

**Committee:** Security Council (SC)

**Issue:** The situation in Libya

**Student Officer:** Konstantinos- Stavros Marmaras

**Position:** Deputy President

## PERSONAL INTRODUCTION

Dear reader,

My name is Stavros Marmaras, and I am seventeen years old. I attend Arsakeio High School of Ekalis, and I am delighted to serve as one of the Security Council's Deputy Presidents in this year's ATSMUN conference. MUN conferences have been my passion since 2020, and I have found it quite difficult to stop participating in them even when in my last year of high school. I hope that you are all even more passionate for fruitful debate November. To be prepared, I recommend you thoroughly read this study guide. It covers the basic information you need to understand this topic, but you are also encouraged to conduct your own research, starting from the further reading section. My advice for you, and my goal as your chair in November, is for you to leave the conference without a single regret, a single "missed opportunity". Until then, if any questions arise while doing your research feel free to reach out to me at [ksmarmaras@gmail.com](mailto:ksmarmaras@gmail.com) . I wholeheartedly hope this conference will be one you look back to in the future!

Sincerely,

Stavros

## INTRODUCTION

Libya is a country situated in northern Africa along the Mediterranean Sea. Libya has a tumultuous history, and ever since its independence from Italian colonial rule, it has been marked with power struggles, political disputes, civil wars, and humanitarian conflicts. Muammar Gaddafi, a dictator who violently rose to power in

1969 and led the country for more than 40 years, shaped the country's present-day state with his controversial decisions and his Islam-centered policy.

Additionally, interference from the rest of the world, which aspired to gain control over Libya and its oil reserves left the country deeply divided. The First Civil War broke out in 2011, when the Arab Spring was at its peak, a movement which called for democracy across Northern Africa, including Libya. It resulted in the overhaul of Gaddafi's regime. The second one, which resulted in the downfall and assassination of Gaddafi, begun in 2014 and was put to an end in late October of 2020. Following Gaddafi's death, the tribes and militias that had once united against him turned against one another, intensifying the fight to seize control and fill the power vacuum. This power struggle has plagued the country more than any other issue to this day. While numerous groups claim to be the legitimate government of Libya, two primary competing governing bodies emerged as rivals: the House of Representatives (HoR), based in Tobruk, and the internationally recognized Government of National Accord (GNA), operating from Tripoli.

All of this has deeply affected not only Libya's political status and economy on an international level, but also the millions of Libyans who are mostly living under inhumane conditions. Many resort to following illegal and dangerous migration routes to Europe and neighboring African states. At the same time, many fear the outbreak of a new civil war with increasing clashes in the country's de jure capital, Tripoli, stressing the necessity of measures and solutions to be put in place.

## **DEFINITION OF KEY TERMS**

### **House of Representatives (HoR)**

The House of Representatives (HoR) in Libya is one of the main political institutions in the country. It is a democratically elected legislative body that represents the eastern part of Libya and is based in the city of Tobruk. The HoR was established in 2014 as part of the political transition following the overthrow of Gaddafi's regime. It is composed of 200 members who serve as representatives of

their respective constituencies. However, due to political divisions and conflicts, the HoR has failed to effectively function as a unified legislative body.<sup>1</sup>

### **De jure**

The situation described by the law or in general by legal documents regardless of what is being applied or happening in the world.<sup>2</sup>

### **De facto**

The opposite of de jure, which corresponds to what exists in practice which might not have the legal framework to recognize and support it.<sup>3</sup>

### **5+5 Committee**

The 5+5 Committee for Libya, also known as the Joint Military Commission (JMC), is a group composed of five representatives from the Government of National Accord (GNA) and five representatives from the Libyan National Army (LNA). It was formed to facilitate negotiations and dialogue between the warring factions in Libya to achieve a peaceful resolution to the conflict. The committee derives its name from the participation of five representatives from each side, creating a balance in the negotiation process. It operates under the auspices of the United Nations Support Mission in Libya (UNSMIL) and has been involved in discussions to establish a lasting ceasefire, security arrangements, and the demilitarization of key areas in Libya.

### **6+6 Committee**

The 6+6 Committee in Libya, officially known as the Libyan Political Dialogue Forum's Military Subcommittee, is a committee composed of six members from the Government of National Accord (GNA) and six members from the Libyan National Army (LNA). It was established as part of the UN-facilitated Libyan Political Dialogue Forum (LPDF) process. It aims to work towards a unified Libyan military and security

<sup>1</sup> Temehu.com. "HoR | House of Representatives of Libya (بياتون للسلج م):" Copyright (C) www.temehu.com. All Rights Reserved., www.temehu.com/house-of-representatives.htm.

