

International confusion in resolving the Libyan crisis

Abubakr Naser Ahmed Khelifa

Nationality: Libyan

PhD student, Department of Political Science

MANAGEMENT & SCIENCE UNIVERSITY

Department: Political Science

Country: MALAYSIA

ABSTRACT

The crisis in Libya is becoming more complicated day after day, despite the active diplomatic efforts, to end the bloodshed of the Libyan people. However, unfortunately, any observer of the crisis developments since the fall of the Libyan regime, Notes the ambiguity of the international position and the Contradictory positions of the parties, as well as the fragility of the conflicting parties in Libya and their inability to build effective consensus among them in order to get the country out of this dark tunnel. Moreover, the conflict of international and regional interests over the Libyan territory is the deepened the weakness and the differences of the Libyans and complicated the potential national dialogue necessary to get out of this bloody crisis. This reality, of course, makes Libya's transformation to democracy and the rebuilding of state institutions very difficult. In addition to the intervention of many countries in the Libyan issue, which is pushing more and more towards the division of Libya into rival states controlled by armed militias, All these domestic and external political reasons could transform the country into a failed state economically, politically and socially.

KEYWORDS: Crisis in Libya , ambiguity of the international position , a failed state , Diplomatic efforts, Political settlement

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I. INTRODUCTION

Libya has underwent through many complicated political, social and security conditions - a social, political and military activities - overthrew the former regime, where the Libyan state almost reached a stage of total collapse, in light of the security chaos that developed into a civil war between groups and militias based on political, tribal and regional grounds, besides other parties belong to external forces seeking the protection of their economic and strategic interests in Libya as an oil country in which many international companies operate. As all institutions of the state collapsed especially the military and security establishment, also all of the civil and economic institutions, making control of the situation more difficult. In general, the post-Gaddafi Libya can be described as catastrophic. According to the researcher view, the Libyan situation is logical and not surprising. It is due to the failure of state institutions for which the Gaddafi regime bore full responsibility. Because in the first place there were no strong and organized institutions, it is also due to the military intervention in Libya, where the intervening countries did not give importance to the post-Gaddafi period.

Foreign intervention in Libya as much as an opportunity that helped end the rule of the Gaddafi regime as it later became a challenge facing the Libyans to resolve their differences and achieve political stability, given the conflicting interests of the international powers, each of which seeks to empower the pro-party and exclude its opponents, to achieve the greatest political and economic gains. The widespread chaos and absence of a central authority in a renewed struggle for legitimacy between the conflicting parties in the country has provided the opportunity for European countries to impose their presence on the Libyan arena under the pretext of efforts to resolve the crisis and bring the shattered country to stability and security. The relations between Libya and its neighboring countries have been strained at times and strong at other times, as a result of the security repercussions that have weighed heavily on most of the "security of the neighboring Libyan countries", which in turn stressed on the need to contain the repercussions of the Libyan crisis before it escalated further. At the same time, most neighboring countries supported the non-interference stance and the need for a political solution in Libya.

This led to the Libyan crisis to the fore most of the political debate in neighboring countries at the table of political discussions, and pushed the various neighboring countries to meet and consult on the implications of the crisis and the mechanism for dealing with it, to reduce escalation and spread. Western countries and the

United Nations sought to find a political formula that would allow the participation of all Libyan political forces, but they were unable to achieve significant achievements for a long time due to the lack of trust between the disputants. The deterioration of the security situation in the country, especially after the entry of armed terrorist groups into the political conflict. In this research, we seek to find out the reasons for the aggravation of the situation in Libya and the failure to reach a political settlement in the Libyan crisis, with a focus on the role of the United Nations in resolving the crisis.

II. THE ROLE OF THE UN INTERNATIONAL ENVOYS IN FINDING SOLUTIONS TO THE LIBYAN CRISIS

The UNSMIL is an integrated special political mission established on 16 September 2011 by the UNSC resolution 2009/2011, at the request of the Libyan authorities to support the efforts of new transitional authorities during the post-conflict phase.(Franco, 2018) The Security Council amended the mandate of the mission and extended it through several resolutions to this day. Although the international community played a major role in overthrowing the Gaddafi regime by imposing a no-fly zone over Libya at the beginnings of the February Revolution, then followed by air strikes to support the rebels on the ground. However, international actors did not do what was necessary after the fall of Gaddafi to get the country out of the state of war to stability and building a modern state (OCHA, 2018).

