

Politics

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11:00 UTC

Libya Analysis: HoR's withdrawal of confidence in GNU liable to trigger anti-HoR protests in short-term, exacerbate political instability

Executive Summary

- On September 21, the House of Representatives (HoR) withdrew its confidence in the Government of National Unity (GNU), led by Prime Minister Abdel Hamid al-Dbeibah. This essentially ends the approximately six-month-long period of relative political stability in Libya.
- On September 23, Khalifa Haftar temporarily stepped down from his post as commander-in-chief of the Libyan National Army (LNA) to run in presidential elections on December 24. Haftar may have pressured HoR Speaker Aguila Saleh to support the no-confidence motion against the GNU due to his perception that Dbeibah's rising popularity could jeopardize his election campaign.
- The HoR's withdrawal of confidence will have a destabilizing impact upon the political situation in Libya in both the short and the long term as it is likely to fragment Libyan society, forcing them to either side with the HoR or the GNU.
- This development will also have an adverse impact upon Libya's economy as it could negatively impact development and reconstruction efforts in Libya at least in the short-term until December 24, when national elections are planned to take place.
- There is a high risk of anti-HoR protests across Libya in the coming days. Unrest within Tripoli is unlikely but may materialize in LNA-controlled territory, including Benghazi. However, such protests are unlikely to develop into a prolonged nationwide movement in the coming months.
- This development will not have any direct impact upon the risk of militancy in Libya in the short term. The risk of direct armed conflict is also not very high in the coming days and weeks. However, in the long-term, this development could be a catalyst for armed conflict and potential acts of militancy should a power vacuum emerge in Libya.
- **Avoid the vicinity of anti-HoR demonstrations expected to take place across Libya on September 24 as they may devolve into unrest. Contact us at Operations@max-security.com or +44 20-3540-0434 for itinerary and contingency support plans.**

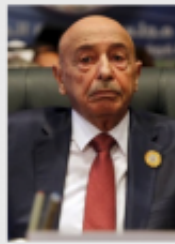


HIGH COUNCIL OF STATE (HCS)

HEAD:
KHALID AL-MISHRI

BASE OF OPERATIONS:
TRIPOLI

TIME IN POWER:
2015-PRESENT



HOUSE OF REPRESENTATIVES (HoR)

SPEAKER:
AGUILA ISSA SALEH

BASE OF OPERATIONS:
TOBRUK

TIME IN POWER:
2014-PRESENT

Current Situation

Political Developments

- On September 13, 45 House of Representatives (HoR) members submitted a request for a vote of no-confidence in the Government of National Unity (GNU), led by Prime Minister Abdel Hamid al-Dbeibah, to the HoR Speaker, Aguila Saleh.
- On September 21, the HoR withdrew its confidence in the GNU, with 89 out of 113 HoR members that attended the HoR session in Tobruk voting in favor of the motion.
- Based on a statement issued by the HoR, this decision was taken based on the constitutional declaration of 2011 and subsequent amendments made to it in the years 2014, 2016 and 2020. However, reports indicate that the constitutional declaration stipulates a minimum of 120 votes to pass a vote of no-confidence.
- The official spokesman of the HoR, Abdala Belheeg, stated that this vote of no-confidence in the GNU will not affect the planned elections on December 24 and that the GNU will continue as the caretaker government up until then.
- 39 members of the HoR have indicated in a statement that there was foul play in the calculation of votes during the HoR session and that the number of HoR members that voted in favor of the no-confidence motion were at most 73 and not 89, which is not enough to pass the motion.
- A large-scale protest took place at Tripoli's Martyrs' Square during the overnight hours of September 21-22 in support of the GNU and Dbeibah. Dbeibah himself made an appearance at the protest where he gave a speech. In the speech, he stated that the HoR can no longer represent the Libyan people and called on the GNU's supporters to stage rallies across Libya on September 24. He further stated that Tobruk MPs [HoR members based out of Tobruk] have nothing but "evil, destruction, and wars" on their minds.
- On September 22, the Information Office of the General Command of the Libyan National Army (LNA) announced that Field Marshal Khalifa Haftar will be temporarily stepping down as commander-in-chief of the LNA for three months from September 23 to December 24 to run in the planned presidential elections on December 24. Major General Abdel Razek al-Nadoori will temporarily act as the commander-in-chief of the LNA.

Domestic Response

- The High Council of State (HCS) has rejected the HoR's vote of no-confidence as "null and void". According to the HCS, the Libyan Political Agreement (LPA) of 2015 does not give the HoR the authority to pass such a motion.
- The Municipality of Misrata stated that the "narrow interests of these people [HoR members] undermine the achievements of the GNU during a short period of time" and that "this will only result in destabilization and chaos and a return to political and institutional divisions".
- Libyan political parties, such as the Taghyeer Party, have also denounced the HoR's decision.