<sup>2</sup> "De Jure | Meaning, Examples, and Facts." Encyclopedia Britannica, 22 Feb. 2023, www.britannica.com/topic/de-jure.

<sup>3</sup> Metych, Michele. "De Facto | Meaning, De Jure, and Facts." Encyclopedia Britannica, 8 Feb. 2023, www.britannica.com/topic/de-facto.

apparatus, develop plans for disarmament, demobilization, and reintegration (DDR) of armed groups, and establish a roadmap for the unification of the country's armed forces under civilian authority.<sup>4</sup>

## BACKGROUND INFORMATION

### Gaddafi's rule

After successfully completing his education at the Libyan military academy in 1965, Gaddafi steadily advanced through the Libyan military hierarchy while simultaneously collaborating with his fellow army officers to strategize and prepare for a coup. On September 1, 1969, Gaddafi orchestrated a military coup that overthrew the previous Libyan leader and monarch, King Idris, and took control of the government. Following this coup, Gaddafi assumed the role of Commander in Chief of the armed forces and became the chairman of Libya's newly formed governing body, known as the Revolutionary Command Council.

Once in power, he took a firm stance against Western interference in the country by effectively removing American and British military bases from Libya. In addition, he ordered the expulsion of a substantial number of people belonging to the native Italian and Jewish communities in Libya. Furthermore, Gaddafi nationalized all foreign-owned petroleum assets within the country. In compliance with his personal belief in strict Islamic principles, he enacted a ban on alcohol consumption and gambling. Additionally, Gaddafi initiated a series of persistent, yet unsuccessful endeavors aimed at unifying Libya with other Arab nations.

He implemented a version of Islamic socialism, which involved nationalizing numerous sectors of the economy, and implemented a style of populist governance that de jure operated through people's congresses, labor unions, and other mass organizations. Although he officially stepped down from his leadership role in Libya's

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<sup>4</sup> "Libya 6+6 Deal: Loopholes Cast Doubt on Democratic Elections." News | Al Jazeera, 22 June 2023, [www.aljazeera.com/news/2023/6/22/loopholes-in-libya-deal-cast-doubt-on-democratic-elections](https://www.aljazeera.com/news/2023/6/22/loopholes-in-libya-deal-cast-doubt-on-democratic-elections).

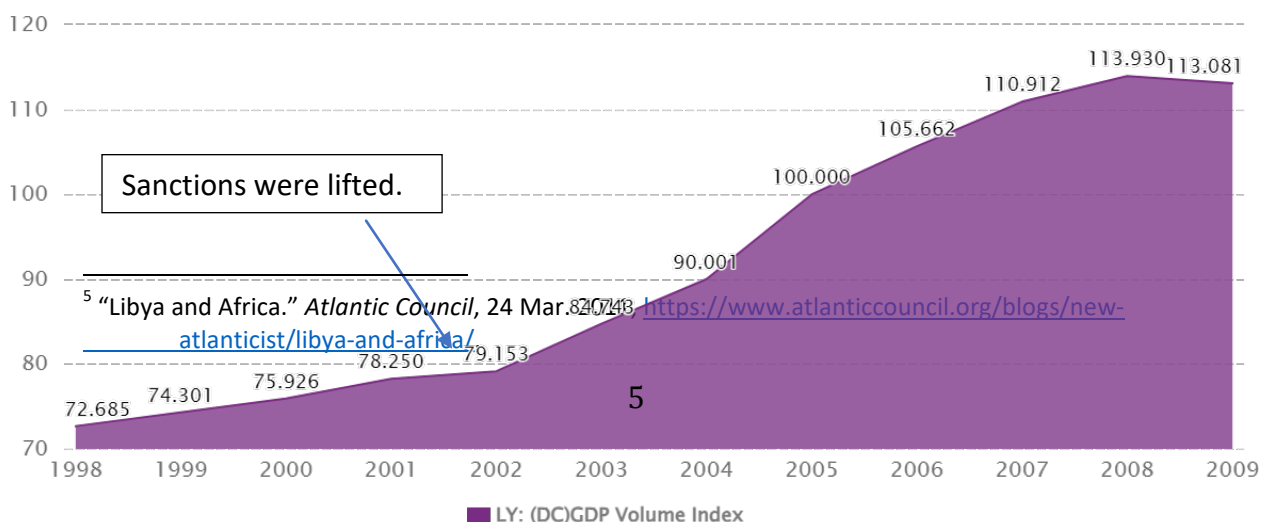
government in 1979, the actual control and authority remained in his hands, despite claims of promoting a revolutionary form of populist democracy.



