefore, national and international experts view the agreement with skepticism.²² Hans-Jakob Schindler, former Coordinator of the ISIS, Al-Qaeda and Taliban Monitoring Team of the United Nations joins the skepticism and questions whether the

19 Yousuf Eltagouri, “Libya’s Constitution is the Minimum Requirement for Elections”, 1 February 2018, 1 May 2018, <http://www.atlanticcouncil.org/blogs/menasource/libya-s-constitution-is-the-minimum-requirement-for-elections>.

20 Tarek Megerisi, “Libya elections 2018: the missing ingredient”, 1 June 2018, accessed 2 June 2018, http://www.ecfr.eu/article/commentary_libya_elections_2018_the_missing_ingredient.

21 Wintour, “Libyan factions agree to hold elections on 10 December”.

22 Frederic Wehrey and Wolfram Lacher, “The Wrong Way to Fix Libya: Early Elections Would Be a Disaster”, *Foreign Affairs*, 19 June 2018, accessed 20 June 2018, <https://www.foreignaffairs.com/articles/libya/2018-06-19/wrong-way-fix-libya?cid=soc-tw-rdr>.

elections would result in local militias and tribes rendering power to national institutions.²³

The main background driver for elections is the UN Action Plan for Libya drafted in September 2017.²⁴ With the Security Council's endorsement of the plan in October 2017, the international community validated its standing commitment to end the crisis with a comprehensive political settlement, based on the Libyan Political Agreement (LPA) of December 2015. In April 2018, the Libya Quartet (comprised of the European Union, African Union, Arab League and UN) also welcomed the efforts of Ghassan Salamé outlined in the action plan.²⁵ During the regular tripartite meetings of the neighbouring states of Algeria, Egypt and Tunisia, the countries expressed their support for upcoming elections in Libya.²⁶ In addition to the amendment of disputed clauses in the LPA and the organisation of a comprehensive national reconciliation conference, the plan includes elections based on a constitution and ratified by a national referendum that hopes to unify the divided institutions. Within a year Salamé wants to hold a constitutional referendum, followed by the election of a president and parliament, marking the end of the seemingly endless transition phase that could initiate "institutional and political normalcy" in Libya. Currently, Salamé is focusing on consultations in preparation for the national reconciliation conference, comprising a broad range of Libyan political players that he regards as an essential precursor for the country's institutional unification. Despite controversy that the

23 Hans-Jakob Schindler, Interview by Inga Kristina Trauthig, Skype Interview, 20 May 2018.

24 United Nations, "UN plan for post-conflict transition in Libya makes headway, Security Council told", 16 November 2017, accessed 26 June 2018, <https://news.un.org/en/story/2017/11/636382-un-plan-post-conflict-transition-libya-makes-headway-security-council-told>.

25 United Nations Support Mission for Libya (UNSMIL), "Joint Communiqué of the Quartet meeting on Libya", 30 April 2018, accessed 1 May 2018, <https://unsmil.unmissions.org/joint-communication-quartet-meeting-libya-1>.

26 "Liqa'-un thulāthi-un bi l-Jazā'ir li-duwwali jiwāri Lībā da'mi sayri l-intikhābāt" [A tripartite meeting in Algeria of the neighbouring countries for the support Libya of conducting elections], *Marsad Libya*, 21 May 2018, accessed 22 May 2018, <https://www.marsad.ly/ar/2018/05/21/لقاء-ليبيا-جوار-للدول-بالجزائر-ثلاثي>

French initiative might subvert the UN-led process, French officials stressed that this event was aimed at revitalising the sputtering peace process and supporting the UN's efforts.

Currently, any compromise would carry potential drawbacks for groups and individuals who have a vested interest in the continuation of the status quo. An altered agreement is therefore doubted as potentially jeopardising their access to resources and political influence. As a result, the proposed amendments to the LPA have transformed from peace facilitators to hindrances, a view summarised by Ghassam Salamé when he concluded that "it is now time to turn this page (...) [and focus] on elections this year".²⁷

On a positive note and in contrast to the last election in 2014, domestic voter registration, which closed on 16 February 2018, is significantly higher with almost 2.5 million registered Libyans in addition,²⁸ and with a strong representation of women and youth. Arguably, this exhibits popular demand for elections and there is hope that this will subsequently lead to higher voter participation in the election itself, which in turn could translate into a stronger mandate for the elected officials. Optimists see the relatively high voter registration as a sign that Libyans want to participate in the election and hence interpret the elections as essential progression towards a political solution;²⁹ others argue

27 UNSMIL, "Remarks of Ghassan Salamé to the United Nations Security Council on the situation in Libya", 21 May 2018, accessed 23 May 2018, <https://unsmil.unmissions.org/remarks-srsg-ghassan-salam%C3%A9-united-nations-security-council-situation-libya-21-may-2018>.