This is due to the lack of a clear and practical international vision for the post-Gaddafi era and the apparent contradiction in the roles of the international envoys who have headed the UNSMIL since 2011. (Bartu, 2017) Lebanese diplomat Tarek Mitri, who headed the mission at the most sensitive stage complained more than once about the lack of international support for his mission, (Bartu P. , 2014) while his successor the Spanish " Bernardino León " played a negative role in the management of the conflict and sided with Haftar camp and the Parliament at the expense of the other camp, as well as the German diplomat "Martin Kobler" who tried to correct the course of the events, and succeeded to an acceptable extent in breaching the wall of the crisis by contributing to the recent international agreement announced in the Moroccan city of Skhirat. But his efforts will not be fully successful if he does not enjoy broad international support for his mission to help the new GNA to extend its control over all of Libya's territory. Which seems not currently available, (Lefèvre R. , 2016) as the international parties are still confused in clarifying their position on the Libyan division, besides their publicly supportive statements to the government of Al-Sarraj in contrast with the military support provided to Field Marshal Khalifa Haftar in the east (Watanabe, 2019).

Five UN envoys changed and departed from Libya without results, as evidenced by the reality of the increase in chaos, insecurity, and the absence of all the features of the state in Libya (Kraft-Biriş, 2019). And that was pushed by the Libyan people in all its spectrums and in various regions of death, destruction, migration and displacement. With the arrival of the United Nations envoy, Ghassan Salama, to Libya, there was renewed hope in Libyan circles as well as the international community to reach a settlement of the Libyan crisis due to his knowledge of Arab affairs more than the predecessors, and his good relations with decision-makers in the region. Despite Salama's good start with acceptance and welcome from the conflicting Libyan parties on September 20, 2017, he presented his plan to solve the crisis in Libya in several stages. Among them is the amendment of the Skhirat Agreement signed in December 2015. The House of Representatives issued legislation to conduct a constitutional referendum, parliamentary and presidential elections, organize an inclusive conference that brings together all spectrums of the people, unify the army and intensify reconciliation, the last stage during which a president is elected. Parliament is implemented.

The UN envoy did not develop a clear road map for each stage, but he set the time to implement this plan for a year. He explained during his presentation to the United Nations, within a year from now, that the final stages of the political process must be reached, including the referendum on approving the constitution, followed by the election of the President of the Presidential Council and Parliament at the end of the transitional phase in accordance with the constitution. (S/2019/682)

But after a long time, the three stages of his promised plan were not implemented. The failure of the United Nations envoys in Libya to understand the nature and complexity of the conflict in Libya does not seem to be the reason for reaching a solution to the crisis, but rather due to the difference in vision among the international actors on how to end the political crisis and civil war and the desired form of the political process. (Watanabe L. , 2019) The absence of a unified vision for resolving the political crisis in Libya is not limited to the international parties, but rather includes the countries surrounding and outside Libya. (Joffé, 2019)

The first axis supporting the camp of the East

It consists of Egypt and the UAE in particular (Kekilli, 2018) and is based on its hostility to the Muslim Brotherhood. For example, Egypt's new old conflict between the state run by the army and the Brotherhood has overshadowed the Libyan scene after the revolution. The overthrow of former President Mohamed Morsi by then-army chief Abdul Fattah al-Sisi was a major concern of the Libyan Muslim Brotherhood about the

possibility of repeating the same Egyptian scenario, especially since Sisi still stands strong support for Field Libyan Army Commander Field Marshal KhalifaHaftar(Dentice, 2017)

The second axis supporting the camp of Fajr Libya

Consists of Qatar and Sudan, as well as Turkey, which is also an influential regional actor whose influence cannot be ignored. The support of this axis is mainly due to its support for the Muslim Brotherhood in the Arab region as a whole (Lefèvre, 2016).

