



Turkey and Libya: The Urgency for Europe to Act to Prevent Further Tragedy

Turkey's intervention; grim scenarios for Libya; and one final push for the EU to act to resolve the bloodshed.

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INTRODUCTION

As Libya's war enters 2020, dynamics within the war-ravaged country took a dramatic turn when the Turkish parliament, a regional ally of the GNA¹ in Tripoli, approved on 3 January 2020 the deployment of Turkish ground-forces in support of the GNA's position. Since then Turkey has sent military advisors, and Syrian rebel forces allied with Turkey, in support of Fayez al-Serraj's² administration. The principal rival to the GNA, General Khalifa Haftar, had been gaining incremental territory, most recently taking the key coastal town of Sirte. However, with the possibility of direct Turkish involvement, there is a likelihood of a new catastrophic confrontation. For European policymakers, having been strategically absent for the past five years, the window for action may be fast closing.

AT A GLANCE

- > Turkey's intervention has raised the possibility of catastrophic military confrontation in Libya.
- > As it stands, long-term scenarios for Libya are worrying; either partition, or a new humanitarian crisis.
- > Despite new efforts in Berlin, the EU is still absent on the Libya issue.
- > Though both are relevant, Serraj and Haftar's claim to legitimacy in Libya are flawed, and European policymakers should recognize this.
- > The EU needs to have a more pragmatic approach to Libya; recognizing that the 2015 Libyan Political Agreement is flawed and needs to be fit for purpose for 2020.

¹ Government of National Accord.

² Prime Minister of the Government of National Accord.

TURKEY IN THE LIBYAN WAR

There are several ways to perceive Turkey's new actions in Libya. One example is the continuation of Turkish aggression from elsewhere in the region, such as its military operations in northern Syria. For the Libya case however, the picture is less clear.

Turkey has been a strong supporter of the GNA in Tripoli since its inception, as an outcome of the UN-sponsored Schirat talks that founded the LPA³ in 2015. The LPA⁴ was signed by a few elected officials from the eastern and western Libyan parliaments, who had split from each other acrimoniously the year prior. These talks envisaged a unity government to lead the country during a transition period, of up to two years that would lead to new elections. Serraj as Prime Minister was a supposed compromise choice by the UN in order to lead this new government. However, one of the key failings of the LPA was its inability to address the Haftar-question: what role should the General have in a future Libyan state and how should the new military establishment be comprised and ordered? In fact, Haftar was not a direct party to the 2015 talks at all, despite his gaining prominence over the year prior with the formation of his structured fighting force called the LNA⁵.

The GNA was consequently a UN-imposed government to run the country as a temporary measure, gaining widespread backing by a number of international actors, including both Turkey and the EU. However, the GNA did not have an official military apparatus and consequently lacked a method of maintaining security in Tripoli, its seat of government, and the wider western region. Several militias had been established across western Libya since the aforementioned split between east and west governments, and not all were willing to negotiate their allegiance blindly to the new GNA. One of the most prominent and powerful militias was based in the coastal town of Misrata, for example. In order to gain allegiance, the GNA allowed the militias to run semi-autonomously, resulting in several internal conflicts, such as the fighting in Tripoli between nominally-allied militias during the summer

³ The 2015 Libyan Political Agreement; also known as the Schirat Agreement.

⁴ For more on LPA, see BIC: <https://www.bic-rhr.com/research/libya-need-new-international-approach>

⁵ The "Libyan National Army".

of 2017⁶.

The lack of a formal structure in the security apparatus of the GNA, and several humanitarian scandals such as human trafficking and related abuses of migrants in detention centers in the Tripoli area, have attracted substantive criticism⁷. Haftar, whose primary professed justification for military action is to combat terrorism and instability, leveled these accusations against the GNA's forces too, especially in the context of an operational-IS⁸ within the country.

There has been escalating confrontation between the two sides since April last year, with Haftar's forces gaining ground on their rivals. Currently, maps showing territorial control put Haftar's territorial influence at nearly the entire country⁹, though this must be interpreted cautiously, as the majority of Libyan territory is uninhabited desert. Thus the most strategic locations in Libya have remained the coast, of which there was minor progress until the occupation of Sirte; the desert town of Sebha in the Fezzan, a battleground for nearly two years; and the oil fields¹⁰, of which Haftar now has almost complete control.

