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Five years after the Libyan Political Agreement was signed in Skhirat, Morocco, Libya is at a crossroads in its polarising civil war. Noamane Cherkaoui analyses the peace process' journey from Skhirat to Tunis, focusing on the role of Maghreb powers, the fragile state of affairs, and the prospects of conflict relapse.

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THE LIBYAN POLITICAL AGREEMENT AT FIVE YEARS: FROM SKHIRAT TO TUNIS

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The Libyan Political Agreement at Five Years: From Skhirat to Tunis

Libya has been beset by a polarising conflict since 2014, following the successful national elections and early optimism that resulted from the overthrow of Mu'ammarr al-Gaddafi after nearly 42-years of rule in 2011. The ensuing crisis has been complex and widespread, and for some, crisis has created opportunity. Indeed, various foreign states have utilised Libya as a theatre for an unprecedented proxy war, and their divergent agendas have fragmented the country and its society. A lack of a monopoly of force in the country has been consequential, with the UN arms embargo, ostensibly in place since 2011, regularly and mercilessly flouted. However, for others, crisis in Libya has been a deeply felt tragedy. This is particularly epitomised by Morocco and its response to events in Libya. Five years ago, the Libyan Political Agreement (LPA), brokered under the auspices of the UN and co-mediated by Morocco, was a meaningful opportunity to settle the conflict. Unfortunately, as has been seen repeatedly, some actors exploited gaps to derail the process. Nevertheless, positive steps have been made in 2020 to bring forth the much-discussed political solution, but Libya now remains increasingly fragmented through political fault lines, a situation only fuelled by some foreign states in bad faith. These positive steps include Morocco reinvigorating its efforts through institutions legitimised by

the UN-backed Skhirat Agreement and the UN-brokered Libyan Political Dialogue Forum. The fragile stalemate, crystallised by the Joint Military Commission (JMC) 5+5 signing a ceasefire agreement in October, remains a better scenario than all-out war, but local and geopolitical dynamics regrettably go contrary to a lasting peace unless tangible changes materialise.

Moroccan Foreign Policy on Libya, from Skhirat to Tangier

Morocco has been acutely aware of the issues afflicting Libya since events in 2011; while there had been no love lost between Morocco and Gaddafi, it has always viewed Libya as a brotherly nation. Morocco has centuries of ethnolinguistic and cultural links with Libya, and the Maghreb neighbours share much in common. Indeed, this includes a geopolitical neighbourhood in the Sahel, with the conflict in Libya exacerbating the situation there due to the arms flow and thousands of well-armed Tuareg, previously incorporated in Gaddafi's army, crossing the border in 2011 to Mali, which eventually played a role in the latter's 2012 coup. As a result, Morocco's foreign policy has had to adapt to these dynamics, adopting a position of positive neutrality in Libya's conflict and supporting a stabilising solution that is in the interest of the Libyan people. Accordingly, Morocco's diplomacy was

one of the most responsive in the region during the Libyan uprising; it was part of the Libya Contact Group, the first to recognise the National Transitional Council (NTC), and received the former interim Prime Minister el-Kib's first official visit in 2012. The changing regional context in that period was clear, and Morocco did not show animosity towards the Arab uprisings – unlike some other Arab powers, a dynamic that has resurfaced in the course of Libya's conflict. This backdrop can elucidate why Morocco has been a constructive partner for peace in the last ten years. This has

step, and the process involved a range of participants from Libyan society, including members of the House of Representatives (HoR), the General National Congress, and civil society. However, the LPA, while a sufficiently flexible solution, saw its gaps exploited by actors in bad faith and naked opportunism. This dovetailed with the aspirations of a rogue ex-General and former CIA asset, Khalifa Haftar, in eastern Libya, who in search for a fait accompli seized key oil terminals – thereby launching his modus operandi – in Libya's oil crescent in September

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included the LPA, signed on 17 December, 2015, in Skhirat and which shifted Morocco's role to the forefront as a facilitator for a significant initiative. About forty international meetings were held in cities like Ghadames, Geneva, and Skhirat, the efforts of which ultimately culminated with the creation of the Government of National Accord (GNA), the internationally-recognised government still in place. The LPA, unanimously endorsed by the United Nations Security Council (UNSC), could have been a great success, with its main aim being to address a festering situation and the rise of extremist actors. Establishing legitimate institutions – “essential building blocks” in the words then-UN SSRG Kobler – was only a first