The third axis supporting the neutrality

The camp, which is composed of Tunisia, Morocco and Algeria, is somewhat neutral. This is due mainly to its knowledge of the complexities of the Libyan situation and its concern about the spread of chaos in Libya to the borders of its countries. Morocco, for example, sponsored the recent Skhirat agreement, and Tunisia embraced the birth of the Libyan GNA. Algeria continues to reject any military intervention in Libya to support one party at the expense of another. This is due to the doctrine of its army rejecting any military intervention. Also, because the intervention if it happens will lead to the risk of prolonging the conflict and its reflection on the security of its borders with Libya (Alloush M. , (2016, August 18).).

III. THESHKHIRAT AGREEMENT AND ITS OUTCOMES.

Those who follow the Libyan issue will notice a slowdown and disruption in many of the political settlement process which hopefully will bring the Libyan people closer to civil peace. A step forward in the direction of settlement is not taken in any file, but to be followed by two steps backward as a result of differences of opinion and political division. (Lacher, 2015)The political agreement was launched on 29/9/2014 in the city of Ghadames under the auspices of the UN Mission. After a difficult process, the agreement was initialed on May 11, 2015, and signed with the definitive signature on 18/12/2015 in Skhirat, Kingdom of Morocco. The path of political dialogue has included key actors in the process of Libyan democratic transformation. Members of the HoR, were elected through free and fair elections organized and approved by the GNC, have the responsibility to respect the democratic rights of voters and to represent their constituencies. The GNC, which ran the transitional process for more than two years along with the NTC, which led the country during the early stages of transition. Members of these three legislative bodies have made significant contributions to the process of dialogue and conclusion of this agreement. (Lacher W. , 2015)

The Libyan political agreement, which resulted in this dialogue, is based on three points: the formation of a national unity government, the formation of a higher council of the state, a higher council for local administration, a reconstruction body, drafting of the constitution and the defense and Security Council. The aim of the agreement was to achieve peace and political stability, but from the very beginning, the Skhirat process it was faced "dialogue group" with a wave of uncertainty and the feeling that the process had been flawed for a number of reasons:

- The agreement was the result of an operation imposed by foreign forces on the Libyans.
- The composition of the dialogue group does not reflect the realities of the situation in Libya and that the real dominant forces were not represented in the process.
- The dialogue group was not comprehensive and did not reflect equitable and equal political, social and regional representation.
- The agreement was heavily biased to the Islamists, ignoring the will of the Libyan people, which was evident in the elections held in Libya during the previous four years.
- Many Libyans have believed that the USA and the UK, in particular, are providing support to Islamists at the expense of other political groups in Libya. (Winer, 2019)

As a result of these criticisms, the pressure increased inside and outside Libya, to change the controversial parts of the agreement, and even radical rethinking the whole process that gives priority to efforts and restarting the process.

Some observers have proposed an alternative approach that stems from the realities and a Libyan leadership to reach compromises and understandings on conflict issues, saying that the chances of solutions reached by the Libyans themselves will be better than the ones imposed by external forces.

Despite these pressures and criticisms, the UN and international actors remain committed to the political agreement as the most successful framework for resolving the problems of the Libyan situation, with the willingness to make the necessary changes to ensure its success and public acceptance. (Cherkaoui, 2020)This was clearly reflected in the joint declaration of the recent Paris meeting between Field Marshal KhalifaHafter, Commander-in-Chief of the Libyan National Armed Forces, and Mr. Fayez Sarraj, President of the Presidential Council, under French auspices (Almogherabi, 2017).

The GNA and the search for legitimacy

The Libyan scene has become more complex and ambiguous in light of regional and international overlaps and different visions in managing the file internally, and it contributed to the severity of the unclear

situation that dominated the Government of National Accord resulting from the Skhirat Agreement signed between the Libyan parties. Among the most prominent developments in Libya is the entry of the reconciliation government to the capital, Tripoli, via Tunisia, on board an Italian military frigate, and its camp at a naval base in Tripoli, which was rejected by most of the Libyan people. Its president, Fayez al-Sarraj, immediately announced its mission from the capital and the start of a new phase of internal dialogue and communication with all Libyan parties on December 17, 2015 in an attempt to establish its legitimacy in the country, and the Presidency Council made several visits to active Arab and European countries in order to obtain international support. (Villa, M & Varvelli, A, 2020)

The entry of the GNA into the capital of Tripoli through Tunisia was considered a surprise move that greatly confused all parties, especially the GNC, "Tripoli headquarters" and the NSG emanating from it, known in the media as the Al-Ghawil government. The situation wasn't limited to a state of confusion, but the government of Al-Ghawil threatened members of the presidential council from entering Tripoli and threatened to arrest all of them, and demanded that all institutions not cooperate with them to avoid legal accountability.

