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| **DELEGATION OF THE EUROPEAN UNION TO LIBYA** | | |
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**Number of pages: - 3 -**

**To: *Fernando GENTILINI, Managing Director for Middle East and North Africa***

**Subject: Libya – Note – Political Road Map Perspectives**

**I. SUMMARY**

* ***After the conclusion of the recent rounds of UN-led negotiations on a constitutional framework for elections between Libya’s two chambers of Parliament (HoR and HCS) in Cairo and Geneva, there is still no breakthrough that would open a perspective to ease tensions in the current parallel government crisis. As a result, SASG Williams issued a statement that she would now make recommendations to the UNSG for alternative ways forward.***
* ***The Libyan stakeholders actively participating in the UN-led negotiations continue to time their actions with a view to preserving the current status quo, mostly to avoid risks of political marginalization. It is essentially a zero-sum game, in which the role of the International Community (IC) is weakened, and the credibility of Libya’s political class further eroded. The security risk on the ground with its constant high potential for clashes remains unabated, while popular discontent is increasingly on the rise.***
* ***For Libya’s political actors, a negotiated viable electoral framework would inevitably be accompanied by a package of combined solutions for the most contentious political issues, such as the transitional executive, its access to funds, as well as guarantees for current stakeholders to retain a position of power, even after elections. For a lack of better options, Libya’s Presidential Council (PC) could become a focal point of attempts to find a facilitator that could provide Libyan owned legitimacy for such solutions.***

**II. ASSESSMENT**

That the most recent Geneva talks remained inconclusive, is an indication that negotiations for transitional arrangements covering the next few months of political instability have not come to fruition yet. Libyan stakeholders seek to weaken the position of the UN, and the IC in general, as much as possible. The IC’s neutral position is being exploited and misconstrued as ambiguity. Against this backdrop, the lack of clarity regarding the UNSMIL mandate and possible appointment of a new UNSR are making things worse. It is apparent that the hands-off approach, trying to facilitate and not broker an agreement between Libya’s stakeholders has unfortunately been unable to achieve a breakthrough. Therefore, it is rather unlikely that the one-month extension for SASG’s role in Libya could prove to be a game changer in this regard.

The parallel government situation epitomizes the ongoing battle of political attrition, and is not as such a means to further partition. The notion that the HoR-LNA coalition, supported by regional actors, could sooner or later opt for full partition is highly unlikely. The whole game is based on a perspective to, at one point, be able to obtain control over Libya’s central government. Central government control remains for the time being key for access to funds and the preservation of any basic functionality of government services on a local level, including in Cyrenaica.

The continued fierce opposition of many Tripolitanian stakeholders to a GNS takeover of the capital is fuelled by the lack of guarantees that a LNA-dominated government with massive backing by regional actors could be prevented from trying to stage a complete power grab at some point in the future. Despite the highly opportunistic nature of many GNU supporters with firepower on the ground, many other actors, who consider themselves part and parcel of the Libyan Revolution, perceive the GNS in its current constellation as an existential political threat. The Turkish position on Libya’s question of the executive is predominantly informed by Tripolitanian positions vis-à-vis an overly influential role of Egypt, which could potentially be detrimental to Turkish interests in Libya. It is important to bear in mind that regional actors with interests in Libya, employ their well-known disinformation strategies not only in media battles for the hearts and minds of the Libyans, but also in their consultations with IC actors.

The PC has been able to maintain its political neutrality, and undeniably carries a potential to lend Libyan legitimacy to a given political solution, including a constitutional framework for elections, a mechanism for the distribution of funds, and last not least, the executive question. However, the PC’s political role in Libya continues to be weak and it doesn’t seem to have much of a political toolbox at hand. Undoubtedly the PC members are aware of their current political vulnerability. Therefore, it is unlikely that they would initiate major political initiatives without previously obtaining some sort of guarantees by the IC and/or Libyan and regional actors. However, the PC has recently intensified its outreach in consultations on a way forward in the political process, and thereby shown its readiness to actively contribute to a solution in the current political stalemate. It is difficult to ascertain, whether the PC could develop the necessary political acumen and live up to the challenge. But increased international attention and public support for a facilitating and legitimizing role of the PC in working towards viable solutions could serve to trigger further engagement of Libyan stakeholders. As a result, the PC could potentially assume a more influential role in the Libyan political process, which could ideally make the difference and tip the balance. For the time being, the PC has been receiving assurances from Libyan and regional actors of appreciation for their neutral role, most likely designed to keep them out of the political game.