Figure 1: Gaddafi at an African Union summit.<sup>5</sup>

As far as his government's foreign policy is concerned, it financed many organizations seeking to revolt, such as the Black Panthers and the Nation of Islam in the United States (US) and the Irish Republican Army in Northern Ireland. He also intervened in several abortive coup attempts in <https://www.britannica.com/place/Egypt> and Sudan, and the Libyan forces persistently intervened in the civil war in neighboring Chad. His government was also allegedly involved in several bloody terrorist incidents in Europe.

The above incidents strained his relations with Western stakeholders, especially the US and the United Kingdom (UK). In April of 1986, British-based US



warplanes bombed multiple sites in Libya, causing harm to Gaddafi's children and narrowly missing Gaddafi himself. Libya's involvement in the destruction of a civilian airliner in 1988 over Scotland, led to UN and US sanctions that further isolated Gaddafi from the international community. However, Gaddafi turned over the alleged perpetrators of the bombing to international authorities. UN sanctions against Libya were subsequently lifted in 2003, with the following suit shortly after. These measures gave Gaddafi an opportunity to save his reputation and re-enter Libya into the global economy.

**Figure 2: GDP growth (per million United States Dollars (USD)) in Libya in late 1990s and early 2000s.<sup>6</sup>**

At an African Union (AU) summit in 2008, Gaddafi was named the continent's "King of kings" by many traditional African leaders. In February of 2009, Gaddafi was elected chairman of the AU. In early 2010, Gaddafi's attempt to remain as chairman of the AU beyond the customary one-year term was met with resistance from several other African countries and ultimately, was denied.

### Arab Spring

The Arab Spring was a series of pro-democracy protests and uprisings that unfolded in the Middle East and North Africa at the beginning of the previous decade. These movements posed a challenge to long-standing authoritarian regimes in the region. The initial spark occurred when Tunisia and Egypt experienced transitions to democracy in a short period of time after widespread protests condemning the previous, long-standing autocratic regimes. These successful revolutions served as inspiration for similar uprisings in other Arab nations.

One nation that was deeply inspired and decided to revolt against its leader was Libya. The Libyan people, inspired by the desire for political freedom, economic opportunities, and an end to corruption, took to the streets to demand change. The

<sup>6</sup> "Libya LY: GDP: Growth:(GDP) Gross Domestic Productper Capita." CEIC, <https://www.ceicdata.com/en/libya/gross-domestic-product-annual-growth-rate/ly-gdp-growth-gdp-per-capita>.

situation quickly escalated and although Gaddafi was overthrown, the country was left with multiple extremist groups at standstill and a plagued economy.

### **Civil Wars**

In February 2011, protests erupted in Benghazi, Libya, demanding the release of political prisoners and the resignation of Muammar Gaddafi. The government responded with violence, water cannons, rubber bullets, and later, ammunition against the demonstrators. As the protests spread and intensified, Gaddafi's regime used all means to stop them such as tanks, artillery, warplanes, and helicopter gunships to attack the protesters. The regime also restricted communications and launched a pro-government rally on state television. This behavior led to international condemnation and many foreign diplomats left the country.

Some members of the military showed support for Gaddafi. Despite calls for him to step down, Gaddafi gave speeches, in which he supported the use of violence to maintain power. The conflict quickly escalated into an armed rebellion, with rebel forces gaining control of eastern Libya and other western cities. However, Gaddafi's forces maintained control of Tripoli.

While the international community at first tried to resolve the matter using diplomacy, the North Atlantic Treaty Organization (NATO) eventually launched airstrikes to disable Gaddafi's defense systems. NATO attacks and rebel advances managed to weaken Gaddafi's grip on power. In August 2011, rebel forces reached the suburbs of Tripoli and captured important areas. Gaddafi remained in hiding while rebels fought to gain control of remaining pro-Gaddafi parts of the country. In October 2011, Gaddafi was found and killed in Sirte by rebel fighters. The civil war ended three days later.

The post-conflict period was marked by challenges, including the refusal of militias to disarm and territorial conflicts among them. Failing to overcome those challenges, Libya soon again spiraled out of control and the second civil war began. This time the country was split into two sides who fought for authority over Libya. The two sides were and remain the Government of National Accord (GNA) and the



HoR. The GNA is based in Tripoli and is recognized as the official government of Libya internationally, led by al-Sarraj. The HoR is based in Toruk and is backed by the Libyan National Army (LNA) led by General Khalifa Haftar.