2016, six months after GNA Prime Minister al-Serraj sailed into Tripoli. Unfortunately, Haftar's authoritarianism has been a bane for the peace process in Libya. The latter has also been impacted by Libya inheriting a dysfunctional political climate from Gaddafi, who had banned political parties, drove wedges within tribes, and ruled through ad hoc top-down diktats.

One war on Tripoli and an oil blockade later, Morocco again officially projected its soft power to stabilise Libya in 2020. Although myopically not invited to the Berlin Conference, its diplomacy brought important political actors together in Bouznika. Morocco has been on good terms with the GNA, supporting the

internationally-recognised government since its inception, but has had to also keep open channels with all sides to remain a constructive mediator. In that regard, the Inter-Libyan Dialogue in Bouznika was an effort to combat extreme polarisation, mainly through the High Council of State (HCS) and HoR. It first reimposed itself again in July by receiving Khalid al-Mishri, Chairman of the HCS, and Aguila Saleh, Speaker of

uneven; during the events of 2011 there were suspicions Algeria was sympathetic to Gaddafi's cause, welcoming his close relatives and prolongedly refusing to recognise the nascent NTC – the only country in the region to do so. This was attributed to its inviolable non-interference principles, which are incidentally a boon for autocrat leaders. Since then, it had a duplicate diplomatic track in 2015, sent its Foreign Minister



Tobruk's HoR, in Rabat, both of whom arrived at the invitation of the Speaker of the Moroccan Parliament, Habib al-Maliki. Saleh was initially meant to visit Algeria, though his trip was cancelled due to his tentative support for an Egyptian effort that Algeria viewed with scepticism. Indeed, in light of Cairo's plans to arm East Libya's tribes, Tebboune warned of a "Somalisation" of the conflict. Concerning Algeria, its foreign policy towards Libya has been mostly

to meet with Haftar in February 2019, and in 2020 hosted PM al-Serraj and adopted constitutional amendments that allow for cross-border army deployments, alleviating a key part of its doctrinal rigidity. However, it has been mostly dormant on the international scene in recent years, with former President Bouteflika incapacitated from 2013-2019 and his successor President Tebboune dealing with legitimacy concerns and internal volatility.

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Nevertheless, in Bouznika the respective HCS and HoR delegations agreed to implement [Skhirat's Article 15](#) and mechanisms for assuming sovereign positions. More recently, talks were held in Tangier in Morocco on 23-28 November, which came after the UN's Tunis-based Libyan Political Dialogue Forum; incidentally, it should be noted that some have considered the latter a late effort by the Tunisian government to score diplomatic points after years of negative neutrality. The talks in Tangier involved a reunited HoR, which had not managed a quorum in years and is divided between two cities, Tripoli and Tobruk. They agreed to convene in Ghadames, a consultative meeting that was held on 8 December with 127 of its members.

A Fragile State of Affairs

Regrettably, as the HoR's Ghadames meeting was to bear fruit, Aguila Saleh rejected the initiative. His [visit to Moscow on 24 November](#) was likely pivotal in this regard, and he instead held a meeting

in Benghazi with around 20 members, leading some observers to ironically label it a "[Room of Representatives](#)." Saleh, recently removed from the [EU sanctions list](#) and emboldened, has refused to engage with this process in good faith. Indeed, the HoR plans to change its leadership when it next meets in Ghadames, though a quorum will again be required. Some concerns exist, such as whether this effort will only legally apply to the HoR in Ghadames and not the one in Benghazi, which is what is technically recognised by the Skhirat Agreement. Saleh's recalcitrance has been appreciated by another notorious spoiler, Khalifa Haftar. In light of these circumstances, Haftar took the opportunity to compliment Saleh's tribal background and called him a "[patriotic figure par excellence](#)." Indeed, Haftar has made his displeasure towards a political solution known regularly over the years, with his view of peace initiatives as opportunities to gain leverage proving to be counterproductive to a lasting peace in Libya. Nevertheless, his actions should not be analysed in a vacuum. His backing



