Conflict-Sensitive Assistance to Libya Forum

Summary of Discussions | 26th Meeting

9 August 2018, Acropole Hotel, Tunis

The Conflict-Sensitive Assistance in Libya (CSA) forum, convened by the Embassy of Switzerland to Libya and facilitated by the Peaceful Change Initiative (PCi), met for its 26th meeting (CSA 26) on 9 August 2018 at the Acropole Hotel in Tunis.

The meeting covered:

- An overview of the CSA process and its various components, including a refresher presentation on conflict sensitivity;

- A joint update of the shared conflict analysis and review of changes in Libya since the last meeting, and their implications for delivery and the conflict sensitivity of assistance;

- Presentation and discussion of social cohesion and component communities in Libya, and the effect of international assistance providers.

Overview of the CSA process

A short presentation reviewed the different components of the CSA process, including:

- The background and role of the CSA forum; and

- A brief refresher presentation on conflict sensitivity.

Summary update of analysis

Participants reviewed and updated the joint context analysis, based on the factors of UNDP's original analysis, *Insecurity and Instability in Libya* (UNDP Libya, December 2015).

A complete overview of the updated analysis can be found by logging into the OPSECA online platform at: https://opseca.humanidev.tech/opseca#?p=dashboard?a=6. To register a profile and use of the platform, please contact anthony.foreman@peacefulchange.org. Only organisations participating in the forum have access to the online platform (one login profile per organisation).

Political

During the update period, efforts continued towards the holding of elections in December. On 7 June, the UN Security Council (UNSC) backed the plan for elections, outlined in the Paris agreement, to be held by 10 December 2018. Efforts by the High National Electoral Commission to prepare for elections have reportedly progressed, and in late July, the Government of National Accord (GNA) reportedly agreed to allocate 66m LYD to fund the elections.

However, a number of potential obstacles to the holding of elections remain. Consensus between factions in the East and the West of the country regarding elections appeared to become weaker

during the update period, due in part to the consequences of the fighting in the oil crescent and competition over control of oil.

The House of Representatives (HoR) held several meetings during July to review and vote on a bill regarding holding a referendum on the constitutional draft. Disagreement over certain articles within the law, on procedural, substantive and/or political grounds, resulted in the vote on the bill to be postponed.

In late July, two weeks after surviving an attack at his home in Tripoli, Presidency Council (PC) member Fathi al-Majbri resigned from the PC and was joined by the other Eastern member, Ali al Gatrani, weakening the GNA further politically.

Noting these developments, on 17 July the UN Special Representative of the Secretary-General (SRSG) noted in remarks at the UNSC that elections should only be held in Libya in 2018 if the conditions are right, adopting a more cautious tone than in his previous remarks.

- Forum participants made the following observations concerning the interaction between their work and the changing political context:

    - The lack of a unified international position on the elections potentially reflects a lack of political will and highlights the fragility of the process. Libyan political actors are able to leverage those differences to hamper the elections process.

    - There is a risk that if elections turnout is low, or other factors such as security affect the polling process, the results will not be seen as credible by the public. Such a lack of credibility will likely affect public attitudes to the transitional process and to international assistance generally.

    - The lack of clarity around the elections affects organisations' abilities to plan longer-term assistance.

    - The perceived weakness of the GNA has renewed international focus on working with local authorities at a programmatic level. This is similar to the push for local governance support after the political crisis of 2014, but reverses the trend seen after 2016 for supporting the GNA as a national institution.

- As a response to these political developments, participants noted:

    - There is still a need for a clear outline of the intended elections process.

    - There is still a need to consider possible scenarios arising out of the lead up to and conducting of elections, which assistance providers could use to reflect on the appropriateness of their programming.

    - There needs to be a clearer international consensus on the elections process to reduce the space for spoilers to undermine the process.

Security

Over the update period, Haftar-affiliated Libyan National Army (LNA) forces made significant advances into Derna. The LNA claimed to have captured the whole city, though reportedly some small pockets of resistance remain. Arrangements for administration of the city were yet to become clear.

In mid-June, forces led by Ibrahim Jadran, reportedly including elements of the Benghazi Defence Brigades (BDB), attacked the Ras Lanuf and Al Sidra oil terminals in the oil crescent. Jadran's forces

captured the terminals and held them for approximately one week before their recapture in a counterattack by Haftar-affiliated LNA.