But the international dynamics surrounding the Libyan case have begun to shift. While the EU has, officially, followed the UN's position of support to the GNA, there have been divergences between the member states. France, for instance, has been an implicit supporter of Haftar in the name of regional security. Italy, on the other hand, until last November, was a key supporter of Serraj in the name of managing migration into Europe. This disunity between member states was an obstacle towards a more articulated EU approach to Libya. However, Italy's position has appeared to change with Italian Prime Minister Conte's November meeting with Haftar, indicating a possible thaw in relations though this positional shift is disputed.

⁶ See BIC: <https://www.bic-rhr.com/research/violence-tripoli-over-dependence-militias-libyas-capital>

⁷ See BIC: <https://www.bic-rhr.com/research/libya-eus-policy-migrant-containment>

⁸ Islamic State; also known as ISIS, ISIL or Daesh.

⁹ https://www.bbc.com/news/world-africa-51082365?intlink_from_url=https://www.bbc.com/news/topics/ce1qrvlel1mt/libya&link_location=live-reporting-story

¹⁰ See BIC: <https://www.bic-rhr.com/projects/libyan-oil-brief>

With an apparent internal European pivot towards Haftar, along with Russian support, the withdrawal of US troops from Tripoli, and the backing of other actors, it appeared as if Serraj's direct allies were beginning to waver. It is in this context that Turkey's authorization of troop deployment in Libya is taken. For Serraj, Turkey is one of the final allies he has in the international community, outside of the symbolic recognition by the UN. For Turkish President Recep Erdogan, however, intervention in Libya could instead appear as a lucrative possibility to gain a foothold in North Africa, right at the southern border of Europe, in turn controlling the central Mediterranean migration route, and as a means to secure better access to the Mediterranean's vast, but disputed, gas reserves¹¹

BLEAK SCENARIOS FOR EUROPE

With Turkey's involvement, despite the continuing advance of the LNA westward, the international community must begin to anticipate some scenarios that could result from this escalation:

Short-Term: Turkish-Russian Brokered Stalemate

Ankara and Moscow already announced joint calls for a ceasefire. This is unsurprising as the two have already developed certain strategic channels on other areas such as Syria. While talks in Moscow did not result in a concrete agreement, it is assumed that these two powers are now in the driving seat for negotiations on Libya.

This scenario is a similar preferred outcome to much of the international community that have called for a ceasefire and renewed dialogue efforts. Calls for a ceasefire followed an emergency meeting between German Chancellor Angela Merkel and Russian President Vladimir Putin in Moscow 11 January 2020, where the latter highlighted the conference in Berlin on 19 January 2020, as a key moment to discuss proactive steps for Libya.

¹¹ This was made clear with the signing of a Memorandum of Understanding between Serraj and Erdogan that extends Turkey's drilling rights for natural gas in the Mediterranean Sea. This move was particularly aggravating to EU member states Greece and Cyprus.

Having said this, the primary calls for this conference were to enforce the UN-imposed, but frequently broken, international arms embargo on Libya. A containing measure, rather than something proactive. Indeed, the result in Berlin was that 11 foreign powers, including Turkey, Russia, France, the US, and Egypt pledged to end foreign interference, and to respect the arms embargo¹². But this was the extent of success. Haftar and Serraj, though both present at Berlin, refused to meet and consequently, no agreement between the two was reached. Additionally, no measures, such as sanctions, were concretized to enforce the arms embargo, a step which will need the support of the UN Security Council.

There are no guarantees that any outcome discussed will lead to sustainable peace without an innovative and courageous compromise. And the further difficulty for Europe is that should future discussions continue to be led by Ankara and Moscow, there is a risk of the EU being forced out of the key decisions, and instead being forced to play as host alone.

Signs of European disunity on this process are already present with Greece, a neighbor and critic of Turkey, who expressed outrage at not being invited to attend the conference in Berlin. Not to mention the absence of other regional actors such as Tunisia.

Mid-Term: Military Escalation in Misrata and Tripoli

With the capture of Sirte by Haftar, there are two main targets that stand between him and an overall victory in the country. Tripoli as the capital city and the center of the GNA's power, and Misrata where there is a concentration of militias standing in direct opposition to him. Should there be a lack of a diplomatic solution, these two cities will be probable targets for Turkish reinforcement.