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by namely Russia, the United Arab Emirates (UAE), Saudi Arabia, Egypt, and France has been instrumental to the consolidation of what has been branded the “military equivalent of a Ponzi scheme.” The Libyan Arab Armed Forces (LAAF), renamed from the Libyan National Army (LNA), is not a centralised force or ‘army’ as is commonly described, but a fragile amalgam of armed groups driven by self-interest. The self-styled formality and reframing through military terms is a far cry from the reality on the ground, a fact realised by Haftar and his backers. In a bid to maximise their respective gains, incessant external financial and military support has enabled Haftar, though increasingly marginalised, to continue his exploits towards the destabilisation of the GNA. Incidentally, this may have come at the neglect of his own sphere of influence, with rare protests erupting in Benghazi and eastern Libya in early September against the status quo, leading to the HoR and parallel interim government buildings in Benghazi being set ablaze and pictures of Haftar being burned. At any rate, one tragic irony is that the internationally-recognised, Tripoli-based Central Bank of Libya (CBL) may be responsible for reimbursing Haftar’s 2019-2020 offensive on Tripoli; it is due to pay the debt accrued by its counterpart in the East, according to reports of the Ahmed Meiteeg-Khalid Haftar deal signed to lift the oil blockade in September. Moreover, the UAE has indefatigably continued to send arms to Haftar and likely even bankrolls Russia’s efforts – through the Wagner Group, a Russian private military company – in the country, as per a recent United States Department of Defence report that shed light on an open secret. It has made its geopolitical aims clear; its anti-Islamism and anti-Arab uprisings drives have consumed the region

in recent years, with European and US policymakers turning a blind eye to “Little Sparta,” a misnomer coined by previous US Secretary of Defence, Jim Mattis. Notably, the latter’s warmth for, in his view, capable allies has led him to vociferously support the ongoing US sale of F-35 fighter jets and other advanced weaponry to the UAE, due to go through in a few weeks.

Accordingly, Haftar has enjoyed a great degree of impunity in his travails against the UN-backed government. Indeed, his ambitions have not been neutered irrespective of a multitude of diplomatic overtures. Recently, LAAF forces attempted to attack a GNA-aligned camp controlled by Ali Kanna in Ubari, in southern Libya, though the LAAF denied that the attack took place on official orders. They labelled it a “misunderstanding,” despite the seniority of the commander and the number of forces mobilised; as the common refrain goes, while success has many fathers, failure is an orphan.

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This event added to previous violations of the ceasefire, informal between August and October, by LAAF forces, of which there have been more than seven since August according to a GNA spokesperson. A political solution would be existential for Haftar, and this should likewise be seen in light of the now over 50km Sirte-Jufra axis' constant consolidation by the Wagner Group, which has reportedly "suffered heavy losses" due to increasingly incompetent leadership, and LAAF forces. It should be noted that this buffer-zone is haphazard – not helped by a flat and open terrain – and any new offensive remains resource-intensive. On the other hand, existentialism for the GNA lays mainly in the fact that a window of opportunity to retake Sirte will not open as wide as it did in July. Indeed, its lack of leverage on Libya's oil infrastructure will constrain its manoeuvrability

and sustainability long-term, even in the oft-discussed partition scenario. In any event, weekly convoys of combatants and hardware, mine planting, and trench bolstering by the LAAF suggest a lasting peace will likely remain elusive, particularly as Haftar's foreign backers remain determined. For the GNA, though beset by internal jockeying and its own corruption scandals, abstaining from country-wide power projection and repelling offensives has been a point of unity. As a result, and given the skirmish in Ubari, the GNA's Minister of Defence, Salahe-din al-Namroush, recently threatened to withdraw officially from the 5+5 JMC agreement. The latter has had predictable implementation concerns; notwithstanding the thorny issues deferred to future subcommittees, the expulsion of all mercenaries by 21 January is unlikely, key land routes, such as the Sirte-Misrata

road, remain unopened, and military agreements are still being signed. Indeed, another sticking point is convincing armed groups to disarm, demobilise, and reintegrate (DDR), particularly with no monopoly of force as a result and the conflicting definitions of what constitutes a 'militia.'

