<u>The Prospect of Leveraging Local Dialogues into National Dialogue in Libya</u>

Libya is, nearly five years on from the overthrow of Gaddafi, a deeply divided territory. An absence of national consensus over the past few years, which would be possible through effective and credible national dialogue, has made Libya a failed state. Libya's territory is currently administered by a complicated and competing selection of militias, ministries, and political assemblies that have led to a political stalemate that is almost in its third year. Despite this bleak picture, there have been a significant, but underreported, set of successes in local dialogue. These have ensured that much of the civil conflict currently remains frozen, and have held off a further deterioration into deepening civil war. What are the factors that have led to the failure of national forums for dialogue, and to limited successes in local dialogue? And what can we learn from these local dialogues for furthering an effective national dialogue in Libya?

1.   Context: Resurgent Local Authority, Fragmentation of National Authority

Libya, unlike its neighbours, entered its period of transition without a unified military operating with a clear operational command structure and doctrine. As 2011 began, most of the country's security sector was controlled by brigades close to the Gadaffi family, and by the secret police. During the 2011 uprising, this already segmented security sector was further crippled by mass defections and destruction of its infrastructure by bombardment by France, the US, and then NATO.

In the shadow of this bombardment was a steady empowerment of mobile militia groups linked to the local councils that became empowered throughout 2011. Due to the dynamics of engagement and a military strategy coordinated between the rebels and international actors, most support ended up being routed through the towns of Misrata and Zintan. Misrata had been under siege since February, and Zintan was conveniently placed as a staging ground for a pincer attack on Tripoli. In the aftermath of the fall/liberation of Tripoli, this resulted in both Zintan and Misrata having significant power in the capital city, with the ability to influence national politics.

Politically, elections were pushed through without significant security sector reform, which resulted in cities, tribes, and ideological factions continuing to compete for influence, both in the parliament and through militia politics. A further slide into militia rule was caused by the failure of the security sector initiatives negotiated (with the support of the intervening powers) between the Executive and the UN. Poor performances by successive heads of government, combined with the dispersal of authority among cities, tribes and ideological factions, led to an erosion of Executive authority and a focus on the Parliament as the key site for national debate on any matter.

By the end of 2013, with the Prime Minister subject to kidnapping, the Executive had lost effective authority in the country. Meanwhile, a Political Isolation Law passed in 2012 had limited the ability of former regime officials to participate in politics creating further obstacles to national political dialogue.

In August 2013, in this context, the National Dialogue Preparatory Commission (NDPC) was launched with over 50 advisors led by a strategic team. The NDPC built on the early work by a

number of activists, former political prisoners, lawyers and other notables, supported by USAID, Bell Pottinger, and others. Some initial work was carried out, but the National Dialogue Preparatory Commission never had a clear mandate. And what mandate it had was further eroded as new elections prompted a constitutional crisis and further state disintegration.

Elections in the summer of 2014 initially held promise for the renewal of parliamentary authority, but security concerns prevented the ballot reaching some areas. Low turnout meant that the results, although showing dissatisfaction with the parliamentary politics up until then, were not decisive or convincing to all. The newly-elected Parliament, i.e. the House of Representatives, was therefore in a compromised position from the very beginning. It is in this context that several parliamentarians, including a former Deputy Prime Minister, decided to boycott the Parliament. A few weeks later, some members of the Parliament who had been elected in 2012 (the GNC) decided that the elections themselves were illegal, and in response reasserted their power in Tripoli.

The United Nations Support Mission in Libya (UNSMIL) was left in a position where it initially tried to persuade the boycotting members of parliament to return, and then to develop dialogue between the two competing legislative authorities. The later effort, called the "Libyan Political Dialogue", became the focus for the international community to re-establish a roadmap for the two parliaments to come together. The Political Dialogue never was able to establish a reputation as a legitimate site of national dialogue. It suffered from numerous allegations of corruption and privileging of leaders that became prominent during the 2011 uprising, as well as a structure that separated certain actors from the main dialogue (separate tracks were seen as a token effort). The inclusion of local authorities was something of an afterthought. What was clear by the time that it reached an "agreement" was that it had very little buy-in from the militia groups, tribes, and local authorities that held sway in the country. Although it was a somewhat successful dialogue between two compromised legislative bodies, it could not be said to be a site of effective national discussion, debate, or dialogue.