**III. DETAIL**

1. Negotiations between Libyan stakeholders and their regional allies are continuing with a view to broker a deal to overcome the current parallel government situation that is complicating the lives of Libya’s citizen, as well as the access of political and security actors to public funds. Against the backdrop of these negotiations, both parallel governments are maintaining a maximum level of political pressure against each other, leading to continued symptoms of political instability, perhaps best epitomized by the increasing failure of the GNU to achieve consistency in the crucial question of payments to ensure the timely provision of salaries and government services in all parts of the country. Moreover, the rival coalitions are increasingly successful in instigating public opposition and/or security incidents on the territory held by their opponents.
2. Consultations with Tripolitanian stakeholders suggest that there is no consolidated principle opposition against the person of Fathi Bashaga (FB), as a potential Prime Minister of a unified interim government administering transition to an elected government. Contrary to the narrative disseminated by pro-GNU media, FB remains largely acceptable to most Tripolitanian stakeholders. By the same token, no one would seriously expect FB to actively pursue the implementation of a suspected foreign-backed counterrevolutionary agenda, if allowed to assume the role of GNS PM in Tripoli.
3. However, there are strong reservations in the non-GNS camp, whether FB would have the political acumen to prevent utilization of his government by its HoR/LNA supporters and relevant regional powers, which would enable them in the mid-term to stage a complete take-over of Libyan government structures at some point of the political process, irrevocably removing current GNU allies from power and influence, and ultimately re-instating a quasi-dictatorship, which would put a dire end to the Libyan revolution.
4. On the other hand, the GNS/HoR/LNA coalition is unable to make any concessions as to changing the composition of the current GNS cabinet, without prior guarantees that such re-shuffled GNS cabinet, while catering to the above reservations of Tripolitanian stakeholders, would be duly installed in the Libyan capital without violent opposition.
5. In the public opinion to begin with, but also among the majority of political actors, there is a strong sense that neither the HoR nor HCS presidencies would be able to negotiate a political solution that could possibly reconcile those rival positions, thereby covering the issues of the constitutional framework for elections, the executive, the leadership of the so-called sovereign institutions, and the distribution of funds. Both chambers are perceived to harbour an interest in pre-empting any such solution, which would make their future participation in the process all but obsolete. Therefore, Libya is at a loss for suitable institutional actors that could provide a possible institutional solution with the necessary inner-Libyan legitimacy.
6. As a result, a majority of relevant interlocutors suggest that the role of both chambers in political negotiations over on a viable roadmap to elections would need to be substantially reduced, if viable progress is to be achieved. Moreover, it is widely perceived that regional powers with opposing visions for Libya’s political future are holding the power to veto the decisions of the HoR and HCS presidencies in that context.
7. SASG William’s statement after the recent inconclusive UN-led round of HoR-HCS talks in Geneva on a constitutional framework for elections suggested that she would next present recommendations on alternative ways forward to the UNSG.
8. Over the last couple of months, the PC, for the time being successfully maintaining a neutral position in Libya’s power struggle, has undertaken multiple outreach activities to the Libyan public, various stakeholder, and the IC, to advocate a possible role for itself to fill that political gap. Such activities have gone as far as suggesting to actively intervene in the political process and decree a constitutional basis for elections, and possibly suspending both chambers of parliament, should the HoR-HCS negotiations repeatedly fail to achieve a viable understanding to that end. To date, such PC activities have neither been actively endorsed nor encouraged by the IC. However, PC members have intensified their efforts to signal interest in receiving more support from the IC in order to strengthen their political clout among Libyan stakeholders.
9. After the official launch of its National Reconciliation Project, the PC is reportedly working to gain acceptance for a possible role of its own in contributing to a viable mechanism for distribution of oil revenues by offering an umbrella of Libyan legitimacy to such mechanism, which has been widely perceived as an imposition contrived by Foreign powers seeking to control Libya’s oil wealth. Although most Libyan political actors are in one way or another more or less constructively involved in negotiations over such mechanism, they do not actively promote any public buy-in to that end.

*Signed-off: José Antonio SABADELL, HoD*