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The International Conference on Libya: a quick fix with serious handicaps

On the 29th of May the International Conference on Libya took place in Paris. Days before the French government had announced an initiative to revive the peace process, stalled since the end of 2017. Information leaked on the general press suggested a larger format than the previous meeting held in La Celle Saint-Cloud, near Paris, on 25th July 2017. On that occasion the new French President Emmanuel Macron invited the Government of National Accord Prime Minister Fayez al-Sarraj and General Khalifa Haftar, Field Marshal of the Libyan National Army. Both Sarraj and Haftar agreed to but not signed a joint declaration calling for a ceasefire and presidential and general elections to be held as soon as possible (Umberto Profazio, *The Paris Joint Declaration. An unbalanced partnership between Sarraj and Haftar*, Future Center, 14 August 2017)

Despite a UN Action Plan approved by the UN Security Council in October 2017, attempts to reconcile the conflicting parties produced meagre results. The first point of the roadmap called for amendments to the Libyan Political Agreement (LPA), signed in Skhirat, Morocco, in December 2015. However the House of Representatives (HoR) and the High Council of State (HCoS) failed to agree on any change to the LPA. Moreover, the referendum on draft constitution (another point included in the Action Plan) still results controversial. After the vote of the Constitutional Drafting Assembly, in January 2018 the Supreme Court overturned the ruling of the Court of Appeal in Bayda, which had declared the vote illegitimate, paving the way for a referendum on the draft constitution. However, opposition groups inside the HoR rejected the ruling, blocking any attempt to discuss the referendum law (Sami Zaptia, *HoR Cyrenaica block rejects latest constitution draft*, Libya Herald, 21 February 2018).

For all these reasons, in his latest report to the UN Security Council UN envoy Ghassan Salamé said he was forced to ‘turn the page’, as amendments to the LPA ‘became a distraction’ and the constitutional draft represented a ‘divisive issue’. Instead, he proposed focusing on elections, building on the

encouraging results of the voter registration process carried out by the High National Elections Commission.

In this context, the French initiative represents an acceleration. It broadened the list of Libyan actors involved, extending the participation to the HoR President Agila Saleh and the HCoS head Khaled Mishri. With this move the French government made a clear attempt to overcome the obstacles posed by the two legislative bodies to the UN Action Plan, co-opting the two leaders in the peace process. At the same time, the meeting resulted in a declaration in which Haftar, Mishri, Saleh and Sarraj agreed to establish a timeframe for the parliamentary and presidential elections to be held on the 10th of December 2018 (*Déclaration politique sur la Libye*, Présidence de la République Française, 29 mai 2018). The parties committed to set the ‘constitutional basis’ for elections and electoral laws by the 16th September. The four leaders also agreed to make efforts to unite national institutions, phasing out parallel bodies such as the two branches of the Central Bank of Libya, and participating in the Cairo-led initiative to reunite the Libyan military.

Many observers expressed doubts about the timeframe proposed. Moreover, it is not clear if the concept of the ‘constitutional basis’ refers to the current draft constitution or to the Interim Constitutional Declaration of 2011. It could also refer to simple excerpts of the two fundamental laws on which the Libyan actors agree to govern relations between the sovereign bodies after the elections. Considering that the declaration was agreed but not signed by any of the participants, it is also likely that rival factions would move forward with elections without adopting any new or amended ‘constitutional basis’.

The vagueness of this point suggests that the real aim of the Paris conference was to convince the main Libyan actors to have elections by the end of 2018, with or without a solid constitutional framework. A quick solution that will not solve the structural problems of the country but is also likely to increase tensions. The deteriorated security context, highlighted by frequent terrorist attacks, as well as fighting continuing in different parts of the country, represents a serious obstacle to the electoral process. Furthermore, the absence of relevant actors at the Paris conference (in particular representatives from Misratah), and its rejection by different armed groups and militias from western Libya (among these the Misratah Military Council and the Zintan Military Council) represents a serious handicap for this latest French initiative (Roberto Aliboni, *Libia: una strategia dall’alto vuota e inefficace*, Affari Internazionali, 30 maggio 2018).

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