The Libyan Political Agreement was proclaimed in Shikhrat at the end of 2015. It was on very shaky foundations from the outset, and since then allegations from Libyans that it was forced on them by the international community have continued. Operationally, the disjointed political structures at a national level did not become clearer after a Government of National Accord (GNA) was established. In fact, they became more complicated. Sites for national level debate and discussion remain as elusive as they were prior to the Libyan Political agreement coming into force. A complicated but low-level armed civil conflict has continued unabated, and although it is seen to have limited the effectiveness of the GNA, there has been very little change on the ground. There is still a fragmented jigsaw of militias, local councils, and tribes, each competing locally and nationally for control. The involvement of several regional and European states, each backing certain militias, and some of them backing competing sides, is symptomatic of the situation.

2. Local Dialogues: their origins and prospects

While sites of national level debate, discussion and dialogue have remained compromised throughout the post-Gaddafi period to date, local dialogue has been somewhat more effective. This is hardly surprising in a context where there is significant fragmentation of national institutions, and where militias, local authorities, and tribes, were empowered throughout the transition and remain the strongest actors on the ground.

However, the roots, dynamics and impact of specific local dialogues are important to be aware of. I will briefly describe different local dialogue efforts in the south, in the western mountains, and in the area around Misrata. The focus will be on how they were initiated, what happened, who was involved, and how successful they were.

Inter-Tribal Dialogue in Sebha with Third-Party Local Mediators: This local dialogue stems from a conflict that was the break of an enduring tribal alliance due to dynamics in the 2011 uprising. The Awlad Suleiman and Gaddadfa tribes had been historical allies, and have a long track record of supporting one another, along with another strong inland tribal group, the Warfalla. At the start of the 2011 uprising, both groups remained loyal to Gaddafi, but during the 2011 uprising, key figures in the Awlad Suleiman tribe, such as Abdul-Magid Saifalnasr, joined the rebels. This had the result of destabilising the Gaddafi-era and pre-Gaddafi pitting two of the largest inland tribes against each other. The Sabha also includes another dimension however, with the continued presence since mid-2014 of the Misratan militia, the Third Force. The stated aim of this latter militia is to bring peace to a restive city.

The Warfalla on the other hand, was internally split, with the Warfalla heartland town of Baniwalid becoming the site of armed confrontation between pro-revolution and anti-revolution elements. Clashes continued into 2012 in Baniwalid, between pro and anti-revolution militias. The May 28th Brigade supporting the NTC's Local Council was pitted against Brigade 93 supporting the Baniwalid Social Council. The competing local authorities wrestled with the government, and by the middle of 2012 the Social Council had established control over. Between 2012 and 2013, the Social Council remained in control of the town. With the lack of effective governance structures in Libya, it expanded its reach at the end of 2013, taking on 60 members from the tribe across Libya, and reforming as the Social Council of Warfalla Tribes.

When conflict intensified in 2015, the Social Council of Warfalla Tribes, deployed a delegation to the city to meet with key representatives of the Awlad Suleiman and Gaddadfa tribes respectively. Meetings were held separately with tribal leaders, and an agreement was made on the formation of a joint committee to oversee the reconciliation efforts, which included members of the Awlad Suleiman and the Gaddadfa as well as the Social Council of Warfalla Tribes.

This contributed to the easing of tensions between the two tribes. However, in November 2016 there was an escalation of fighting due to an incident in which a woman's headscarf was ripped off by the pet monkey of a shopkeeper. This was taken very seriously as a gesture of disrespect, and resulted in a very fast escalation of violence, first with attacks against tribe members, and then a further escalation involving the use of heavy weaponry. Initial dialogue efforts between the tribal groups efforts did not succeed. The involvement of the Social Council of Warfalla

tribes, elders from Augila, and Margharha, succeeded in bringing about a ceasefire, and a further tribal agreement was signed.

