



BRIEFING PAPER

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Libya November 2016 update

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Summary

Since the downfall of Colonel Qadhafi in 2011, stability has been elusive in Libya. A United Nations-sponsored political process appeared to have had some success, but the agreement announced in December 2015 has not brought an end to fighting. The country remains divided between two main groups of institutions in the east and the west centred on the Government of National Accord based in Tripoli and the House of Representatives based in Tobruk. There are myriad armed groups whose allegiance is fluid. The UN Skhirat process is still trying to bring about the full implementation of the December 2015 agreement.

ISIS/Daesh established itself in several areas in Libya, but recently has been less successful, losing the important central city of Sirte to other armed groups.

The UK provides some support to the Government of National Accord and runs humanitarian and capacity-building aid projects. The House of Commons Foreign Affairs Committee published a report in September 2016 that was sharply critical of the former Prime Minister David Cameron's role.

1. Skhirat agreement

In September 2014 United Nations Support Mission in Libya (UNSMIL) formed the Libya Dialogue, a 40-strong negotiating group formed of representatives of the House of Representatives and the General National Congress, but without representatives of the military formations.

Negotiations started between the two sides in January 2015, with the aim of reaching an agreement on a unity government by the end of the year. After some months of negotiations backed by the United Nations Special Representative Bernardino León (replaced in November 2015 by Martin Kobler) agreement was signed in Skhirat, Morocco, in December 2015.

The agreement had only achieved partial support from the House of Representatives and the General National Congress, and military chiefs had not been on board from the start, but there was pressure, particularly from Western governments, to press ahead. A US official said: "When you drive on ice it is better to accelerate than to hit the brakes."¹

One of the threats to the UNSMIL process was rival negotiations led by the heads of the rival parliaments, presented as a Libya/Libya process, rather than one 'imposed' by the West.

The agreement set up a Presidency Council and an executive that took office in Tripoli in March 2016. The executive was to form a Government of National Accord (GNA) and an advisory High State Council of ex-General National Congress members. The House of Representatives would continue as the only parliament and would approve the unity government.

The interim executive was set up and created a GNA but the House of Representatives has yet to approve it.

Not all of the leading figures on either side had committed to the deal, and the many military factions, crucial in a country in the grip of militias, had not really participated in the negotiations from the start.

Each camp has fractured into supporters and opponents of the deal, with a multitude of militias and elements of the official armed forces backing differing factions.

Khalifa Haftar, commander of Operation Dignity and the Libya National Army, loyal to the House of Representatives in Tobruk, refuses to recognise the authority of the Presidency Council, as does the House of Representatives in Tobruk. Command of the armed forces belongs to the head of the Presidency Council and his deputies, according to the agreement of December 2015. But critics say that Haftar wants this role for himself.

¹ [*The Libyan Political Agreement: Time for a Reset*](#), International Crisis Group, November 2016

2. Conflict

In summer 2014 Libya Dawn, a loose coalition of tribal militias from western Libya, particularly Misrata, with Islamist forces supported by the Muslim Brotherhood, consolidated its control of the capital Tripoli. It had pledged its political allegiance to the remains of the General National Congress – politicians who refused to accept their defeat in the June 2014 election. Libya Dawn has significant links with support groups in the UK, the US, Turkey and Qatar.²

Operation Dignity backed the new House of Representatives, consisting of deputies elected at the 2014 election. The Libya National Army (LNA), commanded by General Khalifa Haftar, formed of parts of the official army and air force, backed by tribal militias from the east of Libya (also known as Cyrenaica), supports Operation Dignity and is the most organised military force in the country. It is based around Tobruk, where the House of Representatives moved in August 2014, but has support from the militia of the Zintan militia, based south of Tripoli, and of the Warshefani tribe.

The east-west split led to attempts to divide important national institutions such as the Central Bank, the Libya Investment Authority and the National Oil Corporation. Two distinct Libyan Investment Authorities even sued each other in the London courts over control of billions of dollars of Libyan assets.³

The conflict has led to oil production falling to about 20% of pre-conflict levels.

