

LIBYA: WHAT IS NEEDED FOR DECEMBER 24 ELECTIONS TO HAPPEN

May 20, 2021
Washington, D.C.

KEY STATEMENTS

“The international community, particularly the United States and the European Union, should use the tools at their disposal such as sanctions, assets freezing, travel bans, to send a strong message to any Libyan politician and official that seeks to obstruct the December 24 elections.”

“The strong presence of international election observers such as the OSCE, African League, United Nations, and others, is essential to the success of the December 24 elections.”

“Civil society has a crucial role to educate the public on the election process, provide information to citizens in a timely manner, and cooperate with the media and Electoral Commission in this respect.”

Introduction

In November 2020, Stephanie Williams, head of the United Nations Support Mission in Libya, announced that the country would hold national elections on December 24, 2021. The date is symbolic for citizens of the country, being Libyan Independence Day.

Per Ms. Williams, candidates for executive positions are being asked to adhere to the principles of inclusivity, transparency, efficiency, pluralism, collegiality, and patriotism. The elections are celebrated as a clear path toward inclusive and democratic public life in Libya.

At the same time, there are some who remain skeptical of the timeline. The Libyan Political Dialogue Forum (LPDF) facilitated an interim executive authority in February 2021 to lead the country toward national elections. However, some questions how institutions will be rebuilt and strengthened after the irreparable damage caused by Haftar's failed campaign.

This was the backdrop of TLN's recent panel event "Libya: What Is Needed for December 24 Elections to Happen."

The event was held virtually on May 20, 2021. Participants included:

Salmin Asaad, Women's Rights Activist

Mohamed Eljarh, Political Analyst and Researcher

Mohammed Hmadi, Youth and Civil Society Organizer

Zahra' Langhi, participant in the 75-member Libyan Political Dialogue Forum (LPDF); CEO, Libyan Women's Platform for Peace

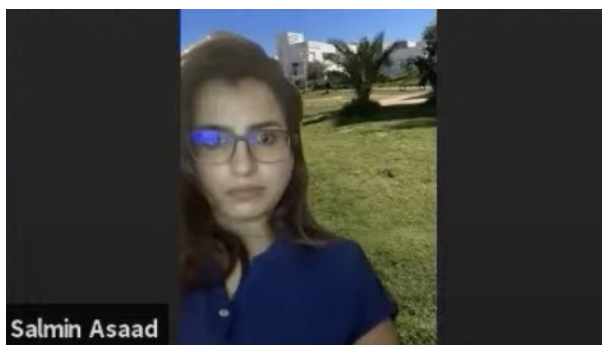
Dr. Sasha Toperich, Senior Executive Vice President of TLN, moderated the conversation.

Panel Conversation

Salmin Asaad

Women's Rights Activist

Salmin Asaad addressed the situation of women as voters in the upcoming elections.



My concern is about the violence against women and voters. We had elections in previous years, but we know that in some areas it was not fair, transparent, or even safe to vote. We need to ensure the safety of voters during the elections. There must be equal opportunity for women to vote in the elections. We keep relying on international intervention, but we have a shortage of awareness among the Libyan people. We lack education on the laws. The people should know their rights, the laws, and the importance of the laws.

International monitoring is a must now at this stage. We do not want to repeat

the same mistakes of past elections. Facilitating the process for people is an important thing that someone must take care of. We are running out of time to solve these issues. Yes, these are minor issues. However, for smaller Libyan communities, it will affect thousands. Every vote will be important in this election. We do not want to end up with a president that received 5,000 votes from the entire country.

I am not optimistic when it comes to women in Libya. Yes, we had the 30% stated in the roadmap. Now, I am not worried about women running in elections. I am more worried about women as voters. We know that movement of women in Libya is limited. I am afraid that this vote will be used by specific ideologies.

This is why I mention facilitation of the process. Instead of registering and voting in a specific place, we should come up with a solution that is more flexible for those who cannot access their designated voting place. Security is the main concern here for men and women in Libya.