Dialogue between towns and militias in the Nafusa Mountains with local and tribal mediators: This dialogue stems from the breakup of relations between towns in the wider Nafusa mountains region after the escalation civil conflict between rival militia alliances in 2014.

As stated above, due to the dynamics of the preparations for the takeover of Tripoli in 2011, Zintan entered the post-Gaddafi period with a strong military presence in Tripoli. This changed in the summer of 2014, after escalation of violence between rival militia alliances that came in the aftermath of criticisms of the GNC's legitimacy and of the validity of elections; demands were made that it be replaced with a new parliamentary body. By the end of summer, Zintan had retreated from Tripoli, and from the "frontline" in their battle against Libya Dawn.

In this highly volatile period, the allegiance of towns in between Zintan and Tripoli became of major strategic importance. It was under these circumstances that Zintani militias, accusing the town of collaborating with Libya Dawn, occupied parts of Kikla. Thousands of its inhabitants were displaced. This led to a broader escalation between the two towns, including arresting people based on their identity, as well as harbouring of those accused of carrying out criminal acts by both sides.

By 2015 reconciliation efforts were already underway, taking the form of joint committees of the towns' notables, mediated by figures from a third-party town, Asaba. Asaba was considered neutral because although it had taken political positions, it had not engaged in fighting, either in the 2011 uprising or afterwards. The reconciliation efforts initially focused on prisoner exchanges, which were carried out in June 2015. In the first round of talks, 16 prisoners were released: 12 from Zintan and 4 from Kikla. These initial goodwill gestures were followed up with further meetings of the joint committee, focused on the drafting of a roadmap for the return of displaced people, and commitment to the de-escalation of violence in the region.

By early 2016, representatives from both of the towns signed an accord. In the accord, they agreed to the withdrawal of Zintani forces from Kikla, and to their substitution by a mixed force from the towns of Al Motrid and Zawiya. These two towns were seen by the representatives of Kikla as neutral actors. The accord also included an agreement on the return of displaced people and the ending of tit-for-tat arrests, and on the handover of those accused of criminality to a third, neutral party. Kikla has remained relatively peaceful since, however it took a further year or more for significant numbers of people to return and for schools to reopen.

Elders from Alasaba, acting in their role as neutral third party mediators, also carried out similar processes between the towns of Zintan, Warshefana, Zanzour, and Gharyan in early 2015. Each process was rooted in similar dynamics: they first focused on the exchange of prisoners, and then moved step by step towards greater reconciliation efforts. In the case of the Zintan-Zanzour dialogue efforts, these were able to work towards an agreement that included commitments to not support others in any violence involving the two towns.

The internationally-supported local dialogue between Misrata and Tawergha: This dialogue aimed at addressing both the complicity of the Tawergha population in the siege against Misrata in 2011, and the cleansing of the city later in the year by Misratan militias. The goal ostensibly was to achieve the necessary steps that would allow the return of the Tawergha population to their town, and to address the crimes committed by both sides.

The dialogue process was formally initiated by the United Nations Support Mission in Libya in May of 2015. The Mission convened an initial meeting of leaders from the two groups in Tunis, focussing on the formation of a Joint Committee. A further meeting was held in July to establish the terms of reference for the Joint Committee, addressing issues of justice, reparations, reconciliation, the return of IDPs, and the need for a road map.

The communities nominated representatives for the meetings, and met for initial discussions in Tunis, Geneva, and Tripoli. In these meetings, the parties agreed on several confidence-building measures, including the release of prisoners, the facilitation of school and degree certificates by the local authorities in Misrata, and on informal meetings between families of both sides.

A formal meeting at the end of 2015 of the Joint Committee, centred around the establishment of a roadmap, and started to frame the time in question, the persons responsible, and to detail the types of reparations required, the reconciliation efforts necessary as well as establishing a process for the identification of missing persons. Further meetings were held beyond this point to hammer out the specifics of a deal. By the end of Summer 2016, an agreement had been reached that detailed the specifics of reparations, and gave dates for the return of people, and for the setting up of a fund. With slow progress made on any of the steps that had been agreed on, representatives of both committees met independently in March 2017 to refer their agreement to the Presidential Council, which is the executive body of the Government of National Accord.