However, in the latter gave in to the inevitable and was forced to resign and leave the situation. The state of confusion quickly shifted to the eastern region, especially the city of al-Bayda, seat of government of Abdullah Al-Thinni, who considered herself the sole legitimate representative of the Libyan state, it is assumed (according to the text of the political agreement) that the formation of the government of consensus canceled any other executive body.

However, Al-Thinni used for the terms "I represent the legitimacy," which he has been repeating so far, considering that the government of Al-Sarraj is not legitimate because it did not get the confidence of Parliament, and there are several problems about the dilemma of confidence (Farouk, 2016).

The ministerial meeting hosted by the "Vienna" on Libya, considered the GNA the only legitimate authority authorized to receive international security assistance, stressing on the commitment to support the arms embargo and measures related to illegal oil exports, which were approved by the UNSC No. (2278) and other relevant resolutions.

This paragraph, which was included in the joint declaration issued at the conclusion of the meeting in which the Libyan neighbors and permanent members of the UNSC participated, along with the UN, the AU Union, the EU, the Arab League, Saudi Arabia, the UAE, Germany, Jordan, Italy, Malta, Morocco and Spain.

Thus, Libya has entered a new phase in light of the continued political division and the spread of hotbeds of extremism and terrorism, while the international powers have withdrawn the legitimacy from the parliament elected from the Libyan people.

The West has succeeded in creating a climate of mistrust among the various Libyan parties, while the terrorist organizations and armed militias are expanding and controlling more land, and deliberately ignoring the calls of the Libyan army led by Field Marshal Khalifa Haftar and the Parliament in the previous phase to lift a ban on the supply of weapons to confront the terrorist elements that are a real threat not only to the Libyans, but to neighboring countries and the international community (Omar, 2019).

The legitimacy of governments derives from the confidence granted by the elected parliament of the people, not by the foreign powers and organizations that seek to impose a specific policy on the countries of the region. Therefore, the trust given to Al-Sarraj and his government by the Western powers is not enough, since ignoring the confidence of parliament would escalate the situation of tension and division in the country, which is exploited by the forces that do not want the good and does not seek to achieve consensus that is in the interest of the Libyan people. The West, which gave the legitimacy of Al-Sarraj government to be a representative of the Libyan people before the international community, and its readiness to arm an army that include elements of Islamic groups, but reinforces the increase of the state of division in the country and strengthen the scheme of division into three areas are Cyrenaica and Tripoli and Fezzan, and each region of its army and political institution, this will widen the gap of differences and loss of confidence between the Libyan parties. The big question, who has legitimacy, is it the West, the parliament, the Presidential Council or the Libyan people, which rejects foreign interference and control of the Islamists? (Turkia, 2016)

IV. REASONS FOR THE FAILURE OF THE DEMOCRATIC PROCESS IN LIBYA.

There are many internal factors, such as tribal and regional, and the consequent emergence of formations and militias of groups with different ideologies that resort to violence in the manner to get their demands beyond the laws of the state, along with some external factors, such as the support by the external forces in the conflict between the Libyan political forces favoring one party without the other. That all lead to further escalation of violence and the exacerbation of the political crisis in Libya. These factors have had a direct impact on the course of the peaceful democratic process.

The internal causes

The period following the fall of the Gaddafi regime has shown Libya's status as an unstable country, with various political and ideological conflicts, with little experience that threatens to entry of the country in the unclear and dangerous chaotic situation. The Libyan situation has produced several phenomena notably the loss of security, (Sawani, 2017)the proliferation of militias and weapons outside the framework of legitimacy and political deterioration, In addition to the absence of services, the spread of corruption, the escalation of political crises and weak institutions, especially the security and military and the absence of institutions of civil society, (Ningtyas, 2020)This was accompanied by structural changes in the nature of governance that led to the emergence of political classes isolated from the structure The community itself. That led the citizen loss of confidence in the elite, the loss of confidence among elites, and the loss of confidence among the components and the emergence of tribal affiliations and loyalties.