Mohamed Eljarh

Political Analyst and Researcher

Mohamed Eljarh broadly analyzed the challenges that the upcoming elections will face over the course of this year.



The government of national unity (GNU) has a very limited mandate contained within a very short timeframe. If it was up to me I would not have set the 24th of December as the election date. It should have been set for 18 months or two years, but it has now been set and approved. Deadline has been set and there is no going back. The GNU mandate is very specific and is to unify state institutions that have been divided since 2014 and to prepare the environment for elections in Libya from an operational point of view (ie., security, logistically, etc.) but also to launch the national reconciliation project in Libya, and then to insure there is restoration of basic services, and most importantly to ensure the elections take place in December.

Why did the GNU come about? The GNU came about because of a legitimacy crisis in Libya. This legitimacy crisis started in November of 2013 when the GNC tried to extend its mandate beyond the February 2014 deadline set by the interim constitution declaration. When they wanted to extend their mandate, what happened was a nation-wide movement against this extension. When they defied that nation-wide movement, Khalifa Haftar was the result of that. He came on television and announced a coup in Libya and the freezing of the interim constitutional declaration. The coup failed and three months later he launched a military operation that eventually gave Haftar the prominence that he has. We should learn from the lessons of the past when certain political groups of political minorities try to hijack the popular will of people for change through the ballots.

The challenges that relate to elections could be categorized broadly in the following: we can see the status quo forces, namely the HoR, the State Council, and now the GNU, are using various tactics to try and delay reaching legal and constitutional requirements. After July 1st, if we have a constitutional basis and electoral law, we have a huge task ahead of us to prepare the environment for the elections in terms of

participation for voters and candidates, awareness of the election, and security.

If we do not allow political parties, we will see voting along tribal lines. The situation will be very tense after the elections. Some might choose to reject those elections. These questions must be considered carefully.

The political scientists should be sought to consider these challenges. If we talk about anti-election forces, they have the backing of powerful foreign actors who see the current environment and status quo to be empowering them and their influence and presence on the ground. You have Libyans in power and then you have countries that have presence on the ground that influence networks. On the other hand, you have the Europeans and the Americans supporting the elections, in addition to civil society, political parties, and the president of the presidency council being supportive of the elections. However, there must be more cooperation between the Libyan side and international community to ensure that there is some sort of coalition that continues to grow and strengthen in the face of the anti-election coalition or status quo coalition.

Mohammed Hmadi

Youth and Civil Society Organizer

Mohammed Hmadi, discussed his observations about Libya's southern region leading up to elections.



The southern region is a different situation because they do not give a lot of attention to political processes. In the south, there is a lack of interest in the next elections due to the population suffering from harsh conditions, crime, and the acts of terrorism. It is important to raise election awareness among the citizens of the Fezzan region. These people are experiencing consequences of the division of the government, as well as the control of the army and armed groups. This brings with it confusion; it is difficult to know how to support the south if its people do not first feel secure. Thus, high priorities for change should be the high crime rate and the absence of the rule of security institutions. In reality, the priority is high-level political and military conflicts,

rather than the conditions of citizens. I believe that the security question is the greatest challenge against the success of the elections.

We have a dynamic conflicts between the stronger tribes. These tribes have plenty of candidates. I expect that the candidates will use their armed tribes to win. I am concerned by the lack of capacity of the security institutions to protect the elections and polling centers, as well as activists and voters. There is the possibility of armed conflicts among candidates. Many of the proposed candidates come from tribes that are extensively armed. This is something that, if not controlled enough, could lead to a larger conflict.

Furthermore, there is a desperate need for international monitoring of the elections. One solution is for institutions like the National Democratic Institute or a special security mission to protect the election process. There is a hidden hand trying to spoil the elections in the east and west. If they do not succeed, they will use the south to prevent the elections.