The Libyan Political Dialogue Forum and Onwards

The Libyan Political Dialogue Forum (LPDF) has also continued to capture imaginations in Libya. What was originally a product of the Berlin Conference, it is a key component of the current climate. Held in Tunis on 7-15 November, and markedly given the same logo as the aborted 2019 Ghadames Conference, the invited list of 75 was immediately criticised for its lack of representativeness. It included recycled participants from the past, some of whom were known jingoists, and their influence within Libya was relatively dubious. Indeed, diversified buy-in will be essential for any sustainable political agreement, which, despite conditioning participation on abstaining from holding government positions, is made even trickier for the LPDF considering it has been marred by vote-buying accusations. An election date has been agreed for 24 December, 2021, Libya's Independence Day, and the LPDF has continued through virtual rounds that discuss selection methods for a reordering of the Presidential Council. Elections have now been promised five times in five years – which if held will also need to, *inter alia*, address the alleged 1 million fictional citizens on the voting roll – and the LPDF has agreed to another transition period for good measure. A 13-month transitional phase is ripe for spoilers, both local and foreign and of which Libya is not

lacking, to cause the state-building process to go wayward. Nevertheless, a political solution remains key for Libya and the current circumstances, which represent progress, are always better than war. However, the situation would be more constructive if the geopolitical situation was also more inducing to national reconciliation. Indeed, French President Macron recently invited Egyptian President el-Sisi to Paris to discuss arms sales, ones which Macron says should continue irrespective of human rights due to counterterrorism aims, and to bestow upon el-Sisi France's highest honour, the Grand-croix of the Légion d'honneur. Notwithstanding the apparent mutual exclusivity of human rights and counterterrorism, this meeting can be interpreted as suggesting another wave of escalation in Libya. With the stated aims of both states being to contain extremism and Turkey's influence in the country, and perhaps even democracy too, this does not bode well for the conflict dynamics in Libya. The GNA, in comparison, has had less diverse and furtive support; the main country that has offered tangible backing has been Turkey, which has economic interests in Libya and has been actively upgrading the al-Watiya airbase, 140 kilometres southwest of Tripoli, that may eventually host F-16 fighter jets.

Notably, where the various states differ is how all-in they are on Haftar as an individual, with his cult of personality still striking a chord with particular constituencies in the east. For France, it has remained committed to Haftar despite him being problematic for political processes to take shape. By trying to play both sides, the GNA and the LAAF, France has not been seen as sincere by the internationally-recognised government. Another important backer, Egypt, is no

longer as all-in on Haftar, trying instead to engage tribes and other sympathetic local actors. It has also invited key government figures from the GNA to Cairo in recent weeks, including the PM al-Serraj, indicative of its desire not to be sidelined. On the other hand, the UAE has been an enthusiastic backer of the ex-General. In its view, an opportunity exists to further clamp down on Islamism by supporting an authoritarian in office, despite Haftar's reliance on an alternative band of Islamists – Madkhali-Salafists. Finally, Russia, a key powerbroker in the country due to its PMC strategy and pragmatic relationship with Turkey, has cooled down

Mayor al-Mana recently spoke to US Ambassador Norland to discuss current developments, represent opportunities for Libyans to arrive at an effective conflict resolution process. Proactive and structural measures are particularly important as Libya is at a crossroads, which is made starker by the under-discussed rapid deterioration in health security in the country due to the Covid-19 pandemic – it has the highest confirmed infection rate per 100,000 people in North Africa. It is still spreading fast, and the institutional response has been lacklustre; the lack of testing, transparency, equipment, and communication by both sides