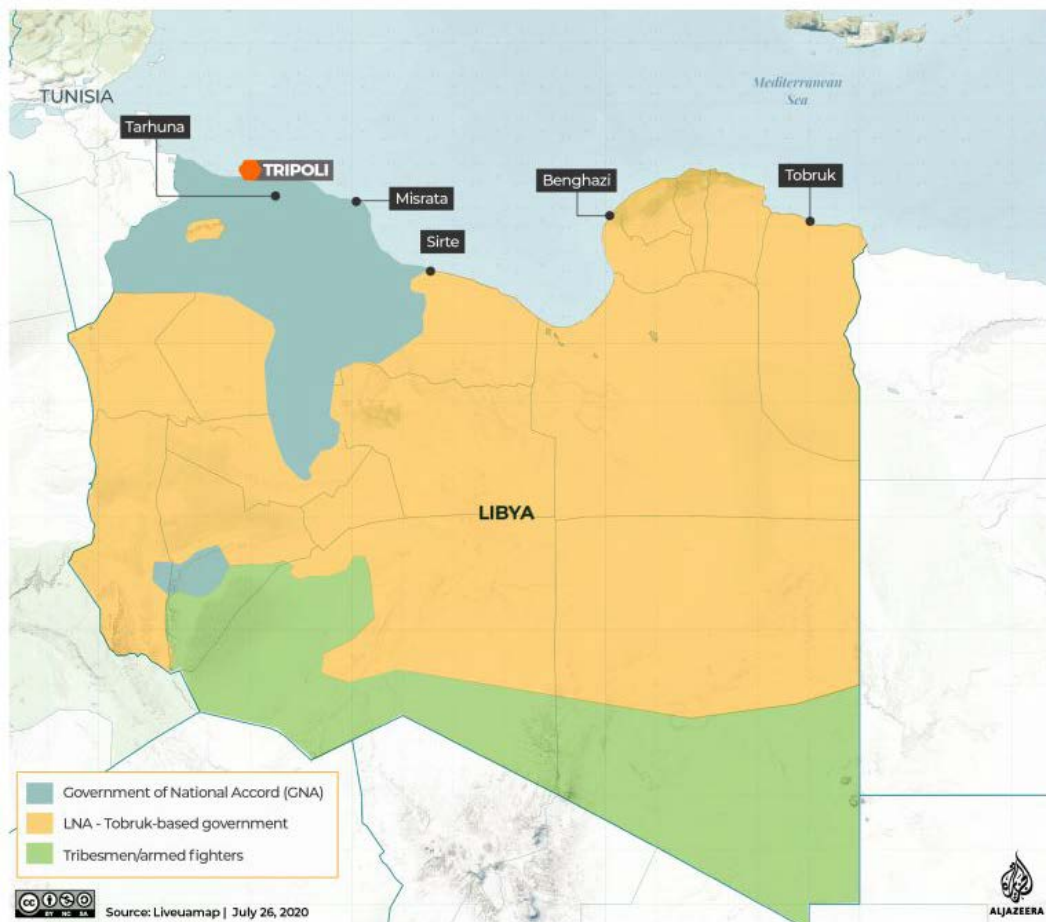
While minor clashes and casualties from both sides were noted from 2014 to 2019, the conflict was not as destructive as the first one. The state affairs in Libya took a sharp turn in April of 2019, when Khalifa Haftar launched an offensive to take control of Tripoli, the internationally recognized capital, to overthrow the GNA. Fighting around the capital escalated with both sides receiving international support. The conflict was finally put to an end in October 2020 when a permanent ceasefire agreement hosted by the UN was signed between the two sides.

In the agreement it was stated that both the LNA and the GNA should withdraw their military forces in their entirety by January 2021, although neither side has officially stated that it receives military support from any group. It also noted that all foreign powers, regardless of status, should immediately leave the country. The foreign powers in question were not specified in the agreement. Additional measures covered in the agreement include the repositioning of Libyan military forces and joint patrolling, especially in Libya's central region, and confidence-building measures, such as reopening roads and resuming flights between Benghazi and Tripoli. The agreement was welcomed by the international community, with the EU and the AU both applauding it.<sup>7</sup>

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<sup>7</sup> "Fleshing Out the Libya Ceasefire Agreement." *Crisis Group*, 30 Nov. 2020, [www.crisisgroup.org/middle-east-north-africa/north-africa/libya/b80-fleshing-out-libya-ceasefire-agreement](http://www.crisisgroup.org/middle-east-north-africa/north-africa/libya/b80-fleshing-out-libya-ceasefire-agreement).





**Figure 3: Map of Libya depicting areas of control of the 2 powers.<sup>8</sup>**

### **Fighting for elections**

During the after-ceasefire period in Libya the Libyan Political Dialogue Forum (LPDF), a UN-facilitated initiative aimed at finding a political solution to the situation in Libya, appointed the Government of National Unity (GNU), an interim government aiming to unify the GNA and the HoR, as well as pave the way for elections. This new government quickly gained international recognition but that didn't stop other parties in the country from declaring themselves as legitimate.