28 "Bayān-un ṣaḥāfi-un" [Press Release], High National Election Commission, 16 February 2018, accessed 13 March 2018, <https://pbs.twimg.com/media/DWJZDK9UMAEYeXW.jpg>; Election Guide, accessed 1 June 2018, <http://www.electionguide.org/countries/id/123/>.

29 Abdulkader Assad, "From Tripoli, UN vows technical support for Libya 2018 elections", *The Libya Observer*, 10 January 2018, accessed 1 April 2018, <https://www.libyaobserver.ly/news/tripoli-un-vows-technical-support-libya-2018-elections>.

that there are significant inherent flaws in the voting system³⁰ and further, voter registration does not equal voter participation as the recent case of low voter turnout in Iraq's parliamentary election in May 2018 exhibits.³¹

Notwithstanding the above, without a binding framework, an expressed will to reconcile warring factions and a unified, concerted effort on the international stage, the political situation in Libya parallels the situation in 2014 in a disturbing way: negligence to recognise election results, an unstable security environment, and confusion on the international scene that is inevitably mirrored on the ground in Libya.³² Many western leaders are determined to stabilise Libya and install a stronger, unified government that can address the security crisis and the stream of migrants crossing the Mediterranean to Europe.³³ The elections are charged with the hope that a unified political authority reconciling the warring factions could emerge. However, five distinct challenges have the potential to compromise or disrupt elections: the prevailing insecurity in the country; the ongoing lack of constitutional or electoral laws; questionable candidates, the overbearing logistical difficulties in executing the elections; and unclear feedback to the dire economic situation.

30 Aidan Lewis, "Libyan party chief warns of 'fake voters' due to ID card scam", accessed 5 July 2018, <https://www.reuters.com/article/us-libya-security-identity-numbers/libyan-party-chief-warns-of-fake-voters-due-to-id-card-scam-idUSKBN1JV20A>.

31 75% registered, 44% went to vote, Anadolu Agency, accessed 1 June 2018, <https://www.aa.com.tr/en/middle-east/three-quarters-of-iraq-voters-register-for-election/1126605>.

32 Megerisi, "Libya elections 2018: the missing ingredient".

33 Aria Bendix, "Libyan Rivals Agree to a Ceasefire and Elections", *The Atlantic*, 25 July 2017, accessed 30 May 2018, <https://www.theatlantic.com/news/archive/2017/07/libyan-rivals-agree-to-a-ceasefire-and-elections/534897/>.

Lack of security

The volatile security situation, typified in early 2018 with the attack on the HNEC headquarters, poses serious questions about the relevance that elections would have to Libyan people in the absence of security and stability. Although there is currently no war in Tripoli or Benghazi, Sebha and Derna face intense fighting,³⁴ and it is questionable if a vote in these circumstances would have a truly national outreach. Newly elected representatives might be signing revised treaties, but the warring militias are likely to continue jeopardising citizens' safety.³⁵ Continued targeting and attacks by terrorist groups also have the potential to disrupt the institutions and actors key to future elections. Another round of elections delivering intangible outcomes for the Libyan people could additionally fragment the delicate political environment and lead to post-electoral violence if participating political stakeholders do not accept the election outcome.³⁶ While subtle cause for optimism in the political realm might be conveyed by the punctual elections for the Presidency of the High State Council (Tripoli-based HSC, a consultative body established under the LPA), the first meeting between the newly elected HSC president Khaled Mishri and Aguila Saleh (president of the HoR) in the Moroccan capital of Rabat on 23 April 2018, portrayed the well-known characteristics of seemingly and tentatively agreeing to work together, but not keeping to the discussed points when the parties departed to their respective power bases. Despite these well-known political whirls, violence and localised conflicts persist with the Islamic State and Al-Qaeda carrying out attacks and armed groups

34 F Jamal Adel, "Sebha's tribal clashes resume after brief lull", *Libya Herald*, 24 April 2018, accessed 30 April 2018, <https://www.libyaherald.com/2018/04/24/sebhas-tribal-clashes-resume-after-brief-lull/>; *EyeOnISISinLibya.com*, 17 April 2018, accessed 30 April 2018, <http://eyeonisisinlibya.com/other-jihadi-actors/11-apr-17-apr-lna-arrest-ansar-al-sharia-figure-while-issuing-final-readiness-orders-for-an-impending-assault-on-derna/>.