Over the update period, Tripoli did not witness significant violence between militias or armed groups, though continual tensions were evident between armed forces controlling the airport and the Tripoli Revolutionaries Brigade. The lack of significant violence in Tripoli may reflect the consolidation of militia control in Tripoli, where fewer armed groups appear to control more clearly defined territory. At the same time, there were a few attempts at launching targeted attacks in Tripoli, including the assassination/kidnapping attempt against Fathi al-Majbri and a reported attack against Prime Minister Serraj's driver.

There was a reduced level of reported activity by violent extremist groups in Libya over the period. In mid-June, US AFRICOM launched an airstrike near Bani Walid, reportedly against Al Qaeda elements, killing one. On 25 July, ISIL claimed responsibility for an attack on a police station in Agela, in the East of the country. The PC condemned the attack, while Haftar-affiliated LNA forces claimed several hours after the attack that they had destroyed the cell of people responsible in Jufra. An attack against a checkpoint in Ajdabiya led to a local tightening of security.

- Forum participants made the following observations concerning the interaction between their work and the changing security context:

  - Local attacks have affected access, including the need by some organisations to cancel activities in Ajdabiya over the reporting period.

  - The level of tensions around Tripoli's airport could lead to the closing of the airport at short notice, representing an ongoing logistical challenge.

  - Access to Derna has still not been granted but may happen with some limitations.

- As a response to security developments, participants called for:

  - In the short term, leaders in the international community to push for free access to Derna to review and provide necessary assistance. In particular, the SRSG should put pressure on the LNA to facilitate access.

  - In the medium term, international decision makers should work to establish agreements with various political actors in Libya to provide sustainable and systematic access guarantees for assistance providers.

Economic

Oil production and governance in Libya was badly affected during the update period. The attacks on Ras Lanuf and Al Sidra caused damage and resulted in significant lost production. After the attacks, the Haftar-affiliated LNA attempted to hand control over the facilities to the Baida-based National Oil Company (NOC) which is not recognised by the international community. Under international pressure, control was eventually returned to the Tripoli based NOC, but the attempt represented the most aggressive effort yet to separate oil governance in the country. Oil infrastructure in the West, namely at Sharara oil field, was also affected by armed action, resulting in lower production levels.

Efforts at public financial reform, building on the momentum of meetings in Tunis in June between the GNA and the CBL, advanced further during the update period. A three-pronged strategy emerged around potential devaluation of the dinar or other exchange rate reform, subsidy reform and compensation mechanisms to address the repercussions of these impacts. These efforts had been announced for implementation at the end of July, though appear to have faced some delays.

The effectiveness of Libya's counter-smuggling enforcement efforts has affected cross-border movement with Tunisia. In late July, Libyan authorities closed the Ras Jdir border crossing. They declared that they would not reopen the crossing until Tunisia provides security for Libyan travellers. This follows several weeks of protests and harassment of Libyans in the south of Tunisia due to frustration with Libya's customs and counter-smuggling efforts over recent months.

- Forum participants made the following observations concerning the interaction between their work and the changing economic context:

    - Planned economic reforms are expected to have significant impacts. Some impacts may include affecting micro-economic outcomes for Libyans, particularly through contributing to inflation. At the same time, economic reforms will have an impact (as intended) on economies of illicit trade/smuggling and black-market currency markets, raising the prospects of potential spoilers. Nevertheless, these impacts are not fully understood and international assistance providers should be prepared to respond as necessary.

    - Participants noted anecdotal reports that the effectiveness of counter-smuggling enforcement operations by Libya has led to some groups who had been involved in fuel or goods smuggling looking towards irregular migration as a source of revenue – particularly through control of detention centres. If verified, this would raise conflict sensitivity implications, and a need for greater coordination, between migration and counter-smuggling programmes.

- As a response to economic changes, participants called for:

    - International assistance providers to consider the implications of economic reforms, and to plan responses aimed at supporting efforts to minimise negative impacts of the reforms and manage spoilers to the process.

Social

The impact of Libya's conflict on the country's social dynamics continue to play out over a long-term trend.

The situation with regard to social cohesion between communities in Libya did not seem to significantly improve or worsen during the update period. However, the Amazigh Supreme Council called for a boycott of any referendum on the constitution. They declared that the constitutional draft is racist, exclusionary and unjust. It should be noted that the Amazigh did not have any participants within the Constitutional Drafting Assembly (CDA) due to a boycott of the CDA elections in 2014. Tabu representatives on the CDA had boycotted much of the drafting process, and refused to endorse the draft, complaining of a denial of community rights in the process and document. The broader topic of social cohesion and component communities in Libya was discussed during the second session of the workshop (see below).