Talks between all factions in Libya organized by the UN resulted in an agreement to hold both presidential and parliamentary elections on the December

<sup>8</sup> Welle, Deutsche. "Libya Militias Agree UN Ceasefire in Tripoli." *dw.com*, 5 Sept. 2018, [www.dw.com/en/libyas-militias-agree-un-ceasefire-in-tripoli/a-45356067](http://www.dw.com/en/libyas-militias-agree-un-ceasefire-in-tripoli/a-45356067).

24, 2021. However, many disagreements rose concerning voter registration, the election schedule, and the power the new president would hold. A clear issue was also who would be eligible to run as president, with the two major candidates, Saif al-Islam Gaddafi and Khalifa Haftar, both being convicted of war crimes and having serious influence in rivaling militia groups. Ultimately, the elections were postponed with no new election date.

After the indefinite postponement of elections in December 2021, the political and security situation in Libya deteriorated further in 2022, deepening the political stalemate and division in the country. Libya was still lacking unified national institutions, a widely accepted constitution, and an electoral framework. The new UN envoy to Libya, Abdoulaye Bathily, was appointed in September 2022. Among his priorities are supporting agreement on a constitutional framework and timeline for elections, ceasefire monitoring, and assisting the Libyan 5+5 Joint Military Commission in overseeing the immediate withdrawal of all foreign forces.

The situation remained in large part stagnant through the entire year of 2022 with the Libyan people not given a chance to voice their opinions through fair and democratic elections. In February 2022 the HoR selected a new Prime Minister-designate named Fathi Bashagha, who in early March of the same year, created the Government of National Stability. This decision was welcomed by Haftar, leader of the LNA, but was condemned by the GNU and the UN which expressed concerns for escalation of the division in the country.<sup>9</sup> There were indeed clashes in Tripoli on August 2022 but to no avail.

Remarkable progress was made however, in June 2023, when members of the 6+6 Committee took their concerns and disagreements to a summit hosted in neighboring Morocco, which aimed to finally give the Libyan people fair and democratic elections, a struggle of many years. However, problems have risen since both sides are looking for loopholes to deem each other an illegitimate candidate. As mentioned in an article of the Economist: “the stalemate does not seem so bad.

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<sup>9</sup> “UN Voices Concern Over Vote on New Libyan Prime Minister.” *News | Al Jazeera*, 3 Mar. 2022, [www.aljazeera.com/news/2022/3/3/un-voices-concern-over-vote-on-new-libyan-prime-minister](https://www.aljazeera.com/news/2022/3/3/un-voices-concern-over-vote-on-new-libyan-prime-minister).

Violence has ebbed. High oil prices keep billions flowing into the treasury, which helps to buy calm. But this is not sustainable: if the political process fails, fighting is likely to resume.”<sup>10</sup>

### Humanitarian crisis

The biggest price for all the above, however, has not been paid by Libya’s stagnant economy, nor its many political figures—but by its people. Although Libya has seen some progress after the ceasefire was signed in late 2020, many are still lacking basic healthcare, food, education, and shelter. Around 803,000 people require humanitarian aid.<sup>11</sup> Medicine shortages are frequent, and the lack of healthcare resources makes it difficult for the people of Libya to effectively deal with Covid-19. The situation was exacerbated with the war in Ukraine, which led to an increase of food prices and further shortages in essential products. Multiple schools have been destroyed over the past decade, also hindering proper education in Libya.

Libya is also a popular location for illegal and dangerous migrant routes to Europe. It hosts approximately 650,000 migrants and refugees,<sup>12</sup> among them 78,000 children.<sup>13</sup> In addition, the country is home to approximately 135,000 internally displaced people.<sup>14</sup> Lacking an effective border control and clear legislation which protects women and children, human rights violations are a common occasion in the country.

### MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

<sup>10</sup> “Politicians in Libya Make Another Ill-fated Push for Elections.” The Economist, 14 July 2023, [www.economist.com/middle-east-and-africa/2023/07/13/politicians-in-libya-make-another-ill-fated-push-for-elections](https://www.economist.com/middle-east-and-africa/2023/07/13/politicians-in-libya-make-another-ill-fated-push-for-elections).

<sup>11</sup> European Civil Protection and Humanitarian Aid Operations, [civil-protection-humanitarian-aid.ec.europa.eu/where/middle-east-and-northern-africa/libya\\_en](https://civil-protection-humanitarian-aid.ec.europa.eu/where/middle-east-and-northern-africa/libya_en).

<sup>12</sup> ReliefWeb, 13 Jan. 2023, [reliefweb.int/report/libya/humanitarian-action-children-2023-libya](https://reliefweb.int/report/libya/humanitarian-action-children-2023-libya).