An out-and-out confrontation between the Turkish military, in support of the GNA, and Haftar's forces will be extremely bloody and brutal, and will setback the possibility for a peaceful outcome for several years. This scenario is one that most of the

¹² https://www.bbc.com/news/world-africa-51166247?intlink_from_url=https://www.bbc.com/news/topics/ce1qrvlel1mt/libya&link_location=live-reporting-story

international community will wish to avoid at all costs.

Long-Term: Partition, Consolidation of Proxy States

A few years ago, the thought that the civil war in Libya would lead to a partition of the country into two would have been improbable. However, should the stalemate persist, with little sustainable revolutionary dialogue, there is a real chance that Libya's western and eastern administrations will irrevocably split, be it officially or unofficially.

Should this happen, the functioning of the western GNA will become almost entirely dependent upon its now principal ally, Turkey. It will be Turkey's strength that will keep the status quo in the country and prevent any further loss of territory to Haftar. But, this will in turn be an asymmetrical relationship, with the ever-increasing presence of Turkey leading western Libya to become little more than a vassal beholden to its sponsor's wishes. Not to mention, should this occur, Ankara will control the gates to not only the eastern migration route into Europe from Syria and Afghanistan, but also the central Mediterranean route from the shores of Tripoli, which would undoubtedly be a nightmare scenario for the EU.

Long-Term: Absolute Victory for Haftar, Humanitarian Crises in Tunisia and Europe

But even if the LNA forced Turkey out and defeated the GNA militarily, or more likely if Turkey withdrew and left the GNA to fend for itself, the resulting scenario of a complete military victory for Haftar will not be the end of crisis in Libya.

More likely, many of the militias fighting for the GNA, as well as many western Libyan civilians fearful of reprisals by Haftar's forces will most likely attempt to flee. Tunisia is an obvious destination due to geographical proximity, porosity of borders, and historical sympathy from the Tunisian administration towards the Tripoli-government. Many will also attempt to flee to nearby Europe across the sea, creating a new demographic wave in the Mediterranean humanitarian crisis. The destabilizing effects on humanitarian lines, as well as security with unchecked militias still operational, will have ramifications on the region for years to come.

A LAST CHANCE TO GO BEYOND EUROPEAN CONFERENCES

EU High Representative Josep Borrell indicated at the European Parliament's January 2020 plenary session that Europe needs to go beyond talk and move towards concrete proposals, lest Turkey and Russia gain the momentum to determine Libya's future. The Berlin conference had no guarantees that both participants, such as Haftar, would attend and if a ceasefire agreement would be signed. Despite this, should an agreement be signed it would not forestall the situation from deteriorating again. In order to begin to address this, there needs to be political willingness from the EU should it wish to be part of the settlement process.

As a bare minimum, Europe will need to have in place mechanisms to monitor any ceasefire, and the current arms embargo on foreign weapons into Libya. This measure could be undertaken in support of the UNSMIL¹³, and preexisting mechanisms in place. However, eventually this will need the backing of the UN Security Council for enforcement, and more importantly this is only a short-term stabilizing measure.

To go further, Europe must begin to build something new. The mandate of the two players Serraj and Haftar come from two different, yet flawed, sources of legitimacy. Serraj's actions in utilizing militias, and calling upon Turkey as an ally, are defended due to the principle of international recognition. However, this legitimacy was conferred as part of the 2015 LPA, which was designed to address the issues affecting the country at that time. It was flawed then and is not fit for purpose now¹⁴. Recognition of Serraj as the legitimate authority in Libya fails to acknowledge the actual practicalities and would fairly be criticized on human rights grounds¹⁵ should the country be in a more stable scenario. Note, withdrawing international recognition is not to say that these

¹³ United Nations Support Mission in Libya.

¹⁴ See BIC: <https://www.bic-rhr.com/research/libya-need-new-international-approach>

¹⁵ See Human Rights Watch:

<https://www.hrw.org/news/2019/01/17/libya-civilians-under-threat-militias>

actors will not have a future role, rather it is to say that they do not represent the Libyan state as it exists today.