What are the prospects for these dialogue processes? Inter-tribal peace in Sebha remains very fragile. Although successive local dialogues have been held, conflict has been quick to return, and is very sensitive to escalation. The environment is not yet ready for a sustainable solution in Sebha. What might be the reasons for this? The lack of a broader security arrangement in Southern Libya is one: the Misratan Third Force maintains a continued presence in Sebha, and the broader alliances in the north of the country are attempting to co-opt southern tribes in their broader national struggle. The local dialogue was effectively a social dialogue with little relation to the security sector realities in the town. Agreement on the fate of the Misratan Third Force in Sabha is essential for sustainable peace.

The Misrata-Tawergha deal, while on paper successful, has not brought much positive change on the ground. Tawerghans have not returned to their town, which continues to be vandalised by individuals from Misrata. There are clear limits to the agreement itself, which, although being detailed and comprehensive, was reached with substantial international involvement, and was carried out in parallel to the Libyan Political Dialogue. Implementation of the agreement rests on the fate of the Political Dialogue, and the continued lack of authority of the Government of National Accord limits any progress on this. It is very difficult to remove the dialogue from this broader national political context.

It is the set of deals reached in the Nafusa Mountains that continues to have the greatest prospect for sustainability. These processes were locally instigated, local third-party members were found to mediate them, and local solutions were found to address the issues of the parties. However, although the dialogue processes were successful, these areas remain in a highly strategic position, and the sustainability of peace in the region is intimately linked to the broader political and military struggle in the country. What therefore is the relationship between these local dialogues and a potential national dialogue?

3. The Relationship between National and Local Dialogue

Local dialogue has proven effective in de-escalation, reconciliation, and peacemaking. With all national forums for debate, discussion and dialogue either compromised, fragmented or both it is tempting to see local dialogue as the answer to Libya's problems. Is it possible to establish a broader national dialogue out of Libya's local dialogues? What is the likelihood of this happening, and what are the challenges?

Local dialogues have been able to address local conflicts, but have had limited effects on a national scale. Why is that? The key point to remember here is that the elements that have supported local peacemaking, such as historical allegiances, tribal relations, positions taken during the 2011, are precisely those that continue to be mobilised in the broader national civil conflict. So, just as tribes and historical relations are a vital aspect of local dialogue, tribes and their historical allegiances and fault lines are being mobilised to build broader political constituencies in Libya. These constituencies can both promote peace and support civil war. This dynamic will be of increasing importance in the escalation of violence in 2017.

Furthermore, local constituencies in Libya have sought security assistance from abroad in the absence of national level security sector reform and consolidation. Although security assistance from abroad in the form of training and equipping was to be expected in the period after 2011, the piecemeal and fragmented approach that was taken by key international actors encouraged local militias and the different attempts at forming the national army to seek arms from regional neighbours. This has linked regional, international competition to sub-national conflict in the country. Just as in a two-level game, national reconciliation needs backing from regional actors if it is to be sustainable.

Even taking all these considerations into account, is Libya ready for a national dialogue? Are the conditions better than in 2013-14? What can local dialogues do that successive direct attempts at national dialogue could not?

First, local dialogues can encourage the engagement of groups that have been isolated, or have isolated themselves, from the national processes. Successive attempts at national governance have failed, because specific groups have either been excluded from or have felt themselves excluded from discussions. For certain towns and tribes, this came down to the positions that some of their leaders took in 2011. Baniwalid, for instance, which maintained its independence until

relatively late in 2011, and then was able to push pro-revolution troops out shortly thereafter, has not been invested in the successive governments in Tripoli.

Second, they encourage the engagement in real terms of those with authority on the ground. Local dialogues focus on tangible issues that are important to local communities. Participants are included and engaged with based on their capacity for local influence, and based on their ability to commit to and then uphold agreements. Authority and commitment derived in this way, which requires a combination of social leadership and youth activism, reflect both the residual form of social organization from the pre-Gadaffi and Gaddafi era, and the reality of the youth activism that spurred on the 2011 transition.