2.1 Recent developments

Despite the agreement signed in Skhirat, Libya remains mired in armed conflict. Militias proliferate, many aligned to the various public institutions in the country.

The GNA and the Presidency Council do not control the whole of the capital Tripoli. Outlying areas are controlled by another pre-existing government, the Government of National Salvation, and the Presidency Council was not able to use ministerial buildings located in certain parts of the capital.

In September 2016 “Operation Dignity” forces loyal to the House of Representatives, otherwise known as the Libya National Army and led by General Khalifa Aftar, captured a string of oil ports – Ras Lanuf, Essidra, Brega, and Al-Zueitina – from the grip of Petroleum Facilities Guard, under the command of the Government of National Accord. The takeover was accomplished without much bloodshed or damage to oil facilities.

² [‘Libya’s faltering new government’](#) IISS Strategic Comments, Volume 22, Comment 27, September 2016

³ [‘Libya: The story of the conflict explained’](#), *Al-Jazeera*, 27 April 2016

The US, the UK, Italy, Germany, Spain and France issued a joint statement condemning the move and calling for a halt in the fighting.⁴ The governments also called for the protection of Libyan oil facilities, saying that Libya oil belongs to the Libya people. The US, UK and Italy are the Western countries taking the lead on backing the UN process, and have been trying to persuade the House of Representatives to sign up to it, by recognising the Government of National Accord.

The military successes changed the political dynamics in favour of the House of Representatives faction, based in Tobruk. Most of Libya's oil production was now under its control, leaving the UN-backed GNA with the right to sell oil to those countries that had recognised it, but much reduced access to oil production. This amounted to a "huge setback" for the UN-backed authorities, according to the International Crisis Group.⁵

Oil production quickly recovered after the takeover and a tanker was due to take the first shipment since 2014 from Ras Lanuf at the end of September 2016; production had recovered to about 450,000 barrels per day, 70% higher than in August but still far from the 1.6 million barrels per day of Libyan oil produced before 2011.⁶ An attempt by the Presidential Council in Tripoli to retake the oil terminals has not been ruled out, however.

In September 2016 the House of Commons Foreign Affairs Committee published a report on the disorder in Libya since 2011. It was sharply critical of the role of the then Prime Minister:

Through his decision making in the National Security Council, former Prime Minister David Cameron was ultimately responsible for the failure to develop a coherent Libya strategy.⁷

It also blamed foreign intervention and arms transfers from neighbouring countries for prolonging the conflict, and called for the UK Government to work to maintain the arms embargo and dissuade countries in the region from allowing arms to flow to Libya.

2.2 Humanitarian situation

The conflict and political instability have affected over 3 million people across Libya. Some 2.4 million people need protection. This includes internally displaced persons (IDPs) and people in their own homes, and migrants, including refugees. The worst affected places are the bigger cities like Benghazi, Tripoli, Misrata, Sirte, Sabha and Darnah.⁸

The UN High Commission for Refugees is helping about 8,000 internally displaced families and 8,000 refugee families within Libya.

⁴ ['Joint statement on Libya'](#), FCO press release, 13 September 2016

⁵ Claudia Gazzini, ['After Libya's Oil Grab, Compromise Could Lead to a Restart of Exports'](#), International Crisis Group, 14 September 2016

⁶ ['Libya Crude Output Rises as Oil Fields Restart, Ports Reopen'](#), Bloomberg Markets, 20 September 2016

⁷ [Libya Examination of intervention and collapse and the UK's future policy options](#) Third Report of Session 2016–17, Foreign Affairs Committee, HC 119, 14 September 2016, Summary

⁸ UN Office for the Coordination of Humanitarian Affairs, [Libya](#)

2.3 Operation Sophia

The UK contributes two warships to the EU's *Operation Sophia*.⁹

Migrants have also been rescued this year as part of Operation SOPHIA – the EU's military response to counter migrant smuggling from Libya. Although SOPHIA does not have a search and rescue mandate, under the UNCLOS, vessels respond to those in distress at sea. UK vessels have rescued over 25,000 migrants since January 2015, 9,000 of those within this calendar year.¹⁰

Migrants picked up by *Operation Sophia* ships are taken to Italy. The UK participates in the training of Libyan coastguards to help them to prevent migrant ships setting sail in the first place. The EU is also considering giving boats to the Libyan coastguard to boost their capacity.