35 Guma el-Gamaty, "Will holding elections in 2018 end Libya's conflict?", 4 January 2018, accessed 25 March 2018, <http://www.middleeasteye.net/columns/will-holding-elections-2018-end-libyas-conflict-1388551490>.

36 Rana Jawad, "How realistic are Libya's election plans?", *BBC*, 27 February 2018, accessed 3 March 2018, <http://www.bbc.co.uk/news/world-africa-43198444>.

perpetrating human rights abuses.³⁷ Libyan activist and researcher Emad Badi points out the recent upheaval of violence after the Libya summit and fears further escalation closer to the election.³⁸

Absent legal framework

A working constitution or voting laws do not currently exist. Before holding elections, Libyans need to vote on a constitution to set the legal framework. Despite approval of the majority of the Constitutional Drafting Assembly (CDA) in July 2017, proceedings to implement and officially adopt a constitution have stalled. On the current draft of the Constitution,³⁹ Libyan views diverge dramatically. Among the options discussed are a) directly proceeding to a referendum with the existing draft; b) amending the text before a possible vote on it; and c) returning to a previous constitution. The existence of a solid constitutional framework is a pivotal precondition for elections. Another round of elections without a sound legal basis would, ironically, further undermine the rule of law. In terms of procedural matters, it is crucial to establish a trusted dispute resolution forum that could handle an appeals process. Failure to do so could jeopardise the whole election. The absence of an appeals process is indicative of a larger issue in Libya: namely, expediency taking priority over long-term (and more lasting) initiatives that lack the commitment necessary to establish institutions and working procedures accountable for all aspects of elections. In hindsight, there was widespread scepticism in the legitimacy of the 2014 vote exacerbated by the absence of

³⁷ UN Security Council Meeting, 21 March 2018.

³⁸ Emad Badi, Interview by Inga Kristina Trauthig, Skype Interview, 20 June 2018.

³⁹ Draft of the Libyan Constitution, https://www.libyaobserver.ly/sites/default/files/Libyan_Constitution.pdf

a credible dispute resolution forum. Therefore, these processes need to be established, as well as a legal framework ensuring the new government would not rule unchecked, which could possibly accelerate Libya's monetary crisis with profuse spending and exalted corruption. Libyan journalist Ala Drissi emphasises that elections cannot be seen as a magical cure⁴⁰ for the current situation in Libya and utters his concerns that without the necessary precautions, Libya might face similarly sinister developments like after the last election when the refusal of various actors to accept the election results was the core problem.⁴⁰ Parallels to this should be avoided.

Questionable candidates

In February 2018, Ahmed al-Mismari, a military spokesperson for the LNA, said the chances of Haftar running for president were 50:50.⁴¹ Al-Mismari pronounced a commitment by the LNA to elections in Libya. More troubling however, is that General Khalifa Haftar exhibits a strong claim on power in post-revolutionary Libya. To Haftar, electoral victory is not the only way to achieve this end. While elections risk being utilised by various political actors to legitimise themselves via a public mandate, they simultaneously carry the risk of being repudiated in case they are not to Haftar's liking and subsequently, the same power play continues. The democratic character of a figure like Haftar is questionable, since he does not believe his country to be "ripe for democracy".⁴² Haftar has already indicated that he would not be satisfied with a subordinate role in a shared political authority government

40 Ala Drissi, Interview by Inga Kristina Trauthig, Skype Interview, 12 June 2018.

41 "Hiwār-un ḥaṣīyy-un : an-nātiq-u bāsīm-u «al-jaysh-u al-libīyy-u» yukadhhibu naba'a l-ifraj-i l-Werfalli" [Exclusive dialogue: Spokesman of the "Libyan Army" denounces the news of the release of Al-Werfalli], *France24 Arabic*, 12 February 2018, accessed 15 March 2018, https://www.youtube.com/watch?v=0lpXZJ3W_Ro.