International Response

- The UN Special Mission in Libya (UNSMIL) has released a statement saying that the GNU remains the legitimate government until it is replaced by a permanent government following elections in December. It further reiterated that the HoR should focus on finalizing the parliamentary elections law.
- Other international actors are yet to release any statements on the development.

Implications of HoR's Decision

1. The HoR's vote of no-confidence in the GNU essentially ends the approximately six-month-long period of relative political stability in Libya. Albeit interim, the GNU is the first unified government in the country since 2014 and it largely derived its legitimacy from the HoR's vote of confidence, which was passed on [March 10](#). 132 HoR members voted in favor of the GNU, which constitutes about 70 percent of the 188 seats in the HoR. Regardless of whether 73 or 89 HoR members voted in favor of the motion of no-confidence, the latest development indicates that at least some HoR members have switched their stance vis-a-vis the GNU. This can partly be attributed to growing concerns within the HoR that the GNU has been overstepping its mandate by directly engaging with foreign dignitaries and allocating contracts for reconstruction and development. This is underscored by the HoR's repeated refusal to approve the GNU's 2021 draft budget on the grounds that the GNU's estimated expenditure, especially on development projects, is too high. There is thus a perception within certain segments of the HoR that the GNU is digressing from its main responsibility of preparing for the national elections on December 24.
2. Certain members of the HoR have also expressed discontent with the GNU during parliamentary sessions in recent months that their constituencies are being marginalized by the Dbeibah-led government. These members have thus been using the GNU's 2021 budget as leverage to put pressure on Dbeibah for their own interests or that of their respective constituencies, which has prolonged the passage of the budget. The request for a motion of no-confidence by 45 HoR members and its subsequent approval can, by extension, be attributed to an effort to penalize Dbeibah and his government for not acquiescing to their demands. It is also likely part of an effort by HoR Speaker, Aguila Saleh, to restrict Dbeibah's powers and influence ahead of the planned national elections on December 24.
3. On September 23, Khalifa Haftar temporarily stepped down from his position as commander-in-chief of the LNA, which makes him eligible for running in the upcoming presidential elections in line with the election law submitted by Saleh to the High National Election Commission (HNEC) on September 12. Haftar is Saleh's close ally and therefore there is a possibility Haftar put pressure on Saleh to support this motion of no-confidence against the GNU as he may have been worried that Dbeibah's growing domestic and international popularity could jeopardize the LNA commander's chances in the presidential election. Such a vote could not have been passed without Saleh's support considering the amount of influence he has within the HoR.
4. The various statements released by the HCS and local municipalities in support of the GNU highlight Dbeibah's growing popularity within Libya. Dbeibah has taken several steps to promote decentralization of power in Libya over recent months, which has made him very popular with local municipalities through the implementation of Law No. 59 of 2012 and Law No. 330 of August 2021. This has allowed municipalities to earn revenue at a local level. The Municipality of Zuwara has hailed these efforts as a step towards combating corruption and mismanagement of public funds as well as undermining calls for separatism. Dbeibah has also authorized funds for the development of infrastructure in multiple municipalities across the country, which has gained him popularity among locals, especially those that have historically felt marginalized by centralized governments based out of western and eastern Libya. Dbeibah's influence in the country is most aptly illustrated by the large-scale protest that took place in Tripoli's Martyrs' Square during the overnight hours of September 21-22 to reject the HoR's vote of no-confidence. This local support will provide Dbeibah with a degree of domestic legitimacy.

Strategic Outlook

Impact on political stability

1. This development will have a destabilizing impact upon the political situation in Libya in both the short and the long term. The GNU and Dbeibah will remain in power until December 24 as they continue to derive some level of domestic legitimacy from the HoR and the HCS, and some level of international legitimacy through the UNSMIL's backing. However, this vote of no-confidence will fragment Libyan society, forcing them to either side with the HoR or the GNU. This has the potential to reverse the progress made by the Libyan Political Dialogue Forum (LPDF) and the GNU

towards the unification of state institutions in the country over the past year. While the aim of this move may have been to contain Dbeibah's growing influence in Libya, based on the widespread rejection of the HoR's decision, there is a high likelihood that this strategy will backfire. This is further supported by the fact that even the Tobruk Municipality, which has historically supported the HoR, even at times when the latter has taken some very controversial decisions, has denounced the HoR's latest move and expressed its support for the GNU. Large parts of western and southern Libya are already opposed to HoR Speaker, Aguila Saleh, due to his close ties to Haftar. The HoR's latest decision will therefore likely further cement Dbeibah's support base in these regions.

