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SWP Comment

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Libya's Militias Have Become the State

Dimensions and consequences of a consolidation process

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The armed groups that have formed in Libya since 2011 have progressively taken over the state. They are undergoing a process of institutionalisation, and their representatives are reaching the top levels of the army, the security apparatus and the civilian government. At the same time, they are exerting massive influence over who gets key appointments and how state resources are distributed. The resulting amalgamation of private interests mixed with military units is likely to shape Libya's political and security landscapes for years to come. Since mid-2022, relations between leading military actors have been characterised by pragmatic arrangements. But they continue to harbour considerable potential for conflict as distributive conflicts can quickly lead to armed confrontation. The consolidation of private armies also diminishes the prospect of security sector reform. European governments should reconsider how they engage with Libya's increasingly powerful and repressive militia leaders.

Since the Libyan state's monopoly on violence collapsed with Muammar al-Qadhafi's demise in 2011, numerous armed groups have competed to fill the vacuum. In addition to the forces that mobilised in order to fight the Qadhafi regime, countless new units also formed after its defeat. Almost all armed groups operated under the cover of state legitimacy, whether within newly created institutions or simply as units of the interior or defence ministries. In reality, however, they primarily defended the interests of their leaders, members or social base, while largely evading state control. Their competition over access to state funding played a major role in the escalation of the second civil war in 2014 that put an end to the post-Qadhafi transition and

led to the formation of two competing governments.

Even after the second civil war subsided, confrontations continued between groups that nominally reported to the Government of National Accord (GNA) in Tripoli. Meanwhile, Khalifa Haftar, who had formed his Libyan Arab Armed Forces (LAAF) in 2014, gradually expanded his control in eastern, central and eventually southern Libya. In 2019, Haftar's attempt to capture Tripoli provoked a third civil war that ended in 2020 with the LAAF's withdrawal from western Libya and the establishment of a foreign military presence on both sides. Since then, foreign forces have maintained a precarious balance of power: the Turkish military backs the government in Tripoli,



while Russia's Wagner Group supports the LAAF. There have been several unsuccessful attempts under the aegis of the United Nations (UN) to break this stalemate by holding elections and reuniting the country. Nonetheless, the so-called Government of National Unity (GNU) under Abdelhamid Dabeiba, formed in 2021, has held on to power in Tripoli. Even though Haftar does not recognise the Dabeiba government and instead supports a parallel government in the east, he has a growing set of informal arrangements that link him to the GNU. He receives sizeable monthly payments from Tripoli, and has placed his representatives in key positions, including as chief of the National Oil Corporation (NOC).

Consolidation

The military landscape has seen a process of consolidation that began in 2016 and has accelerated ever since, including during the political stalemate since 2021. From a multitude of small armed groups, ever larger formations with more extensive territories have emerged.

The pioneer in this respect was Haftar, who mobilised a loose alliance of armed groups in 2014 but increasingly centralised control over his coalition throughout the years. Haftar's defeat in Tripoli in 2020 temporarily weakened his position in eastern Libya, but since then his sons have continued to amass military, political and economic power. Many LAAF militias have been integrated into units under the command of Haftar's sons and relatives. Commanders with loyal followings who had become liabilities for Haftar due to their particular notoriety for war crimes fell victim to assassinations. This centralisation of power within the Haftar clan also allowed it to increasingly monopolise control over criminal activities. These include the violent seizure of land, the takeover of state companies and banks, and the smuggling of fuel, drugs, and people. At the same time, Haftar's sons have strengthened loyal commanders — as opposed to opportunistic

allies — in southern Libya, thereby consolidating their direct control over the region.

In western Libya, the consolidation is less advanced, but nevertheless unmistakable. After Prime Minister Fayeze al-Sarraj took office in 2016, a cartel of four militias gradually pushed smaller groups out of downtown Tripoli, allowing them to establish a stranglehold over state institutions. During the war for Tripoli in 2019/20, some western Libyan militias proved particularly effective. After the war, they received training and equipment from Turkey in addition to privileged access to state funds, thereby strengthening their position. The Tripoli militia landscape consolidated further when several armed groups were driven out of the capital by their rivals in 2022. This occurred in the context of a power struggle between the GNU and the rival government of Fathi Bashagha — a dynamic that polarised armed groups in the greater Tripoli area. The camp supporting Dabeiba prevailed in a brief armed confrontation in August 2022. Since then, large parts of Tripoli have been controlled by only two armed groups: the "Deterrence Apparatus" of Abderrauf Kara and the "Stabilisation Support Apparatus" of Abdelghani "Ghnewa" al-Kikli.

Institutionalisation

The groups that have prevailed in these struggles are in the process of institutionalising themselves in several respects. Many of them had emerged by 2011, and nearly all by 2014; they have since gained permanence. Over the years, their leaders have acquired considerable expertise in war, politics and finance. They have also tightened what were initially often diffuse command structures. In their established territories, their patronage networks are now deeply entrenched in the economy and administration.