<sup>13</sup> European Civil Protection and Humanitarian Aid Operations, [civil-protection-humanitarian-aid.ec.europa.eu/where/middle-east-and-northern-africa/libya\\_en](https://civil-protection-humanitarian-aid.ec.europa.eu/where/middle-east-and-northern-africa/libya_en).

<sup>14</sup> “Libya.” IDMC - Internal Displacement Monitoring Centre, <https://www.internal-displacement.org/countries/libya>.

### United Arab Emirates (UAE)

Until recently, the UAE was one of, if not the most important supporter of the LNA and Haftar. The UAE however, shifted its policy in favor of the rival authorities in Tripoli, moving away from its previous support for General Haftar's Libyan National Army (LNA). Reports suggest that the UAE's arms supply may have been diverted from Haftar's forces to the GNU in Tripolitania. This potential cooperation between the UAE and the GNU would be surprising given the UAE's past support for the LNA. Reports suggest that this aligns with Abu-Dhabi's shift in foreign policy to reapproach neighboring powers, such as Turkey.<sup>15</sup>

### United States of America (US)

Infamous for its countless interventions with NATO in the region, US-Libya relations have been strained in the past decade, with the US not having sent a diplomatic mission to the country since 2014. However, during a Senate Appropriations subcommittee hearing, US Secretary of State Antony Blinken expressed active efforts to re-establish an ongoing presence in Libya without providing specific details. Meanwhile, Assistant Secretary Barbara Leaf is touring the region, including Libya, to meet with senior Libyan officials and show US support for UN-facilitated efforts leading to elections in 2023.

### Turkey

Although not a current member of the Security Council, Turkey's role and presence in Libya should be mentioned, so that the political dynamic in the area can be understood. During the second civil war, Erdogan signed a pact with the GNA's Prime Minister, Fayez al-Serraj, committing to defend Tripoli in exchange for gas-exploration rights in Libya's waters. This led to more than 4000 Turkish troops

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<sup>15</sup> "A New Beginning for the UAE in Libya." Nato Defense College Foundation, Apr. 2023, [www.natofoundation.org/maghreb/a-new-beginning-for-the-uae-in-libya](https://www.natofoundation.org/maghreb/a-new-beginning-for-the-uae-in-libya).

supporting the GNA and Libyan waters continuing to be exploited by foreign powers.<sup>16</sup>

### France

While the European Union (EU) officially supports the UN-backed GNA, during the civil wars, France supported the HoR. France has taken a strong stance against political Islam and extremism and perceives Haftar as the most effective option to combat these threats. France is also interested in Libya's natural resources, mainly its oil, and has been expanding its operations in cooperation with the Libyan National Oil Corporation (NOC). Although there have been allegations that France has provided military assistance and support to Haftar, the French government denies these claims. It should also be noted that France blocked an EU resolution in 2019 that called Haftar to stop his attack in Tripoli.

### Russian Federation

Russia's interference in the conflict and in the region overall is indirect through the Wagner Group, a semi-independent military organization operating in accordance with the Kremlin's orders, which also attempted a coup in Moscow on June 24<sup>th</sup>, 2023. Russia supports the LNA, with many members of the Russian elite having connections with Haftar and his partners. Though Wagner's presence was waned due to departures in light of Russia's war efforts in Ukraine, the paramilitary group still has an active presence in eastern and southern Libya. Recently, a Wagner Group unit was hit by drones, but Libya's Minister of Defense denied having any connections with the attack.<sup>17</sup>

### The North Atlantic Treaty Organization (NATO)

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<sup>16</sup>“Khalifa Haftar Is Losing Ground and Lashing Out in Libya.” The Economist, 11 May 2020, [www.economist.com/middle-east-and-africa/2020/05/02/khalifa-haftar-is-losing-ground-and-lashing-out-in-libya](http://www.economist.com/middle-east-and-africa/2020/05/02/khalifa-haftar-is-losing-ground-and-lashing-out-in-libya).

<sup>17</sup> “Drone Attacks Hit Wagner Base in Libya; No Casualties Reported.” Armed Groups News | Al Jazeera, 30 June 2023, [www.aljazeera.com/news/2023/6/30/drone-attacks-hit-wagner-base-in-libya-no-casualties-reported](http://www.aljazeera.com/news/2023/6/30/drone-attacks-hit-wagner-base-in-libya-no-casualties-reported).

NATO's intervention in Libya, known as Operation Unified Protector, has sparked controversy. Some justify this intervention supporting that Libya deserves the "Right to Protection" also known in international relations as "R2P", which in brief, gives foreign powers the right to intervene in national conflicts when the state itself is unwilling or unable to undertake conflict resolution. The Arab League also advocated for international support. The UNSC Resolution 1973 also authorized the protection of Libyan civilians by international powers. However, others believe that it put the country many years behind and superseded its UN-issued mandate by using the intervention to pursue regime change. A notable example is Clare Daly, a member of the European Parliament, who said in a speech concerning Libya that "Gaddafi's Libya was a plank of regional stability. NATO's cataclysm plunged the wider Maghreb, Mediterranean, Sahara and Sahel into turmoil."<sup>18</sup> African leaders also expressed dissatisfaction, arguing that NATO disregarded the African Union Road Map for Libya.