Haftar, meanwhile, derives legitimacy through territorial expansion in the name of security. This is again an unsustainable representation of the Libyan state. Even should Haftar become the commander of a future unified Libyan state army, this does not give him rights to the governance of the state. There needs to be a clearer set of provisions, preferably in the form of an international agreement that ensures that the principles of democracy for the future Libyan state will underpin the development of new institutions. The major positive that Haftar brings to the Libyan scenario is the push for military unity. This was conspicuously absent from the LPA, and yet there needs to be concrete proposals on how to regulate the new Libyan armed forces and what to do about the disarmament of the various militias in operation in Libya. What is clear is that the interference of countries such as Turkey and Russia, that are adding more weapons and fighters in Libya, are completely counter-productive to this goal of disarmament.

Clearly, there needs to be a push for an agreement that moves decidedly beyond ceasefires, and references to 2015, or even 2011¹⁶. A concrete proposal that gives space for representation from all sides, that gives clear mechanisms for fighters to disarm and re-enter civilian life and provides a clear path towards democratic transition will be crucial.

Here, the EU could lend its expertise to the drafting and mediation of such an agreement, though this would be contingent upon diplomatic negotiation and compromise, themselves requiring some sort of platform for an agreement. The Berlin Conference, as demonstrated by its relatively meager outcomes, is one step, but not the only step; it would be better to push for a series of negotiations over a time period in order to discern how a more substantive agreement could materialize. In turn, such an arrangement of scheduled, rather than one-off meetings, would help to build trust and political willingness between the parties in order to build something more tangible.

The Libyan dilemma could be temporarily resolved through military means, but a war will not provide lasting peace and transition for the Libyan people. The enduring repercussions from such a victory would lead to the possibility of insurgency and instability for many years to come.

KEY INSIGHTS AND CONCLUSION

Turkey's intervention in Libya has undoubtedly raised the stakes in Libya, including the risk of catastrophic military confrontation. Europe's recourse to the Berlin conference represents a continuing short-sighted approach, and lack of genuine engagement on Libya. Other insights are as follows:

- › **The agreement between the GNA and Turkey was somewhat expected due to the lack of support from the GNA's other allies.**
- › **However, Turkey's intervention has made the Libyan scenario even more delicate, and has raised the possibility of further violent conflict.**
- › **As it stands, Turkey and Russia have begun to take the momentum in this conflict. Europe is still absent politically.**
- › **The current scenarios are bleak for Europe. Should Turkey consolidate in Libya there is a chance for partition and a partial vassalisation between east and west Libya, with Turkey controlling the central Mediterranean migration route. Should Turkey leave, and Haftar continues unimpeded, a military victory will cause considerable instability in the region, with a new wave of militias and migrants expected.**
- › **The EU will need to move beyond dependence upon one-off conferences such as Berlin and move towards more concrete proposals.**

In conclusion, the EU has a choice to make. Does it want to allow other actors, with ambiguous and sometimes hostile intentions, to determine Libya's fate? Or does it wish to be part of a process to restore both order, unity, independence and a respect for human rights? If it wishes the latter, the time is now to build for a new political agreement for

¹⁶ In reference to the 2011 NATO intervention that toppled former ruler Muammar Gaddafi.

Libya, one which builds upon experience from the previous LPA, addresses and accommodates the relevant actors in a genuine way, and maps a path forward through dialogue rather than the barrel of a gun.

BIC POLICY RECOMMENDATIONS

Towards the European Union:

- > In conjunction with the UNSMIL, monitor the pre-existing arms embargo on foreign weapons in Libya.
- > Urge the UN Security Council to pass a resolution that sanctions foreign actors who break this embargo.
- > Call upon foreign actors including Turkey and Russia to cease military escalation and lend their diplomatic expertise towards constructive steps to a negotiated political settlement.
- > Consider reframing the recognition of the GNA as sole representative of the Libyan state, and publicly acknowledge that other players will need to be accommodated in a future Libyan state.
- > Lend its expertise in facilitating the draft of a new comprehensive negotiation agreement for the path to political transition to move beyond the 2015 LPA. The new agreement should include the following:
 - A clear distinction between military and government should be written into text, and all actors should commit to this that future political institutions will have full independence;
 - Concrete proposals that provide a roadmap for unification of Libya's military institutions, including a clear path for militias to either disarm and re-enter civilian life, or integrate into a future state apparatus.
- > Develop a timetable that all actors commit to that schedule regular meetings for negotiation instead of one-off conferences that will assist development of the new political agreement over a suitable period.

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