The general mood in the south is that people do not care or even talk about the elections. I do not think that people are encouraged enough to register to vote. We witnessed that in the municipal

elections we had a couple months ago. The participation rates were below 10 or 15 percent of the total population that have the right to vote.

Zahra' Langhi

Member of the 75th UN Committee
CEO, Libyan Women's Platform for Peace

*As a member of the LPDF, **Zahra' Langhi** discussed the election timeline, tensions about whether a referendum or elections should come first, and the laws that must be set up prior to the election.*



We need to make sure that next week's meeting of the LPDF will not fail. It is a pity that we, LPDF members, were approached two weeks ago that we will convene, but no statement about this meeting was made to the public. That kind of inaction allowed for a vacuum and the spread of fake news and disinformation. Certain groups have posted fake constitutional basis on

social media in order to make sure that the public is against it.

The battle in Libya is still about what comes first: the referendum or the constitution. How are we going to hold the elections? Goal number one is to reinforce the political legitimacy of the country. It is not to resolve the problem of the constitution, and has never been. Some factions who want to maintain the status quo want it to be about the referendum. The election should be based on the constitution project, which is very problematic and a very divisive issue in Libya. Let us be clear: the constitutional basis has nothing to do with the constitution project. This has been agreed upon within the legal committee, which was appointed by the LPDF to pose a constitutional basis for the next elections.

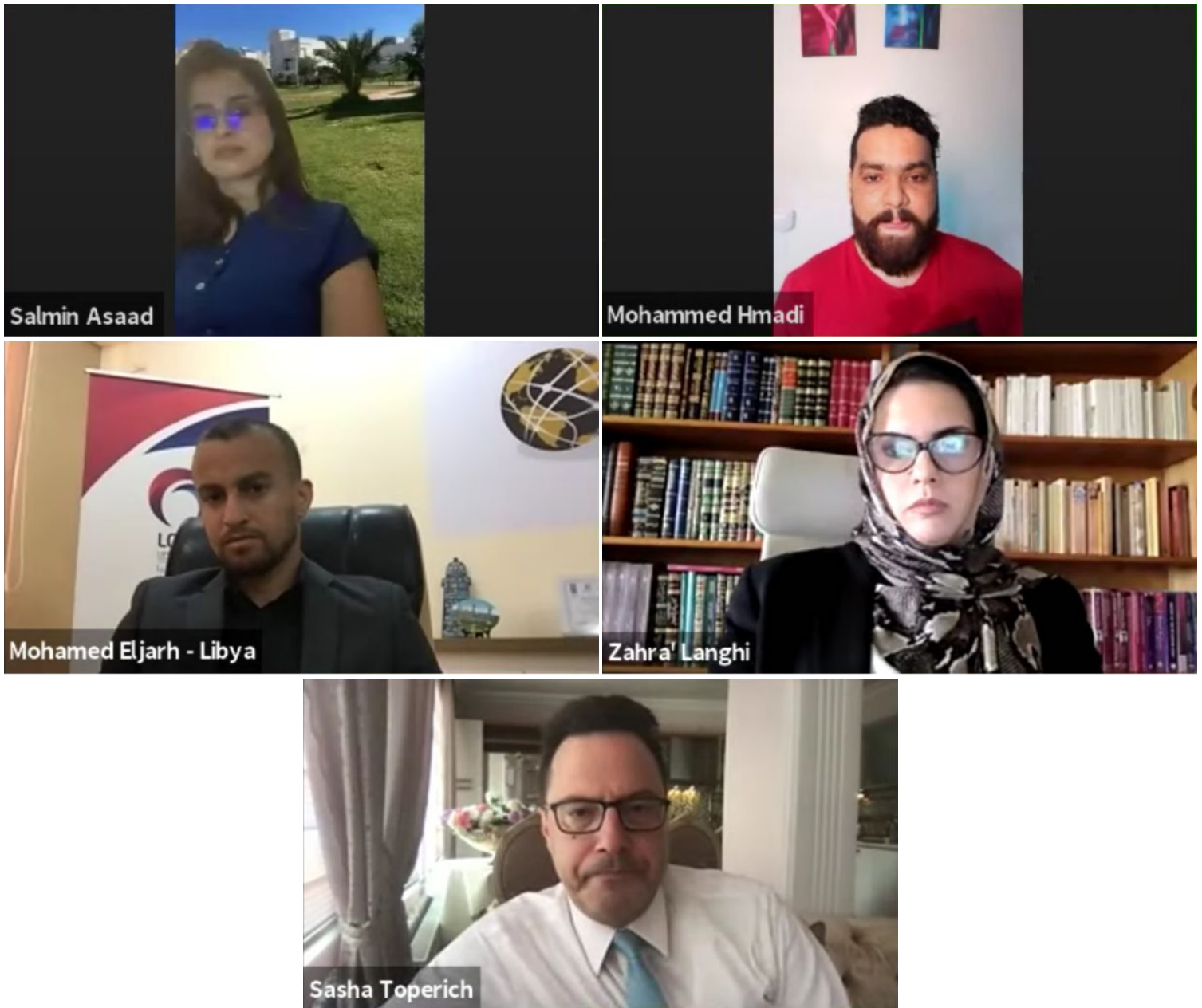
Some people, for certain political agendas, want to take us back to square one, where we argue whether it is elections or referendum first. If plan to hold the December 24 elections on time, we know that we cannot have it based on the constitution project because a referendum is needed first. There are many constitutional and legal problems related to referendum law. There will be only four weeks remaining for the deadline set by the head of the Electoral Commission, while certain groups have tried to change the head of the Electoral Commission in order to delay elections.