The tribal system is one of the most important factors that influenced the formation of political life in Libya and giving priority to personal interest. Therefore The fall of the Gaddafi regime left a divided society, dominated by political chaos due to the lack of proper state institutions, the concern for the future in the absence of an agreed legal reference and a political class acting on its own personal interests,(Pack, J, Mezran, K, & Eliharh, M, 2014) which is the legacy left by the Gaddafi regime, while the Libyan people are in need for a state dominated by modern democratic institutions and civil society, in addition to a strong state that has a proper military and security institution within the framework of legitimacy emanating from the popular will away from the tribal, regional and narrow factional camps, Rather than gangs that are engaged in vandalism and pillage, or a military option that brings Libya back to the previous era, as they need enough time for their success since the people do not need a state of militias and armed gangs.(Bartu P. , 2014)

The events of the frequent fighting between the militants, especially around the Tripoli International Airport between the areas of Misurata and Zintan (or the so-called Fajr Libya) and the accompanying crises and successive divisions burdens the state, are a movement of tension that should not be ignored. This tension reflects a gap between power and people. It has become clear that the transitional authorities do not yet have any authority supported by force except moral authority, where it cannot adopt the transitional program on the ground without obtaining consensus, and due to the position of political forces with different ideologies and the incompatibility of the rebels this is difficult to happen.(Lefèvre R. , 2016)in addition to the issuance of the law of political isolation of (Fajr Libya) from the GNC under the pressure of the rebels and the threat of weapons, which damaged the national interest and increased the division.

The so-called political isolation law risks not only the conditions for creating strong opposition, but also opens the door to a more fragmented division, and its ability to carry out national reconciliation among all constituents of the people is diminishing, jeopardizing the emerging democracy, (Gaub, 2015)especially if a broad approach is adopted in its implementation. Leading to the marginalization of a large part of the people and threatening its unity. The repercussions of this law were evident in a number of recent crises (Sawani, Y & Pack, J, 2013).

The proliferation of arms and the spread of terrorism and religious extremism is a threat to the democratic transition in Libya to the extent that it threatens the unity and entity of the state. If the spread of terrorism and extremism continued and they have not been fought by all legitimate means, that may cause the disruption or the freezing of the democratic transformation process Or it may eliminate it permanently, especially since Libya is still witnessing a clear absence of security and the proliferation of weapons and militias that operate outside the authority of the state, in addition to the demands of some parties for the separation of regions and autonomy between East, West and South.(Poljarevic, 2016)

The crisis of legitimacy in Libya has become the focus of the political conflict between most of the components. The instability of the political situation during the process of democratic transformation led to the continuation of the conflict and the political competition over legitimacy between revolutionary legitimacy and constitutional and legal legitimacy. Especially in light of the sharp competition between the HoR in Tobruk, and the GNC in Tripoli especially after the Constitutional Court confirmed the illegality of the HoR, which further exacerbated the political crisis in Libya, not to mention the decline of moderate religious thought and its weak speech.The more moderate religious thought fails to control the dominant religious discourse and to be the reference to Islamic political trends, the more radical discourse will confront the moderate religious discourse, both politically and socially, thus helping to create a climate conducive to the growing threat of terrorism and extremism, which threatens the whole democratic process, because the extremist thought is one of the factors and reasons that created terrorism and extremism (Combaz, 2014).

The external causes

The external factor has a great impact on the current situation of Libya, which leads to instability in all areas, especially security and the emergence of violence in the worst forms, as well as to further division and fragmentation and the difficulty of achieving national reconciliation among all components of the state. The Libyan people and the parties to the political process. (Dessi, A & Greco, E, 2018)Since the beginning of the

revolution in 2011, and the media machine of some Arab countries and specifically the Gulf, are spreading disinformation and misrepresenting all the forces of the revolution and its supporters, these countries also did not hesitate to form alliance to besiege the forces of change in Libya, hoping to tilt the balance in favor on one party at the expense of the other, seeking to achieve its agendas within the great struggle. In order to control the extremist movements, and their eagerness to curb the influence of the Muslim Brotherhood in Libya.