The mandate of Operation Sophia was recently widened to include trying to prevent the transfer of weapons to Libya.¹¹ It was not possible to extend the mandate of Operation Sophia to include military strikes against boats used by people smugglers, however. When the EU floated the proposal to destroy smugglers' boats in port, Russia signalled that it would veto any UN Security Council resolution providing for such action.¹²

In November 2016, the Defence Secretary said that the UK would continue to participate in Operation Sophia and other EU defence missions even after starting formal negotiations on leaving the EU.¹³

2.4 Terrorism

One of the reasons why negotiators rushed to get an agreement together in December 2015 was the expansion of ISIS in Libya. By early 2016, the US Administration estimated that there were 6,500 ISIS fighters in Libya and ISIS had established control of about 150 miles of Libyan coast.¹⁴

Jihadi groups in the town of Derna began declaring allegiance to ISIS during 2014, but ISIS lost ground in Derna towards the end of 2014 and turned its attention further west to Qaddafi's former home town of Sirte.

In October 2014, the ISIS established its Barqa 'province' in Libya, in the east of the country. The Tarabulus (Tripoli) 'province' was announced in December 2014, followed by Fezzan, in central and southern Libya, in January 2015. Barqa has carried out attacks against both the authorities based in Tobruk, although the city is well-defended. Tarabulus 'province' captured several major towns and oil fields in the Sirte area.

⁹ For more on the establishment of *Operation Sophia*, see the Commons Briefing Paper [The EU's response to the migration crisis: recent developments](#), December 2015

¹⁰ [HC Written question – 51868](#), 17 November 2016

¹¹ 'EU states to offer boats to Libyan coastguard', *EUObserver*, 1 September 2016

¹² 'Russia scuttles Brussels' plan to destroy migrants boats', *Financial Times*, 5 May 2015

¹³ [HC Deb 7 November 2016, c1252](#)

¹⁴ 'Where ISIS Is Doubling', *The Atlantic*, 24 February 2016

The Tarabulus group was responsible for the deaths of at least 21 Egyptian Coptic Christians on a beach in February 2015.¹⁵ By the end of 2015 ISIS controlled Sirte and more than a hundred miles of the coast, with a swathe of territory dividing the country into two halves.

ISIS struggled to recruit Libyan nationals, however, and many of its fighters were foreigners, particularly Tunisians.¹⁶ There have been signs of links between ISIS in Libya and Boko Haram in Nigeria, with some Boko Haram-affiliated fighters fighting in Libya and some Libyan militants leading Boko Haram fighters back in Nigeria.¹⁷

The group's foothold in Libya made it possible to plan a string of attacks Libya and elsewhere, including some very high profile attacks in Tunisia, where an ISIS fighter killed 38 people at a hotel on the coast, 30 of them UK nationals. Apart from the number of Tunisian fighters in its ranks, ISIS has targeted Tunisia's fragile political and security system partly because it wants to in the hope that that will provide access to Algeria.

In February 2016, ISIS attacked a government security headquarters in western Libya, beheading 12 officers and using their bodies as roadblocks while they held the building for about three hours. ISIS in Libya attacked some oil facilities in early 2016 but was pushed back by the Petroleum Facilities Guard.

In May, the five permanent members of the Security Council announced that they would be supplying arms to the Government of National Accord and would push for a loosening of the arms embargo on the country.

The US has been conducting air strikes against ISIS since early 2016. An ISIS training camp was hit in February, killing about 40 people, including two Serbian hostages. US warplanes based at RAF Lakenheath carried out the operation, after a personal authorisation from the UK defence secretary Michael Fallon.¹⁸ In August 2016 US forces carried out a series of attacks against ISIS targets around Sirte, Muammar Qadhaffi's home town.

In September, observers were talking of the 'defeat' of ISIS around Sirte, as forces loyal to the Government of National Accord took control of almost all of the city.