### TIMELINE OF EVENTS

Date	Description of Event
1 September 1969	Gaddafi's coup in Libya takes place.
11 June 1970	Western military bases are banned from Libya.
14 April 1984	US-led bombing on Libya.
1986	Sanctions imposed by the UN on Libya.
12 September 2003	Sanctions lifted by the UN.
15 February 2011	Start of the First Civil War.
19 March 2011	NATO's interference in the Libyan War.
20 October 2011	Gaddafi is assassinated.

<sup>18</sup> Aljarah, Faraj, "MEP: Terror and Death Are NATO'S Legacy in Libya." Libya Update News, Nov. 2022, [libyaupdate.com/mep-terror-and-death-are-natos-legacy-in-libya](http://libyaupdate.com/mep-terror-and-death-are-natos-legacy-in-libya).

23 October 2011	End of the First Civil War.
16 May 2014	Start of the Second Civil War.
April 2019	Haftar begins the fight for Tripoli.
23 October 2020	A permanent ceasefire agreement is signed. End of the Second Civil war in Libya.
10 March 2021	Government of National Unity is formed
March 2022	New Prime Minister appointed by the HoR
22 May – 6 June 2023	Election legislation signed by the 6+6 committee in Morocco.

## PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

### The 6+6 committee agreement on drafting election law

The 6+6 committee, representing the two rival legislative bodies, agreed on draft laws for presidential and parliamentary elections on June 6, 2023, in Morocco. This step was welcomed by the international community as a step closer to resolving the political situation in the country, with the UN envoy to Libya noting that: “key issues remain strongly contested,” blocking the road to “a final settlement.”<sup>19</sup>

A main issue stressed is the candidates’ relations with militias and other organizations, especially General Haftar, who could hand over command of his self-declared Libyan National Army to his son, Saddam, whom he has prepared for the role. If he loses the election, he could reclaim control and potentially attempt to alter the election outcome through force.

Other issues include the requirement for dual nationals to waive their citizenship from another country, a process which lacks mechanisms for verification. The formation of a new transitional government ahead of elections is also a matter

<sup>19</sup> “Libya 6+6 Deal: Loopholes Cast Doubt on Democratic Elections.” News | Al Jazeera, 22 June 2023, [www.aljazeera.com/news/2023/6/22/loopholes-in-libya-deal-cast-doubt-on-democratic-elections](https://www.aljazeera.com/news/2023/6/22/loopholes-in-libya-deal-cast-doubt-on-democratic-elections).



of debate, with concerns that it may seek to prolong its term and hinder the election process.

### **United Nations Support Mission in Libya (UNSMIL)**

UNSMIL is a special political mission established in 2011 by the UN Security Council in its Resolution 2009 in September of 2011 at the request of the Libyan authorities following six months of armed conflict, to support the country's new transitional authorities in their post-conflict efforts.<sup>20</sup> As far as the current election scheme is concerned, UNSMIL's role has been crucial in negotiating the agreement. Concerning the aforementioned issues surrounding the framework for new elections, Abdoulaye Bathily, Head of UNSMIL, stated that UNSMIL will work in accordance with the agreement and is planning to bring together important stakeholders. Additionally, he stressed that all parties should make compromises, learn from their past mistakes and collaborate with the High National Elections Commission (HNEC) in order to combat loopholes arising from the agreement.<sup>21</sup> It should also be noted that UNSMIL, if not renewed by the Security Council, will be ending on October 31, 2023,<sup>22</sup> which might prevent the country from achieving elections and stability, given the organization's crucial role to creating the path to both of those goals.

## **POSSIBLE SOLUTIONS**

### **UN Peacekeeping Mission**

UN peacekeepers provide security, political support, and peacebuilding efforts to facilitate the transition to peace. The principles guiding UN peacekeeping include the consent of parties, impartiality, and the non-use of force except in self-defense and defense of the mandate. UN peacekeeping is a global partnership

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<sup>20</sup> UNSMIL, 28 Mar. 2023, [unsmil.unmissions.org/background](https://unsmil.unmissions.org/background).

<sup>21</sup> UNSMIL, 10 July 2023, [unsmil.unmissions.org/statement-srsg-abdoulaye-bathily-facilitating-inclusive-political-process](https://unsmil.unmissions.org/statement-srsg-abdoulaye-bathily-facilitating-inclusive-political-process).