Institutionalisation is also evident in the links between the militias and the state. From the outset, armed groups entered state institutions, thereby claiming to rep-

resent the state. This included adopting official-sounding names such as “116th Brigade”. Another common practice was to appoint career officers as pro forma commanders of such units in order to conceal the role of the actual militia leaders, who were civilians. Now, these same militia leaders have not only emerged as official commanders of these units but also as top government officials. Examples include GNU interior minister Emad al-Trabelsi; his counterpart in the rival east-based government, Essam Buzriba – a brother of Stability Support Apparatus deputy commander Hassan Buzriba – and his deputy, Faraj al-Gaim. In addition, an increasing number of senior officials owe their positions to militia leaders, who now collect the lion’s share of embezzled state funds. In this sense, armed groups’ quest for official status is no longer a matter of camouflage: they now indeed represent the Libyan state as it exists today.

Finally, the process of institutionalisation is evident in the growing professionalisation of armed groups. Militias are increasingly trying to appear as providers of security, just as they work to counter civilian perceptions that they are primarily a threat. In this regard, militias in Tripoli have benefited from the fact that armed clashes, which were previously common in the capital, have almost completely ceased since August 2022. In interviews with the author, commanders argued that disorderly factions had been gradually eliminated, thus prompting other militias to conclude that they needed to work together to provide security in order to survive.

In Tripoli, which was dominated by particularly unruly militias only a few years ago, the 444th Brigade is now the new model. It is a unit that is seen as disciplined, reliable and uncompromising in dealing with crime in the areas it controls south of Tripoli. Part of this model, which more and more groups are imitating, is that units recruit beyond the areas of origin of their leaders, rather than remaining associated with a particular social constituency. Still, this definitely does not mean that these

units are under state control as the government would not be able to change their commanders. Like Haftar’s LAAF, they are therefore private armies.

Professionalisation further means that militias place greater emphasis on the skills of their personnel. They acquire these skills, for example, through the military training that western Libyan units have received from Turkey and Haftar’s forces received from Jordan, Egypt and the United Arab Emirates (UAE). Professionalisation also encompasses an increasing reliance on members of the Qadhafi regime’s security forces. Here too, Haftar has been a pioneer, recruiting the former regime’s military and intelligence officers and using them to engage in fierce repression. In western Libya, the recruitment of such personnel had long been considered taboo, but this has gradually been overcome since 2016. The first group to recruit former intelligence officers in large numbers was the “Deterrence Apparatus”. Later, militia leaders in Tripoli began to revive the domestic and foreign intelligence services along with their old staff. The network around Abdelghani al-Kikli controls the Internal Security Agency, while several militias compete for influence in the foreign intelligence service. Under the helm of the militia leaders, the institutional culture of these agencies is experiencing a renaissance in the form of hostility towards civil society, which is suspected of being an instrument of foreign subversion. The intelligence services and their new masters try to portray themselves as the guardians of Libyan sovereignty by arresting civil society activists and then releasing videos of confessions extracted under pressure. In this way, the political culture of the old regime and the personal interests of militia leaders intertwine to create a new western Libyan security apparatus.

Politicisation

Libya’s armed groups long played only a limited political role. While they acted as veto powers in individual political deci-

sions, they often had diffuse leadership structures and no clear political agendas. They were only indirectly involved in the negotiations to end the civil wars of 2014/15 and 2019/20. The unity governments that emerged from these negotiations subsequently had to come to terms with the armed groups by granting them posts and affording them budgets. The only coherent politico-military actor was Haftar, who declared his forces to be the Libyan army from the outset and pursued the goal of seizing power. He was always included as a key stakeholder in negotiations by international mediators.

However, since the power struggle between the Dabeiba and Bashagha governments, western Libyan militia leaders have taken on a more explicit political role. They have been able to do so not least because they consolidated military power over the years, and thus also gained more and more political weight. Since spring 2022, a small group of Western Libyan militia leaders has been meeting regularly with Haftar's sons and other representatives. These talks are about the distribution of posts and funds, but also more fundamental questions concerning the political process and the conditions for possible elections. One participant in these negotiations told the author that this group of commanders had come to the realisation that they had to take the political initiative themselves – they could not just let Libya's politicians “keep playing their games”, and then bear the brunt of fighting if things escalated.

One consequence of these negotiations is the appointment of the warlords' representatives to high positions. These include the chairman of the NOC, the board of directors of the General Electricity Company of Libya, the interior minister and many others. In addition, western Libyan commanders are exerting increasing pressure on parliamentarians, as Haftar has done for years, in order to influence political negotiations.

Consequences

The evolution of armed groups calls for a re-evaluation of the way in which Libya's security sector is being conceived. Until now, these forces have been rightly understood as militias, or in other words, groups that, despite their official status, are not really state entities because they represent particular interests. However, the institutionalisation of these groups and the massive influence of their leaders at the highest levels show that the militias have become the state. The broad contours of the security sector are likely to remain for years to come: a military landscape characterised by competing centres of power, whose leaders use military clout for political and financial gain.