This is why these unruly parties have sought to dispel the fears of the extending revolutionary trend from their borders and to push the Arab Spring into a tight corner. Moreover, these countries have resolved to intervene in the internal affairs of Libya after they have overthrown the tyrannical regime, with the help of intelligence coordination with some western regimes and specifically the USA, France and Italy, to sabotage the democratic process.

Not only did some Gulf States deal with media and financial approaches to countering change in Libya, (Bandeira, 2017) but also provided military support and equipment in the conflict between Libyan political and military forces in favor of one party alone, leading to further violent disturbances and political and security chaos. There is a regional Arab axis, Qatar, Sudan and Turkey that have been directly accused by the Abdullah al-Thani government of supporting the “Fajr Libya” militia with weapons. (Kirkpatrick, 2019)

Qatar played a major role in financing and supporting the rebels against the Gaddafi regime, and supported the NTC, by recognizing it, but quickly changed its position by supporting radical Islamic groups and providing them with money and weapons. However, several reports monitored the financial and logistical support provided by the UAE and Egypt to the Libyan Army led by the Field Marshal Khalifa Haftar. Moreover, their support has reached even the participation of UAE aircraft in the bombing of forces opposed to the Tobruk government in Tripoli in August 2014. The more foreign interference in Libya was decisive in defeating the regime, the more serious (Mansour, 2019) its deprecations effected on the country and society in the post-Gaddafi era after and the pursuit to build a new political order. (Analytica., 2019)

The NATO military intervention, supported by money and arms by some Gulf countries, Qatar and the UAE, has primarily deepened tribal and regional factors and differences, negatively employed them on the one hand, and turned Libya into an arena for the exercise of foreign influence on the other hand. This has opened the door to the growth and spread of violent and armed groups that have contributed to the sabotaging of the Libyan security scene, where extremist organizations have found an appropriate environment and fertile ground for their terrorist activities (Combaz E. , 2015).

The political elites in their current structure, culture and behavior no longer seem to be in the process of bridging the division and making reconciliation work. All the indicators issued by these elites and their response to the current realities have been negative and didn't inspire much optimism. These elites will not hesitate to resort to all ways and means, which were ugly, inhuman and even unrealistic, (frivolous alliances) to retain a power to which it has no right. Thus, there is little hope in the approaches by some of the local backed parties to resolve the escalating crisis and end the division and making reconciliation work, which can only be realistic if there are strong foundations reflected by the Libyan street that puts these parties in front of the inevitable reconciliation option (Watanabe I. , 2019).

V. CONCLUSION

The Libyans and the international community believed that the Libyan crisis was heading towards a breakthrough, but the reality is that the overthrow of the ruling regime unleashed of a new crisis. Since the overthrow of the regime, internal conflicts have erupted and the leaders of change have divided into different political and armed factions and parties. Therefore, a number of new civil wars has broken out within the country as a result of the regional and political influence, which is a protracted crisis that continues to this day. Today, Libya is deeply divided due to the shifting internal alliances, personal greed, and external interference, making it nearly impossible to envision a stable political and economic future for the country. This instability not only threatens the integrity and internal social fabric of the country, it has impact on the whole region as well. The Libyan crisis has intensified over the past years, affecting all aspects of life in the country.

The large number of mediations and interventions in the Libyan file increased its complexities and made it a difficult solution that local, regional and international parties aspire to. Because the Libyan crisis arose mainly from the absence of modern state institutions, the incompleteness of the National League, and the regional and tribal division that was deepened by the multiplicity of parties supporting the conflicting parties. This is in addition to the struggle for power by some of the local parties supported regionally and internationally. So not all mediation has succeeded so far, including the efforts of the United Nations, which are supposed to be more objective, impartial and intrusive.

This is how the Libyan scene appears with a great degree of complexity, and so far there are no plans or Local, regional or international projects that accommodate all components of the Libyan political spectrum And military. Agendas are still contradictory, interests remain divergent, and lacking Trust between the Libyan parties is a factor other than aiding in reaching a political settlement

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