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its support for Haftar, whom it sees as obdurate, and is believed to be interested in bringing back Gaddafi family figures. Moving forward, constructive steps to consolidate the fragile stalemate in Libya are required. Indeed, while talks of a political solution and demilitarisation have happened in Bouznika, Geneva, Cairo, Tunis, and Tangier, the LAAF has continued to actively reinforce its areas of control and has begun moving to surrounding areas, with its efforts supported by foreign mercenaries mostly from Russia, Sudan, and Chad. However, there have been positive diplomatic steps that should be built upon. The LPDF and a reunited HoR in Ghadames, whose

are also serious issues of concern. Indeed, dire political and socioeconomic conditions – Libya is suffering through an economic crisis that may finally begin to be addressed – have not helped, with some suggesting Covid-19 is currently the least of their worries. Accordingly, a successful peace process that builds on the Skhirat framework remains urgently needed, with recommendations in this regard being more effective accountability mechanisms and sanctioning spoilers.

Concerning the former, what has been seen regularly in recent years is a political process that marginalises the principle of accountability. Many within Libya see

accountability as imperative, and brushing over this under the guise of pragmatism misconstrues the on-the-ground dynamics. This is a situation that has been epitomised by the zero-tolerance policy towards even mild dissidents, with instances including the forced disappearance of female MP Seham Sergiwa in July 2019 and the recent killing of Hanan al-Barasi, a female activist and lawyer who had criticised

fundamental to any sustainable solution in Libya, stating that the place for outlaws “is in the courtroom, not in the arenas of dialogue and negotiation.” At the very least, an investigative function with vetting and screening procedures for future security sector reform (SSR) would be a step towards adding teeth to any agreement reached. A provision which handles future trials and truth commissions also seems vital for a



Haftar-affiliated armed groups. They have both resulted in no arrests in Benghazi, which has led al-Barasi’s son to resort to calling for Tribal help – and some instead finding her killing justified. Moreover, mass graves in Tarhouna are still being excavated on a near-weekly basis, with the search beginning in June after the LAAF withdrew from the city. Indeed, the GNA’s Minister of Defence recently reiterated that accountability is

national reconciliation that is overdue. Long-term, institutions for handling justice and human rights issues can be established. Unfortunately, the UN’s recently authorised fact-finding mission, led by the Human Rights Council and called for by Libyan activists for years, suffers from a lack of funding and has seen its mandate of investigating human rights abuses in Libya since 2016 delayed.

This would dovetail with isolating and sanctioning known spoilers – and before they lose influence, not only after as with the brutal Kaniyat armed group and its recent designation under the [Global Magnitsky Act](#). This is a mostly unexplored tactical advantage, and sanctions – or at least the concrete threat of them – can target both foreign and local actors with a track record of bad-faith non-cooperation, such as Khalifa Haftar. As long as policymakers neglect this step, or neglect leveraging the multitude of resources available to them, the conflict in Libya promises to linger. Indeed, a Biden administration will add a new dynamic; it will be a far cry from how a Trump administration has generally treated multilateralism. However, any role will likely be measured and will not involve hard power projection in the foreseeable future. There has been some movement in Congress with the US House of Representatives recently passing the [Libya Stabilisation Act](#), which calls for sanctions on foreign individuals fuelling the conflict and comprehensively documenting the involvement of foreign governments in Libya. A combination of revitalised US diplomacy and targeted sanctions – for the US primarily to rein in [Russia’s deepening influence in the country](#), for the EU to stabilise its southern flank – may offer the peace process in Libya with the breathing room it needs to succeed.

Conclusion

In conclusion, recent events in Libya may be as propitious for peace as they are for conflict. The distinction lays in how states engage with ongoing diplomatic processes, and whether they engage in good faith. The Skhirat Agreement was a meaningful opportunity to resolve Libya’s

conflict, and five years later, it remains a legitimate framework that can be built upon as appropriate. With another deal for elections and transitional period reached, far-sighted policymakers should aim to consolidate the stalemate against the heightened threat of another escalation. This can only be done by recognising the situation on the ground for what it is, and likewise spoilers for what they are. Aforementioned recommendations for the peace process moving forward include robust accountability mechanisms and isolating and sanctioning actors with detailed pasts of behaving counterproductively. Indeed, the peace process is progressing, albeit slowly, and there unfortunately remain internal and external forces with interests in seeing it derailed. As a result, unless tangible efforts are made contrariwise, the more things change the more they will stay the same in Libya.

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