The end of DDR/SSR

For Western governments and the UN, the reunification of the Libyan army remains an important political goal. It is supposed to go hand in hand with processes of security sector reform (SSR) and the disarmament, demobilisation and reintegration (DDR) of militias. This ideal assumes that it is possible to overcome the current politicisation of armed units, build professional security forces and dismantle the more problematic groups. However, establishing state control over the private armies is no longer realistic. Reuniting them on paper under a single command structure would achieve little, as their effective subordination is out of the question. The competition between their leaders would continue unabated and it would only be the losers that get branded as militias needing to be disarmed and demobilised. All key actors need to retain their firepower to secure and, if possible, expand their political influence.

Conflict dynamics

Since mid-2020, the deployment of the Turkish military and Russia's Wagner Group has perpetuated the stalemate. The more recent rapprochement between

Turkey on the one hand, and Egypt and the UAE on the other, has further diminished the prospect of renewed military escalation. These conditions have been central to the development of increasingly collegial ties between militia leaders in eastern and western Libya.

Still, the current amalgamation of military power with political and financial interests holds the potential for future escalation. Who gets what depends on their respective military weight. Distributive conflicts that see competitors engage in games of chicken always involve the possibility of miscalculation. If the leading military actors strike more far-reaching arrangements in the short term, this could still provoke armed conflict in the medium term. By enjoying privileged access to state resources, individual armed groups could become increasingly powerful and thus pose a growing threat to their rivals. The current balance of power should therefore not be taken for granted.

Meanwhile, ongoing consolidation is also likely to provoke further conflicts, particularly west of Tripoli, where the process is still in its early stages. Moreover, some of the most powerful units could disintegrate if they lose their leaders. This could have particularly significant consequences in the event of Haftar's demise, as it is uncertain whether his sons will be able to keep his forces together.

Militarisation of politics

With the rise of militia leaders, military force is set to dominate Libya's political landscape for years to come. This has implications for the UN and Western governments' goal of ending the crisis of legitimacy of state institutions through elections. Given the combined military and financial power that violent actors now wield, they are in a position to exert enormous influence over any electoral process – and their now overt political ambitions suggest that they would do just that. This was already clear in the run-up to elections that were scheduled for December 2021 but failed to

take place. A key reason for their failure was the fact that Haftar wanted to run for president while also being able to manipulate the results given that he controlled around two-thirds of the country's territory.

If elections are held at some point, it is therefore likely that militia leaders will either run themselves or field their own candidates – and then use intimidation and manipulation to ensure that they prevail. Armed factions could also conceivably form political parties, and their competition could then also play out in a newly elected parliament. In fact, this has already begun with the formation of the al-Karama party, which is aligned with Haftar.

In such an environment, civil political forces face difficult conditions. The repression through which Haftar controls the east is now also growing in the west, and will prevent the political mobilisation of many who do not have weapons to protect themselves.

International engagement

Western diplomats and the UN have long dealt with militia leaders in eastern and western Libya in very different ways. Haftar gained international respect when French President Emmanuel Macron received him in 2017. By way of the countless meetings that followed thereafter, Western officials conferred international legitimacy upon Haftar without asking for any concessions in return. Militia leaders in western Libya, on the other hand, very rarely enjoyed public meetings with Western diplomats.

This began to change in 2022, when Western representatives encountered the militia leader Emad al-Trabelsi as interior minister. In the spring of 2023, UN Special Representative Abdoulaye Bathily brought key commanders from eastern and western Libya to meetings of the Joint Military Committee, which is supposed to oversee the implementation of the ceasefire agreement. Bathily's stated aim is to ensure that these commanders allow elections to take place. Although he has received only vague assurances to this effect, he has publicly praised

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the militia leaders for their “patriotic spirit” – praise that the political class can only dream of.

While the international legitimisation of western Libyan militia leaders has begun, the treatment they receive still differs qualitatively from that of Haftar. Europeans have courted Haftar even more since his inner circle has begun to exert pressure on Europe by developing the migration route from eastern Libya to Italy. The criminal activities of his clan seem to be just as little an obstacle to Haftar's relations with European states as his alleged responsibility for major war crimes and his alliance with the Wagner Group.

The consolidation of militia power structures requires a change in approach towards their leaders. International mediators have rightly, if belatedly, begun to directly engage with them. However, an opportunity is missed when international actors bestow legitimacy upon militia leaders by way of public meetings without extracting concessions, for example, in the field of human rights. Western governments should seek to impose limits on the almost total impunity enjoyed by the warlords. The UN sanctions regime is ineffective in this regard due to polarisation in the Security Council. The investigations of the International Criminal Court are important but remain limited to a few suspects.

The EU and US, by contrast, could make much more extensive use of sanctions. At the EU level, this would require Germany and like-minded governments to use their political weight to convince sceptical member states, especially Italy and Malta, but with regard to sanctions against the Haftar clan, also France. European authorities could also investigate whether foreign assets of individuals linked to Libyan militias are derived from criminal activities. Above all, European governments and the US should use the militia leaders' pursuit of respectability and legitimacy as leverage to influence their behaviour. The naming and shaming of those individuals responsible

for excessive violence, repression or large-scale embezzlement of public funds would send a signal to their colleagues.

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