2. This development could also create political instability in the long-term. If the national elections are not held as planned on December 24, this could create a political vacuum in Libya. This is because there is no clear legislative procedure that specifies which political body will govern the country in this scenario. The GNU will likely lose its mandate as planned and the LPDF will most likely have to conduct another round of voting to choose the new transitional government until elections for a permanent government can be held. This vote of no-confidence in the GNU could create political volatility even in the event that the elections take place as planned on December 24. Political actors and bodies that do not perform well in the upcoming elections could refuse to accept the election results on the grounds that the electoral process itself was not legitimate as it was organized by the GNU, which lost its authority following this vote of no-confidence. This scenario is particularly likely if Haftar loses the presidential elections. The LNA leader often used the HoR's lack of confidence in the former Government of National Accord (GNA) to declare it as illegitimate and thus justify his military actions against GNA-linked militias based out of western Libya. In the best case scenario, this development could undermine the new government, and in the worst case scenario, plunge Libya back into a state of civil war.

Impact on economy

1. This development will also have an adverse impact upon Libya's economy. While it may not directly impact the oil sector as it is controlled by the semi-autonomous National Oil Corporation (NOC) that has the support of all political bodies in the country, it will negatively impact development and reconstruction efforts in Libya at least in the short-term until December 24. The HoR has repeatedly refused to approve the GNU's 2021 draft budget, which has compelled the latter to rely on direct funding from the Central Bank of Libya (CBL) for its daily expenditure. The GNU has been able to acquire the revenues from the CBL for some of its policies but these are only limited to expenditure on public sector wages. For example, on September 18, the GNU Minister of Oil and Gas announced a 75 percent field bonus increase for oil sector employees working on land and offshore fields as well as at oil ports. The GNU has only been able to acquire this funding because the HoR approved Chapter 1 of its 2021 draft budget on [May 24](#) that pertains to public sector wages. The GNU's proposed fund for development projects within the 2021 budget has yet to be approved by the HoR.
2. The HoR will either use this vote of no-confidence in the GNU as a basis for further delaying the approval of the GNU's proposed 2021 draft budget or passing its own reduced version of this budget as it threatened to do so in [July](#). This will significantly delay the implementation of planned development and reconstruction projects. Although the GNU has indicated that some of these projects that have been awarded to foreign companies in recent months will be partly funded by foreign aid and investment, this will not be enough to ensure the timely start and completion of said projects as they will require some funding from the CBL. This could even deter foreign investment in the Libyan economy, which had increased since the GNU came into power. This is because such political uncertainty increases the risk of investing in Libya as private companies may not be paid on time, which could incur significant losses for them. Overall, while Libya's economy is not expected to decline as a direct result of this development, the GNU's recent efforts to diversify it will suffer a setback.

Impact on security situation

Risk of civil unrest

1. There is a high risk of anti-HoR protests across Libya over the coming days. This is largely due to Dbeibah's calls for nationwide demonstrations in support of the GNU on September 24. As mentioned in the earlier sections, Dbeibah's popularity within Libya has been growing over recent months, which increases his ability to mobilize supporters. The risk of anti-HoR protests is higher in western Libya where the majority of the population is already opposed to the HoR and Saleh, which will translate into support for the GNU. Haftar's decision to run in the upcoming presidential elections will also likely exacerbate anti-HoR sentiments in this part of the country as the HoR's election law was the one that qualified him for this post. Large gatherings of protesters can thus be expected in towns and cities across western Libya over the coming days, especially on September 24. While these protests may witness the chanting of anti-HoR and anti-LNA slogans, the risk that they will devolve into violent unrest is low. This is because most local militias that enforce the rule of law in western Libya are opposed to the HoR and the LNA as well, and are therefore unlikely to intervene to forcefully disperse such protests.
2. Anti-HoR protests will also take place in southern Libya over the coming days. However, these will likely witness smaller gatherings as compared to the western parts of the country. The risk of unrest is slightly higher as pro-LNA militias operating in the region may attempt to forcefully disperse such gatherings, given Haftar's close ties to the HoR and Saleh. Eastern Libya as a whole is the least likely to witness protest activity in connection to this development. This is because large segments of the population living in this region still support the HoR. Certain small segments that perceive the HoR's latest decision as destabilizing may nevertheless organize demonstrations in support of the GNU. These have the highest likelihood of devolving into violence as the LNA will attempt to forcefully disperse such gatherings.
3. Such protests are unlikely to develop into a prolonged nationwide protest movement over the coming weeks and months. This is because such political developments in Libya, even those that may have long-term ramifications for stability, often get overshadowed by local interests and therefore protests surrounding such issues don't gain enough momentum to sustain them. The longest protest movement recorded in Libya in recent years was in August-September 2020 for about ten days. This movement was mainly surrounding fuel shortages as a result of the LNA's seven-month-long blockade on oil exports and the resulting deteriorating living conditions in the country. This issue had a direct impact on large segments of society and therefore gained more traction. Overall, tensions surrounding this issue will persist for weeks and months to come but they are less likely to manifest in the form of widespread civil unrest.