<sup>22</sup> "Mandate." *UNSMIL*, 28 Mar. 2023, [unsmil.unmissions.org/mandate](https://unsmil.unmissions.org/mandate).

involving the General Assembly, Security Council, Secretariat, troop and police contributors, and host governments, working together to maintain international peace and security based on the legitimacy of the UN Charter and the contributions of participating countries. They also have unique strengths such legitimacy, burden sharing between many parties, and the ability to deploy troops and police from around the world to fulfill multidimensional mandates. Therefore, a UN peacekeeping mission in Libya whose mandate is to protect the Libyan people, election officials and others involved in creating a democratic Libya free from extremists and foreign interference could be a good solution, if appropriate measures are taken to prevent any weapons falling to civilian hands.

### **Responsibly to Protect (R2P)**

Many outside powers, especially those who seek benefits in the oil-rich country, advocate for the implementation of the R2P protocol, as in 2011 with NATO's intervention. However, weapons in the hands of wrongful parties are an issue that has yet to be curbed in Libya. This time assistance from the international community could come in other forms such as humanitarian assistance, financial aid for those in need. and political intellect. All of this presupposes that the sole intention of foreign intervention is to benefit the Libyan people and not use the country as a sandbox of materials or a place for proxy wars. This was also stressed by the UN Envoy in the country who in this already multifaceted and complex issue which involves many parties stressed that "the solution to the crisis must come from inside Libya, on the basis of the will of the Libyan people"<sup>23</sup>

### **Extending UNSMIL**

As mentioned before, according to Resolution 2647 of the Security Council,<sup>24</sup> UNSMIL is set to be dismissed on October 31<sup>st</sup>, 2023. Although this is not an immediate solution to the issue, the existence of organizations such as UNSMIL serves as a beam of hope in the area, given its non-partisan role and its past activity

<sup>23</sup> "Libya: 'Political Deadlock Persists With No Clear End in Sight'- UN Envoy." *UN News*, 24 Oct. 2022, [news.un.org/en/story/2022/10/1129827](https://news.un.org/en/story/2022/10/1129827).

<sup>24</sup> [https://unsmil.unmissions.org/sites/default/files/res\\_2647\\_2022\\_e.pdf](https://unsmil.unmissions.org/sites/default/files/res_2647_2022_e.pdf)

in Libya. This has happened many times before,<sup>25</sup> since both the P5 and all countries which have served as non-permanent members of the Security Council understood the importance of UNSMIL to prevent further deterioration and abuse of human rights in the country.

### **Sanctions**

Sanctions imposed by the international community on highly controversial figures such as Khalifa Haftar and extremist militia groups seem as a very good solution to prevent them from further using their international connections to strengthen their illegitimate grip on power domestically. On the other hand, most of the time sanctions have been imposed on dictators and oligarchs, they have found loopholes and other ways to evade them, while the people of the country they lead become deeply wounded by the stagnation in growth sanctions have caused. Another issue that needs to be tackled is to achieve a unanimous consensus on which figures and organizations should be sanctioned in order for them to be effective and not damaging.

### **International Criminal Court (ICC) Trial**

Some key members of militia groups in Libya, especially in the LNA, have committed serious war crimes for which they have not been convicted or punished in any way. In these types of situations, the ICC prosecutes the guilty and issues an arrest warrant. The Security Council could call upon the ICC to take action. It should be noted that this would not be easy, given that the P5 supports different figures in the conflict and even singular countries show major ambiguity by supporting both in different ways. Additionally, the framework for the implementation of the warrant should be created to ensure that no country serves as an “escape” for those convicted.

### **FURTHER READING**

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<sup>25</sup> <https://unsmil.unmissions.org/background>

An interactive and simple website which helps you understand the overall consequences of the Arab Spring in many areas of life:

“The Arab Spring at Ten Years: What’s the Legacy of the Uprisings?”. *Council on Foreign Relations*, <https://www.cfr.org/article/arab-spring-ten-years-whats-legacy-uprisings>.

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A quick overview of Libya’s recent electoral issues:

“Politicians in Libya Make Another Ill-fated Push for Elections.” *The Economist*, 14 July 2023, [www.economist.com/middle-east-and-africa/2023/07/13/politicians-in-libya-make-another-ill-fated-push-for-elections](https://www.economist.com/middle-east-and-africa/2023/07/13/politicians-in-libya-make-another-ill-fated-push-for-elections).

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“The Situation in Libya - Security Council, 9306th Meeting.” *UN Web TV*, 18 Apr. 2023, [media.un.org/en/asset/k1q/k1q80ik901](https://media.un.org/en/asset/k1q/k1q80ik901).

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