Libya, on the Eve of Complex and Challenging Elections

The Paris International Conference for Libya, which concluded on November 12, was an important milestone ahead of the long-awaited presidential and parliamentary elections of December 24. Participants, including almost all international and regional stakeholders, reiterated their support for the timely conduct of elections. But they also expressed their view of the vote. However difficult and complex it may be, in light of the controversy that has persisted since the ouster of leader Muammar al-Qaddafi 10 years ago, it would only be the first step in the complex process of restoring national unity, stability, and security. Libya is now divided into two parts, each with its own government, army, militias, and even a central bank.

Because of the long border and shared history, the stabilization of Libya is of particular concern to Egypt, which considers Libya's stability to be a matter of national security for the Egyptians. Cairo has consistently argued that the way out of the current impasse is a Libyan-led and Libyan-owned political process. Especially after the 2014 parliamentary elections, the results of which were not accepted by all Libyan stakeholders, and the failed alternative used by the warring parties who introduced foreign troops and mercenaries to strengthen their position in the ongoing war and ensure they haven't lost their influence in Libya.

Representatives of many countries believe a critical first step to ensuring fair and free elections is the cessation of all foreign interference in Libyan affairs and full respect for commitment to the sovereignty, independence, territorial
integrity, and national unity of Libya. Most participants at the Paris Conference expressed full support for the comprehensive Action Plan for the Withdrawal of Mercenaries, Foreign Fighters, and Foreign Forces from Libyan territory developed by Libyan 5+5 Joint Military Commission (JMC), including the prompt development of a timeline as a first step towards the full implementation of the October 23, 2020 ceasefire and UN Security Council resolution 2570 (2021).

Turkey was the only party to the Paris Conference that entered a reservation in the wording of the final declaration regarding the status of foreign forces. This move by Turkey shows that Turkey does not want to look into the future or see the upcoming presidential and parliamentary elections as the beginning of a new chapter in which the old agreements with a government not recognized by all Libyans will not work. Moreover, suppose Turkey refuses to withdraw its troops and the extremist mercenaries it has sent from Syria and maintains them in Libya. In that case, it will give more than enough reason for the rival parties to maintain the status quo. Then the Libyan people will pay a high price in terms of their security and worsening economic conditions. The armed forces affiliated with Field Marshal Khalifa Belqasim Haftar said 300 foreign mercenaries fighting on their side would soon leave the country. They didn't specify the nationality of the mercenaries and gave no timeframe. The UN estimates that as many as 20,000 mercenaries and foreign fighters are deployed in Libya.

However, having come a long way after endless military clashes, and regional and international interventions, world leaders gathered in Paris seemed to have learned the lesson of the past ten years of civil war. They noted that verbal support for Libyan elections alone is not enough and clearly warned that individuals or entities inside or outside Libya who may attempt to obstruct, undermine, manipulate or tamper with the electoral process and the political transition will be held accountable and may be designated by the United Nations Sanctions Committee in accordance with UN Security Council Resolution 2571 (2021). They also reiterated the need to agree on a plan to monitor and verify the presence and withdrawal of all mercenaries, foreign fighters, and foreign forces.

There are no illusions about the difficulties facing the elections in Libya. Libyan Prime Minister Abdulhamid Mohammed Al-Dbeibah said that the Parliamentary Elections Law is false and written to serve specific candidates. At the same time, he announced that he would run for president at the most crucial time. At a rally in Tripoli, he said, "They are issuing laws designed for personalities, and we cannot be satisfied with this flawed law." Analysts see Al-Dbeibah as a possible presidential candidate after introducing a series of populist measures, including investments in abandoned cities and cash payments to newlyweds. "At a crucial time, I will announce my position on this election," he said at the rally.

Saif al-Islam Gaddafi, son of former Libyan leader Muammar al-Gaddafi, ousted in 2011, has also announced his intentions to run for president. After some hesitation, the commander of the Eastern Forces, Field Marshal Khalifa Haftar, and Parliament Speaker Aguila Saleh announced the same. Libya's rival factions have yet to agree on election rules less than weeks before the December 24 polling date set under the UN-backed peace roadmap. The road map called on political entities in Libya to agree on a constitutional framework for the vote and then hold parliamentary and presidential elections on the same date. However, no agreement was reached on the Constitution. The only election law that the Parliament Speaker issued under controversial circumstances set December 24 as the voting date for the first round of the presidential election. According to that law, the second round of that vote and a parliamentary election will follow in January or February; the law also states that officials wishing to run for office must step down three months before Election Day. But the High Council of State, a political entity whose role was enshrined in a 2015 agreement that was part of an earlier peace process, rejected the law.

A struggle has already begun over who has the right to run and who should be removed, either for belonging to the former Gaddafi regime, starting with his son, who announced that he is running for president, or for committing war crimes during the civil war. It will be the task of the Libyan High National Election Commission to make those difficult decisions. Leaders gathered in Paris stressed the need to hold open elections, recognize the results, and ensure a smooth transfer of power to the newly elected authorities and institutions. Unless all competing parties confirm such an agreement, the December 24 election could be the opening of a new chapter in Libya's civil war, with observers declaring that "we've seen it all before."

Any new Libyan Government will face several complex challenges. They will be crowned by the establishment of a unified and comprehensive military and security system. Participants at the Paris Conference called on the Libyan authorities to continue to engage and make progress through a comprehensive dialogue on these issues, protected from foreign interference, especially given the negotiations in Cairo, which included the Libyan army and security officials.
The next President and Government of Libya will also need to take urgent steps to unify Libya’s Central Bank and ensure transparent governance, equitable resource allocation, and public and social service delivery everywhere in the country. Taking these much-needed steps would pave the way for the unfreezing of Libyan assets in accordance with UN Security Council resolutions. In this regard, Libyan assets are wholly held by Western banks, which use them extensively and receive dividends that will not, of course, be given to Libyans.

Libya and its people have a long and challenging way to go to rebuild their country and raise their economic and social standards to an acceptable level. It is a long term agenda that countries interested in peace in the Mediterranean region are ready to support and extend a helping hand to the Libyan people.

**Viktor Mikhin, corresponding member of RANS, exclusively for the online magazine “New Eastern Outlook”.**