The situation regarding the media in Libya did appeared to worsen slightly during the update period, continuing a broader long-term trend. Some observers have noted that the ability of journalists to operate has become harder in recent months, particularly in Tripoli. Journalists find it hard to get permits and access, requiring special permission to interview people on the street, talk to civil society or to municipal authorities. Even when they have permits, journalists face ongoing harassment. This has reportedly increased since the CNN story on illegal migration due to fears of Libya's 'negative image'. In a high-profile incident in early August, two Reuters and two AFP journalists of Libyan nationality were held for 10 hours by militias affiliated with the GNA while covering a story on illegal

migration. They had reportedly had permission to be where they were. A journalist working for Sabha's newspaper was reportedly kidnapped, tortured and killed in early August in Sabha city.

- As a response to the social updates, participants called for:
    - A review of social factors in the CSA analysis, with a particular view around information sources and how they get updated for each CSA forum session. The potential was highlighted for identifying some available social indicators that could be reviewed over a longer term and contribute to informing discussions.

Conflict sensitivity considerations relating to social cohesion and component communities in Libya

The second session of the workshop focused on the topic of social cohesion, component communities in Libya and the related impact of international assistance providers.

The session included presentations from two Libyan speakers, from the Amazigh community in Zuwarah and the Tabu community in Kufra. The speakers provided their perspectives on two questions: how have relations between communities in Libya changed since 2011, and particularly since 2014; and what should international assistance providers do differently to be more conflict sensitive regarding the issue.

The speakers highlighted the fact that it is difficult to generalise about social relationships in Libya – the experiences of different component communities differ, as do the experiences of members of the same community in different parts of the country. Overall, however, the participants expressed the view that relationships between communities have become less trustful and more since 2011.

Overall, at a national level, there is a perceived exclusion by smaller component communities, who feel that the majority of Libya's political and transitional process is dominated by an 'Arab' perspective. This includes important formal parts of the process, including the drafting of the constitution.

In Zuwarah, which the presenter noted is almost entirely Amazigh, the primary issue identified was related to relationships with neighbouring areas. Here, the presenter expressed the view that tensions are not 'ethnic' in nature, but that they result from the breakdown of trust that has emerged due to conflict and to perceived inequalities between communities. The presenter highlighted the example that Zuwarah has not seen the same electricity cuts since 2014 as its neighbouring cities. This has helped encourage conspiracy theories among neighbouring towns against the Amazigh.

For the Tabu, the presenter noted different experiences in different parts of the country. Tensions between the Zwaya and Tabu communities in Kufra were noted as being historical in nature and present before the 2011 revolution. In areas such as Sabha and Ubari, the breakdown of relationships between Tabu and other communities was said to be newer, and the speaker suggested this meant that they were more easily resolved.

Particularly for the Tabu, the speaker noted the central issue of the way that the community often faces accusations of being foreigners. This is due to the communal links with Tabu in neighbouring countries such as Chad, but undermines the Tabu's historic presence in Libya. This narrative is often used as a basis of rejecting Tabus' rights and access to services.

In terms of the work of international assistance providers, both speakers noted that in several cases international assistance providers have contributed to the marginalisation of component communities. In particular, the speakers called on assistance providers to:

- Carefully consider their communications and language when conducting activities. Terminology and language that focuses on an 'Arab' identity for Libya is felt to exclude non-

Arab component communities. By way of example, the Amazigh presenter noted that Amazigh participants find it difficult to attend events that include Libya with other parts of the 'Arab' world, regardless of the objectives of the event. Communications around assistance should support a vision of Libya that is respective of its diversity.

- Carefully consider local community relations when implementing assistance programmes, in particular pre-existing inequalities or tensions. For example, in Kufra many public services are in Zwaya areas which Tabu find it difficult to access. Rehabilitation of those services can exacerbate inequalities, particularly if mechanisms are not put in place to ensure accessibility across social lines. On the other hand, if processes are put in place to bring communities together around assistance programmes, it can have positive impacts (the presenter referred to programming in Ubari that had done this effectively).

- Carefully consider identification of local organisations as implementing partners. International assistance providers should work to engage with partners who may be trusted by communities at a local level in order to ensure that assistance can reach those communities. This is particularly important where civil society capacity within component communities is weak.