42 Laurent De Saint Perier, "La Libye n'est pas encore mûre pour la démocratie", *jeuneafrique*, 5 February 2018, accessed 3 March 2018, <http://www.jeuneafrique.com/mag/507758/politique/khalifa-haftar-la-libye-nest-pas-encore-mure-pour-la-democratie/>.

since he declined to become Army Chief under Fayez al-Sarraj's government.⁴³ It is uncertain how the recent French initiative would entice Haftar to become the head of a new national military structure under the elected civilian authority. In addition, recent reports that the 75-year-old Haftar was treated in a French hospital might profoundly challenge Libya's already chaotic politics and regional power play.⁴⁴ After denials, his spokesperson conceded that he had undergone emergency medical treatment.⁴⁵ However, it is still unclear how his medical condition might be affected in the long term.⁴⁶

Rumours have suggested that Qaddafi's son Saif al-Islam would run for election;⁴⁷ legal hurdles with the General Prosecutor in Tripoli as well as the ICC are among the smaller concerns connected to this announcement.⁴⁸ Another rumoured candidate is Ali Zeidan, former Libyan Prime Minister from 2012 to 2014, who is burdened with an exceptionally egregious budget legacy. Lastly, former Libyan Ambassador to the UAE, Aref al-Nayed has already officially registered his interest for running as a presidential candidate in March 2018.⁴⁹ These four individuals reflect the ideological, tribal and political rifts that run through the country and leave little hope that one of them would carry the charisma to unite the country. This bleak picture of possible presidents for Libya should serve as a reminder that a lasting improvement of the country's political situation cannot be predicated on "dividing the cake" among a few

43 *Middle East Eye*, "Haftar offered army chief post on accepting Libya unity government", 10 May 2017, accessed 30 March 2018, <http://www.middleeasteye.net/news/general-khalifah-haftar-named-army-chief-libyan-foreign-minister-1607935776>.

44 Declan Walsh, "A Libyan Strongman Looks to Washington, but a Health Crisis Looms", *The New York Times*, 12 April 2018, accessed 30 April 2018, <https://www.nytimes.com/2018/04/12/world/middleeast/libya-hifter-benghazi.html>.

45 Twitter Channel of Ahmed al-Mismari, a military spokesperson for the LNA, accessed 30 May 2018, <https://twitter.com/LNASpox/status/984930673772417026>.

46 International Crisis Group, "Libya's Unhealthy Focus on Personalities".

47 Fouad Diab, "Will Saif al-Islam Gaddafi run in Libyan elections?", *Al-Jazeera English*, 22 March 2018, accessed 12 May 2018, <https://www.aljazeera.com/news/2018/03/saif-al-islam-gaddafi-run-libyan-elections-180322134813539.html>.

48 Abdulkader Assad, "Libya's 2018 elections: A dictator's son vs. who?", *The Libya Observer*, 27 December 2017, accessed 12 February 2018, <https://www.libyaobserver.ly/opinions/libyas-2018-elections-dictators-son-vs-who>.

49 "Aref al-Nayed yu'linu tarashshuhahu ra'isiyya li-l-intikhabat fi Libiā" [Aref al-Nayed announced his candidacy for the presidential elections in Libya], *Youm7*, 11 March 2018, accessed 13 March 2018, <https://www.youm7.com/story/2018/3/11/-عارف-النأيض-يعلن-لترشحه-لانتخابات-الرئاسية-في-ليبيا-ويؤكد-ل-3688542>.

individuals because as long as one person or faction reaps all the benefits of power, others will mobilise against them.⁵⁰ This dynamic has been a continued characteristic of Libyan politics since 2014.

Crippling logistical problems

The logistical difficulties related to the election appear insurmountable.⁵¹ Voter registration was already plagued with problems;⁵² while the promised international observer missions will struggle to guarantee free and fair elections while simultaneously controlling the volatile security situation, while resisting political pressure to acknowledge the results.

More precisely, the High National Election Commission needs openly and plausibly to demonstrate that the new registrations have been authenticated efficaciously to prevent fraud.⁵³ In addition, the issue of incorporating the high number of internally-displaced persons in the voting process is of particular importance; authorities are required to find alternatives to enable them to vote outside of their constituency. This is a challenging logistical task due to the absence of formal registration and the safety fears by many connected to the formal registration process – again exemplifying the doubt that elections in Libya in 2018 could be held in a truly national manner.

50 Collombier, "Libya: Moving beyond the transitional mood".

51 Omar Shariff, "Libya polls likely to be postponed", *Gulf News*, 6 February 2018, accessed 12 March 2018, <http://gulfnnews.com/news/mena/libya/libya-polls-likely-to-be-postponed-analyst-1.2169370>.

52 Abdullah Ben Ibrahim, "Incremental Elections", *The Libya Observer*, 12 February 2018, accessed 30 March 2018, <https://www.libyaobserver.ly/opinions/incremental-elections>.

53 Twitter Channel of Tarek Megerisi, accessed 20 June 2018, <https://twitter.com/Tmegrisi/status/1006594016048279552?s=19>.