Risk of militancy & armed conflict

1. This development will not have any direct impact upon the risk of militancy in Libya. The risk of direct armed conflict is also not very high in the coming days and weeks. Although most western-based and some southern-based militias support the GNU, they are unlikely to risk open armed conflict with the LNA at this time. This is because the 13-month-long armed conflict between them and the LNA between April 2019-May 2020 led to a major loss of fighters for them, from which they have yet to recover. With their main foreign backer, Turkey, currently in negotiations with Russia and Egypt to withdraw foreign troops from Libya, these militias cannot risk entering a conflict in which they may not be able to secure Ankara's support.
2. The LNA also lost a lot of its fighters during its campaign to take control of Tripoli in 2019-20 and

has yet to recover from this loss. Therefore, it will not want to risk losing its remaining fighters and military capabilities by engaging in armed confrontation with western-based militias at this time. The LNA currently controls almost two-thirds of Libyan territory and over 90 percent of the country's oil infrastructure. This provides the LNA with a distinct advantage vis-a-vis western-based militias amid negotiations to unify Libya's military institutions. If the LNA were to engage in another offensive such as the one on Tripoli in 2019-20, it stands to lose this advantage if the operation fails. It also risks losing support from its foreign backers, primarily Egypt, which currently stands to economically benefit from a more stable Libya. Finally, Haftar's plans to run in the presidential elections planned for December 24 makes any LNA involvement in armed conflict at this time unlikely as this could turn domestic and international opinion against him. Haftar will not risk such a scenario, especially since almost every action that he has taken in the past year has been aimed at gaining domestic and international legitimacy.

3. However, in the long-term, this development could be a catalyst for large-scale armed conflict in Libya. This is because it will fragment Libyan society, as mentioned in previous sections. This could lead to the emergence of rival alliances in Libya as different armed actors align themselves with one or the other political body in the country based on their own personal interests. This would create a situation similar to the one which occurred between 2015-20, when the GNA held authority of most of western Libya through alliances with local militias while the HoR controlled eastern Libya through its alliance with the LNA. The Sirte Basin and Jufra District in central Libya were the main theaters of direct conflict between these parties during this time as the frontlines between the two sides were located in this region. The exception to this were the years between 2019-20 when the LNA, bolstered by its previous successes, attempted to take control of Tripoli and its surrounding areas. Overall, this development will not directly lead to the outbreak of armed conflict in Libya but could indirectly lead to the creation of an environment that encourages such hostilities.

Recommendations

1. It is advised to defer all travel to Tripoli at this time due to the current political instability and the risk of a broad deterioration of security conditions. Travel to Benghazi, Misrata, and Tobruk should be for essential purposes only, while adhering to all security precautions. Contact us at Operations@max-security.com or +44 20-3540-0434 for itinerary and contingency support plans.
2. Avoid all travel to Libya's southern Fezzan Region due to the presence of armed criminal and militant networks. It is particularly advised to avoid all travel to the area extending from the Haruj Mountains to Tamanhint, Sebha, Ghadduwah, Taraghin, and Umm al-Aranib as this constitutes the Islamic State's (IS) primary area of operations in Libya.
3. Avoid all travel to Libya's border areas with Tunisia, Egypt, Chad, Niger, Sudan, and Algeria due to the risk of persistent violence and lawlessness in these regions.
4. Avoid the immediate vicinity of government buildings, police stations, media outlet offices, and political party and militia headquarters, given that these locales have been targeted by militias and militants.
5. Westerners operating in Libya are advised to maintain a low profile and exercise heightened vigilance in light of prevailing anti-Western sentiments and the underlying risk of attacks. Take precautions to mitigate the risk of being targeted for kidnapping. Routinely alter travel routes and refrain from divulging sensitive itinerary information to strangers.
6. Avoid nonessential travel to the vicinity of anti-HoR demonstrations expected to take place across Libya on September 24 as they have a high likelihood of devolving into unrest.