British special forces have been helping anti-ISIS forces, including Misrata militias, in their battle with the terrorist group. In May 2016 it was reported that British special forces had blown up ISIS vehicles.

In September 2016, Tobias Ellwood, minister for the Middle East and North Africa, welcomed progress against ISIS, in answer to a Parliamentary Question:

¹⁵ Islamic State group profile, Jane's Terrorism and Insurgency Centre, August 2016

¹⁶ Christopher S. Chivvis, Countering the Islamic State in Libya, *Survival*, vol. 58 no. 4, August–September 2016, pp. 113–130

¹⁷ Christopher S. Chivvis, Countering the Islamic State in Libya, *Survival*, vol. 58 no. 4, August–September 2016, pp. 113–130

¹⁸ Twitter, [Def Sec welcomes US @DeptofDefense strike against #Daesh in Libya](#), 19 February 2016

Daesh are under significant pressure in Sirte. I welcome the positive steps the Libyan people are taking to remove Daesh from their country, including Prime Minister Serraj's recent request for precision airstrikes from the United States of America against Daesh. The defeat of Daesh in Libya will have a positive impact on the long term stability of Libya and the region. But other extremist groups, including those with links to Al Qaeda, remain a threat to the country and the region. It is important that the International Community fully supports the Government of National Accord in their efforts to bring all legitimate military and security forces under a unified command. This will help to restore stability, seal the defeat of Daesh and close the space in which the terrorists and criminal gangs are operating.

It is vital that the international community is relentless in its efforts to ensure Daesh and its affiliates are defeated wherever they arise, including tackling those fighters who remain in Libya. The UK is playing a leading role in the Global Coalition of over 66 partners committed to defeating Daesh. The Global Coalition is committed to tackling the threat posed by foreign terrorist fighters travelling to the region to join Daesh or travelling from Daesh-held territories to other countries.

It is also important to consider what comes after the defeat of Daesh, in areas that they control. We are working closely with the new Libyan government and international partners to develop a comprehensive approach to stabilisation and post-conflict reconstruction, including through the £10m UK CSSF allocation.

The Libyan Political Dialogue commended progress made against terrorism in November 2016.¹⁹

¹⁹ ['Statement by Members of the Libyan Political Dialogue, Malta 11 November 2016'](#), UNSMIL press release, 11 November 2016

3. Outlook for negotiations

The Libyan Political Dialogue, backed by the United Nations, is still meeting to try to push for the implementation of the Libya Political Agreement. The most recent meeting took place in Malta on 10 and 11 November.²⁰ UNSMIL recognised that the problems facing the political agreement were serious. Martin Kobler, UN Special Representative, said:

... the situation in Libya is precarious and needs prompt action and leadership. Only with a unified and effective Libyan Government, the people of Libya will live with security, and basic services can be restored.²¹

The meeting called on the House of Representatives to amend the Constitutional Declaration, as set out in the Libya Political Agreement. The next meeting would be held in mid-December.

In October 2016 the UK hosted a meeting in London with the US Secretary of State John Kerry, representatives of France, Italy, the UAE and Saudi Arabia and Libyan Prime Minister Fayez Al-Serraj, the Governor of the Central Bank of Libya Sadek El Kabeer and the UN Special Representative Martin Kobler. After the meeting the UK Foreign Secretary Boris Johnson issued a statement reiterating support for the GNA:

There is strong international support for the Government of National Accord (GNA), internationally recognised as the sole legitimate government of Libya, to succeed and the situation in Libya has implications not just for regional stability, but also for the UK. Building a safe, secure and prosperous Libya that is able to confidently tackle the challenges in the region is in all of our interests. It is now imperative that the GNA makes swift progress on delivering public services: electricity in homes and cash in banks, for the benefit of all Libyans.²²

International Crisis Group argued recently that the lack of participation by militant groups in the Skhirat negotiations doomed the implementation of the Skhirat agreements.

On its current trajectory, the peace process is headed for a failure that would leave pressing international issues unresolved, such as combating people-smugglers and jihadist groups, and ensure dramatic worsening of living conditions for most Libyans.²³

The group went on to say that although implementation had been difficult, valuable gains were made at the Skhirat talks, such as general acceptance of the need for a transitional framework, and that these should be safeguarded.

