



NATIONAL INTELLIGENCE COUNCIL

SENSE OF THE COMMUNITY MEMORANDUM

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Libya: Enduring Drivers of Instability Likely To Prevent Political Reconciliation

(U [REDACTED]) During the past five years, Libyan powerbrokers have fueled the country's instability by competing for access to state resources, taking a zero-sum approach to securing political influence, and keeping institutions weak. We assess that these drivers will persist, allowing a small group of actors to spoil any future political reconciliation efforts during the coming months. Since 2011, Libyan leaders have failed to form a national government and have used force to secure their interests. Since March 2021, leaders of the Tripoli-based Government of National Unity (GNU) have competed for power with leaders from the eastern Libyan-based House of Representatives (HoR) and the Libyan National Army (LNA).

- [REDACTED] Since Libyan leaders indefinitely postponed the country's first presidential election in December 2021, Libya has returned to a divided government with dueling Prime Ministers. Government of National Unity Prime Minister Abd al-Hamid Dubaybah probably has solidified his influence over key actors in Tripoli—but not other parts of Libya, following HoR-designated Prime Minister Fathi Bashagha's multiple failed attempts to seat his government, according to [REDACTED] press reporting.
- (U [REDACTED]) Bashagha's most recent effort to seat his government in Tripoli in August resulted in Libya's largest clashes since 2020, according to a regional press report. During that earlier fighting, from April 2019 to June 2020, Libyan National

Army commander Khalifa Haftar failed to militarily take Tripoli and usurp the former interim government, according to press reporting.

- (U [REDACTED]) Since the end of the Libyan revolution of 2011-2012, Libyan leaders have made little progress unifying the country's parallel government institutions, including the military, Central Bank, Audit Bureau, and judiciary. Libyan leaders have been unwilling to support internationally backed reunification efforts because they threaten their hold on power, according to press reporting.

Driver #1: Competition for Access to State Resources

[REDACTED] Libyan leaders almost certainly view access to state resources, oil revenue, and influence over key government institutions as critical to their political survival. Libyan rivals have long disagreed on how to distribute oil revenue and increase transparency in government spending, in part because they are concerned about their rivals having outsized influence over financial and security institutions, according to press reporting. These disagreements probably will persist because Libya's key actors lack incentive to compromise on revenue.

- (U [REDACTED]) House leaders probably have used their control of the budget process to constrain the GNU, and exert their control, according to [REDACTED] press reporting. Meanwhile, the GNU probably has exploited the lack of a national

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budget to help conceal payments to militias that back Dubaybah militarily and fund initiatives to secure public support, according to [REDACTED] press reporting.

- [REDACTED] Libyan leaders' competition for access to oil revenue has fueled widespread distrust and volatility in Libya's oil sector. In mid-July, Dubaybah replaced the Tripoli-based National Oil Corporation (NOC) Chairman with Haftar's preferred candidate, Farhat Bin Gdara, resulting in the immediate reopening of oil production facilities and resources flowing into LNA and GNU coffers.
- [REDACTED] Similarly, in 2020, Haftar probably used the LNA's control of an overwhelming majority of Libya's oil infrastructure to undermine the previous Tripoli-based Government of National Accord (GNA) and press its leaders to provide funds to eastern Libyan institutions and the LNA to help reduce its debt, according to press reporting.

[REDACTED] Driver #2: Zero-Sum Approach to Politics

[REDACTED] Libyan powerbrokers' incompatible political goals and a winner-take-all approach to politics have prevented them from reaching a power-sharing agreement or holding elections. Libyan leaders have worked to limit their rivals' chances of securing top leadership roles to protect their personal interests at the expense of an inclusive political process. Libyan leaders have proven unwilling to prioritize political reconciliation over their short-term political interests.

- (U [REDACTED]) Since the creation of the HoR in 2014, House and High State Council leaders have failed to agree to a draft constitution for a public referendum or for a limited constitutional basis for elections, according to press reporting. As of October, Libyan leaders continued to disagree about presidential eligibility requirements, which contributed to the cancellation of national elections in late 2021, according to press reporting.