The ongoing conflict across many parts of the country, as well as the masses of internally-displaced people, make this questionable.

Libyans are most likely to vote only if they see that the risks have been considered and planned for. Currently, neither regional, national, or international powers can guarantee this.

Missing response to economic situation

Libya's monetary crisis is among the most pressing concerns for ordinary citizens. This crisis is emblematic of the current state of Libya, with most officials having become part of a predatory economic system that feeds into further dismantling of state resources and a worsening of Libyans' living conditions.⁵⁴

Reunification of the Central Bank, and other state institutions that broke up in the course of 2014, is central. Many parties in Libya as well as on the international stage agree on this general necessity; the procedural details of this unification, however, remain contested. Dispute also characterises the discourse about how to improve economic governance in order to improve people's lives and diminish, for example, cash shortages or corruption.⁵⁵

Hence, as diplomatic endeavours get a new push, the economy remains in the shadows.⁵⁶ Nevertheless, due to the decisive importance of the dire economic situation for many Libyans,

54 Collombier, "Libya: Moving beyond the transitional mood".

55 Gazzini, "Making the Best of France's Libya Summit".

56 Barah Mikail and Simon Engelkes, "Oil, Banks, and Governance: Economic Realities in a Divided Libya", *Libya Brief* No.5, Konrad-Adenauer Foundation, 27 April 2018, accessed 4 May 2018, http://www.kas.de/wf/doc/kas_52281-1522-2-30.pdf?180514131056.

overcoming at least parts of the fundamentally flawed predatory economic system is another relevant aspect if elections in 2018 were to succeed in restoring peace and stability.⁵⁷

Conclusions

As it stands in June 2018, Salamé's thoughtful Action Plan for Libya disintegrated into an incoherent piece and adapted to changing circumstances on the ground. This development changed its nature to a more reactive approach than was originally envisioned. Salamé therefore focuses currently on the demanding task of holding an inclusive National Conference that should foster reconciliation and debate major issues, such as the type of future state system (decentralised, centralised, or federal).

At the same time, France has put all its weight behind a conference to summon international and regional players around a defined agenda that is supposed to exert pressure on Libyan leaders to follow suit. The determination to hold national elections at the end of 2018 are among the main outcomes of the summit. However, the outlook of elections in Libya in 2018 is uncertain to say the least.

- Endemic insecurity in the country jeopardises national participation in the elections and potential spoilers will likely continue to target the elections.

57 United Nations Security Council, "Report of the Secretary-General on the United Nations Support Mission in Libya", 12 February 2018, accessed 13 March 2018, <https://undocs.org/en/S/2018/140>.

- The current lack of constitutional or electoral laws and questionable candidates both point towards the big challenge Salamé referred to in the initial quotation that opened this paper, namely, that any political compromise would carry possible disadvantages for stakeholders who have a vested interest in the continuation of the status quo. To ameliorate this, the elections need a legal framework, a credible dispute resolution forum, and candidates that display a commitment to democracy and aim to unify the people.
- Overbearing logistical difficulties in executing the elections and an unclear response to the dire economic situation further impede the potential positive influence the elections are supposed to have on the Libyan people.

Propositions about how to address the hurdle and counter the heaviest challenges are numerous, among them not to concentrate on the national level but pursue incremental elections instead.⁵⁸ These could be more politically viable since security for the voters and basic freedoms necessary for free and fair elections might be better guaranteed. Successful local elections have recently taken place, for example, in Zawiya where the local community and the municipal election committee have worked to ensure a peaceful and organised process, with national observers in every polling centre. Unfortunately, this might seem like a possible solution for Libya in the short term, but the summit in France has shown that this would not satisfy international demands wanting a legitimate national government with which they can negotiate and arrange treaties.

58 Ibrahim, "Incremental Elections".

Elections in Libya could provide the positive changes this troubled country needs; at the same time, they also bear the potential to exacerbate the volatile security situation and divisions in the country. Rightly so, Libyans demand that the transition phase needs to end and current profiteers should have less advantages from the divided system. If the aforementioned points were addressed and the risks connected to another round of elections in a premature environment were decreased⁵⁹, then a government could earn real popular legitimacy through elections. These elections need to be embedded in a constitutional framework and supported by international and regional powers. The elected government might then stand the chance to pressure armed groups to integrate themselves into the new system.

59 Haley Cook and Jason Pack, "The July 2012 Libyan Election and the Origin of Post-Qadhafi Appeasement", *The Middle East Journal*, Vol. 69 No. 2, Spring 2015, pp. 171-198, <https://doi.org/10.3751/69.2.11>.



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