²⁰ [‘Libyan Political Dialogue Commences Tomorrow in Malta’](#), UNSMIL press release, 9 November 2016

²¹ *Ibid*

²² [‘Foreign Secretary co-hosts meeting on Libya’](#), Foreign and Commonwealth Office press release, 31 October 2016

²³ [‘The Libyan Political Agreement: Time for a Reset’](#), International Crisis Group, 4 November 2016

4. UK government policy

The UK was one of the leading countries participating in military action over Libya in 2011. The military action was underpinned by United Nations Security Council resolution 1973, which provided for member states to take any measures necessary to protect civilians as the Libyan government closed in on rebel positions in eastern Libya.²⁴

Since then, the UK has backed the UN-sponsored political negotiations and carried out some moderate programmes of assistance to Libya.²⁵ It has provided £10 million in technical assistance for the Government of National Accord.²⁶

The Department for International Development has a programme in Libya focused on strengthening political processes, enhancing political participation and improving the safeguarding of human rights. There is also an important element of humanitarian response in the programme. The budget for 2016/17 is £3.7 million.²⁷

Kwasi Kwarteng MP raised the question of UK engagement with Libya in a debate in October 2016. He implied that British and Western policy suffered from a poor understanding of Libyan realities:

There seems to be a complete disjuncture between what we want to happen with the people we want to back for our own reasons—they could have a legitimacy or legal primacy—and what is happening on the ground. That has been a constant feature of the western approach to the area. We have our own ideals and beliefs about the process, the rule of law and what we think should happen, but when we look on the ground at the instrumentalities, as Woodrow Wilson used to call them, we see a complete mismatch. The people whom we want to be in charge—the people whom we believe have legitimacy—have very little capacity to enforce their will and ensure that their writ is run through the country we hope they can rule. That fundamental problem always comes up.²⁸

Middle East Minister Tobias Ellwood defended the original decision to take military action, which came in for criticism in the debate:

We must not forget that the decision to intervene was international and supported by UN Security Council resolution 1973 and by the Arab League. We took action to prevent attacks on civilians that were about to take place. There would have been a bloodbath if we had not intervened. Even before Gaddafi went into hiding, more than 60 countries, with the African Union, recognised the National Transitional Council—the body of Libyan people based in Benghazi who were looking ahead to a post-Gaddafi world.²⁹

²⁴ For more on the military action in Libya see the Commons Briefing Papers [Interpretation of Security Council Resolution 1973 on Libya](#), April 2011. For subsequent developments see the further reading section at the end of this paper.

²⁵ For more on the UK's assistance to the Libyan authorities see the Commons Briefing Paper [British soldiers to Libya?](#) April 2016

²⁶ [HC Deb 26 October 2016, c130WH](#)

²⁷ DFID Development Tracker, [Libya](#)

²⁸ [HC Deb 26 October 2016, c108WH](#)

²⁹ [HC Deb 26 October 2016 c127-8WH](#)

He said that the government would continue to work to support Libya's
The Foreign Affairs Committee report concluded that the UK's policy in
Libya since 2011 had suffered from a number of problems and, for the
future, recommended that the government should:

- Continue to support the Government of National Accord, which it describes as the "only game in town"
- Review with allies the United Nations' capacity to coordinate post-conflict reconstruction
- Encourage countries of origin to accept the return of migrants who travel through Libya and who do not meet asylum criteria
- Work with allies to maintain the arms embargo
- Consider helping to train the Libyan security forces, but without presenting violent groups with an easy target or boosting anti-Western rhetoric

5. Further reading

[*Libya: deepening conflict*](#), November 2014

[*Libya*](#), April 2014

[*Political progress in Libya?*](#) June 2013

[*Libya's General Assembly election 2012*](#), July 2012

[*Military Operations in Libya*](#), October 2011

[*Interpretation of Security Council Resolution 1973 on Libya*](#), April 2011

[*The Security Council's "no-fly zone" resolution on Libya*](#), March 2011

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