Third, local dialogues allow national level discussions to be carried out at a local level, without having to address complicated discussions about the legitimacy or illegitimacy of national institutions. It is encouraging to see how discussions regarding the role of towns or tribes in the overthrow of Gaddafi have been overcome in local dialogues, once the question of national legitimacy is taken off the table.

In summary, there are in some very obvious ways greater opportunities now for an extended national dialogue based on local dialogues to succeed, than there previously was for attempts at national dialogue before. But there are also some clear challenges if this were to take place.

Local dialogues have greater chances for success in Libya, as they are able to put aside highly contentious discussions about national authority. In other words, the current fragmented state of national authority is closely compatible with the idea of a series of local dialogues. Looking back, the National Dialogue Preparatory Commission faltered precisely because it was out of step with the reality on the ground: the country was not ready for it. It did not have investment from many actors from many sides, for different reasons. Some were not invested in the national project that it supported, others wanted to see stronger forms of transitional justice occur first. So, whereas there was only one government when the National Dialogue Preparatory Commission was initiated, the broader national project was already fractured, and this meant that civil war soon broke out.

The current ambiguity in national institutions is also a clear stumbling block. Unfortunately, the Government of National Accord did not really help to clarify this ambiguity. The GNA and its Presidency Council—like the other formal institutions created after 2011—remain somewhat virtual, with little real ability to the authority they claim to have into progress on the ground. It is this lack of capacity that makes them reliant on militias, and that makes them currently such weak actors. In the case of the Misrata-Tawergha dialogue, the success of the agreement reached is tied to the success of a National Government. This puts both in a fragile position. If a set of local dialogues are to be built upon and leveraged into a national dialogue process, there needs to be continued openness on the issue of which, if any, of the governing bodies is legitimate. Insistence on any particular one either limits the possibilities for local dialogue, or limits the prospects for local dialogues to be implemented.

Another challenge to leverage local dialogues into a national one involves Libya's main cities. Cosmopolitan areas such as Tripoli, Benghazi, Misrata and Derna, which most of Libya's population live in, are not as simply and clearly divided as the rural areas. Local dialogue between different towns, or between different tribal groups in the same town, has been effective, but this format breaks down in Libya's population centres. This is because they are considerably larger, more diverse, and their populations are less influenced by traditional forms of authority. That said, the issues at a local level in these areas are very similar to those being discussed between towns and tribes—namely, the presence of militias, reparations/justice for criminal acts, and the de-escalation of violence. A consideration for the future is, whether there is an opportunity for metropolitan dialogue initiatives.

4. Prospects for a new Local/National dialogue in 2017

The prospects for a new national dialogue remain limited in early 2017. Libya is currently undergoing another cycle of violence, and no one alliance of actors is able to overpower the others. Foreign actors are involved just enough to ensure continued violence, but not at such levels or with such coherency to tip the balance one way or another. This leaves Libyans in a position where they are continuing to compete for control of the nation—and therefore for the country's future. In this bleak context, local dialogue seems to offer a chance for national peace on the basis of discussion and agreement.

Briefly, for this to happen there must be a clear approach as to what local dialogues are imperative for national cohesion, and which ones are not. These then need to be prioritised. A local dialogue between Warfalla-linked groups and Misratan-linked groups would clearly be a priority due to the symbolic role that friction between the two plays, and due also to how it represents many of the social cleavages in the post-Gaddafi era, as well as their comparative size, military capacity, and the influence they have on others nationally. Internal dialogue processes may be required as a preliminary step to undergird this, especially in light of recent schisms in Misrata. For these to succeed, they need to be carried out without preconditions or expectations as to which national bodies are legitimate, and which are not.

Ed Marques | is an independent consultant working on Libya. He has a PhD in International Studies and Diplomacy from the School of Oriental and African Studies, London, where he wrote on the diplomatic strategies of rebel groups. His research looked at the goals and impact of diplomatic initiatives of Libyan rebels in 2011. He has worked in the MENA region for over a decade. He has advised Prime Ministers, governments, rebels, embassies, UN agencies, the Commonwealth Secretariat, and development agencies, among others. He has undertaken professional education in mediation from ETH Zurich.