This was one of the impediments. However, countries such as the United States, in support, said no changes to any significant commissions that might impede the election on the set date.

According to the deadline, everything should be ready by July 1. That includes the constitutional rule, which needs to be finalized. The other legislations that must be ready are the presidential election law, parliamentary election law, and the district law. The head of the Electoral Commission has finalized proposals for these legislations and offered them today to the head of the HoR. If the proposals are approved next week, they should be adopted by the HoR. Time is of the essence. There must be transparency. It is the right of the Libyan people to know what is going to happen in the next two days.

Finally, it needs to be clear how the elections will be held and moderated in the next LPDF session. It is important for civil society to be engaged in the upcoming weeks, calling for elections, making sure that the legislations are inclusive. All of these things will influence the turnout of elections and the buy-in of Libyans in the elections.

The Panel



Clockwise from top left: Salmin Asaad, Mohammed Hmadi, Zahra' Langhi, Dr. Sasha Toperich, Mohamed Eljarh.

About the Transatlantic Leadership Network

We are a nonpartisan international network of practitioners, private sector leaders and policy analysts dedicated to strengthening and reorienting transatlantic relations to the rapidly changing dynamics of a globalizing world. Through field activities, “policy rides,” foresight initiatives, futures scenarios, seminars, conferences, and policy briefs, we engage government officials, parliamentarians, journalists, business executives, scholars, and other thought leaders on contemporary challenges to the United States, Europe, the Middle East, and the Gulf.

The Transatlantic Leadership Network is a Washington, D.C. 501(c)3 nonprofit corporation.

About the "Next Generation: Emergent Leaders in Libya" Platform

The “Next Generation: Emergent Leaders in Libya” platform support efforts toward institution-building and reconciliation in Libya. It aims to inspire larger civic participation in Libyan communities and create a network of young emerging leaders committed to work to support, develop and promote: collective action and teamwork; reconciliation within the country; reparations for victims of war; and building of the Libyan national identity.

Transatlantic Leadership Network
1800 M St NW #33161
Washington, D.C. 20036

Project Manager:
Jonathan Roberts
jroberts@transatlantic.org

Ariel Schwartz
aschwartz@transatlantic.org