- (U [REDACTED]) Since at least last year, Libyan leaders have tried to shape future elections to ensure they remain in positions of power, according to press reporting. Dubaybah has called for holding legislative elections before presidential elections, whereas some eastern Libyan leaders have advocated for holding presidential elections first, according to [REDACTED] press reporting.
- (U [REDACTED]) Early this year, the House voted to revoke confidence in the GNU in an attempt to remove Prime Minister Dubaybah and bolster the House's legitimacy in the eyes of the Libyan public, key elites, and the international community. This move undermined internationally backed efforts to form a unified Libyan government and hold elections, according to press reporting. Between 2015 and 2021, the House had refused to even recognize the former UN-brokered GNA.

[REDACTED] Libyan leaders probably will fail to identify an interim prime minister who is palatable to all Libyan blocs and has sufficient influence to advance preparations for national elections.

- [REDACTED] This year, some western Libyan leaders rejected Bashagha's government in part because it included several of Haftar's allies in key positions, according to [REDACTED] press reporting.
- [REDACTED] Similarly, in 2019, then GNA Prime Minister Fayiz al-Saraj probably backed out of a power-sharing deal with Haftar because some of the GNA's key supporters were unwilling to accept a government that included Haftar, according to [REDACTED] press reporting.

[REDACTED] Driver #3: Weak Institutions

[REDACTED] Libya has struggled to establish strong institutions since the end of the civil war in 2012. Ministries lack authority to operate nationwide or the ability to manage their portfolios effectively. Institutional weakness allows political and security leaders to spoil positive political developments that have

widespread Libyan support. These officials probably will take advantage of Libya's weak national institutions during the coming months to further undermine reconciliation efforts and gain local influence, judging from press reporting.

- (U) In 2016, militia forces, largely from the western Libyan city of Misrata, initiated and conducted a military offensive against ISIS-Libya in Surt, with minimal support from the Tripoli-based Defense Ministry, judging from press reporting. Interior Ministry and law enforcement forces have shown little ability to stop militia fighting, particularly in the capital, judging from press reporting.
- (U) Debate over a controversial HoR election law and questions about the legality of the version that the House eventually passed allowed Libyan presidential candidates and judicial officials to apply election laws inconsistently to bolster their chances of electoral success, according to press reporting. This controversy contributed to the indefinite postponement of elections that had been scheduled for December 2021.
- (U) Militias operating in the capital consolidated after the fighting in late August. Western Libyan militias probably will continue to exploit the political vacuum and lack of strong central institutions to extract further payments and exert influence. Tripoli-based militias' competition for territory and state resources, as well as their ideological differences create the potential for localized violence, according to press reporting.

Status Quo Likely To Persist

Libyan leaders probably will fail to advance political reconciliation because they have little incentive to shift their approach to resources, politics, and institutions. As of October, Dubaybah remained committed to serving as prime minister until Libyans elected a new government and publicly advocated an election plan that would increase his chances for success.

Meanwhile, Bashagha continued to operate a parallel government in Surt with support from the House, according to press reporting.

- Key Libyan actors almost certainly will work to maintain the status quo in Libya because although it allows their rivals to retain varying levels of influence, it also ensure they retain their influence. A change in the status quo, such as elections, threatens their ability to retain current levels of influence and authority.
- Dubaybah and his rivals probably will continue to rebuff negotiations until either side believes his rival has an overwhelming majority of key Libyan and international powerbrokers' support. Meanwhile, Libyan stakeholders lack a consistent forum for dialogue to help overcome hurdles to reconciliation.
- Libya's oil infrastructure probably remains vulnerable to local disruptions because of the security forces' lack of national control and key groups' propensity to use oil shut downs to extract concessions. Haftar might again decide to exploit this vulnerability for political leverage if he lost access to revenue or believed his rivals were growing more influential at his expense, according to press reporting.