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Libya and U.S. Policy

Eleven years after a 2011 uprising that toppled long-time authoritarian leader Muammar al Qadhafi, Libya has yet to make a transition to stable governing arrangements. Elections and diplomacy have produced a series of interim governments (**Figure 1**), but militias, local leaders, and subnational coalitions backed by competing foreign patrons have remained the most powerful arbiters of public affairs. The postponement of planned elections in 2021, Libyans' continuing lack of consensus over constitutional and legal arrangements, the potential fragility of a United Nations (U.N.)-backed ceasefire, and the reemergence of institutional rivalry threaten Libya's stability and pose challenges for U.S. decision makers.

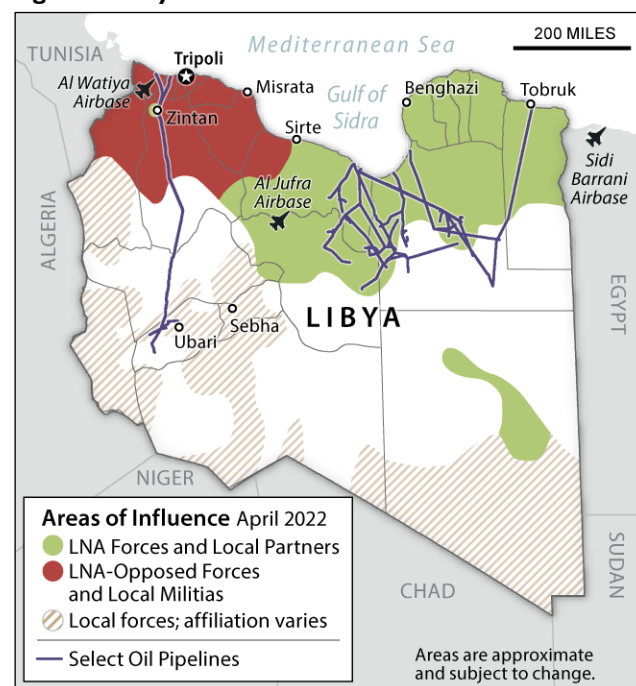
Successive U.S. Administrations have sought to prevent Libya from serving as a permissive environment for transnational terrorist groups and have taken different approaches to conflict and competition among Libyans. The Biden Administration supports the holding of new elections in Libya and has used U.S. influence to bolster U.N.-led mediation efforts to that end. Congress has appropriated funds to enable U.S. diplomacy and aid programs, and some Members have called for more assertive U.S. engagement.

War, Ceasefire, and a Deferred Election

Conflict re-erupted in Libya in April 2019, when a coalition of armed groups led by Qadhafi-era military defector Khalifa Haftar known as the Libyan National Army (LNA, alt. "Libyan Arab Armed Forces," LAAF), attempted to seize the capital, Tripoli, from the internationally recognized Government of National Accord (GNA). Russia, the United Arab Emirates (UAE), Egypt and leaders of Libya's House of Representatives (HOR, an interim parliament last elected in 2014) backed the LNA. With Turkish military support, the GNA and anti-LNA western Libyan militias forced the LNA to withdraw. Libya has remained divided since, with foreign forces still present, and opposing coalitions separated by a line of control west of Sirte (**Figure 1**). During 2020, multilateral diplomatic initiatives helped achieve a ceasefire, and the U.N. has deployed civilian monitors at Libyans' request.

In 2021, members of a U.N.-appointed Libyan Political Dialogue Forum (LPDF) and the HOR approved an interim executive authority and Government of National Unity (GNU) to replace the GNA, with a mandate to serve until elections or through June 2022. The U.N. Support Mission in Libya (UNSMIL) then facilitated discussions among LPDF members, the HOR, and the High Council of State (HCS, an advisory representative body) in an attempt to establish a constitutional and legal basis for parliamentary and presidential elections planned for December 24, 2021. However, disputes over candidacy criteria and constitutional and legal issues persisted, leading to an indefinite postponement of the elections. U.N. and U.S. officials have sought to preserve momentum toward prompt elections, amid contending Libyan proposals and initiatives.

Figure 1. Libya: Areas of Influence and Timeline



- 2011** Uprising topples Muammar al Qadhafi.
- 2012** Parliamentary elections. Transitional cabinet seated.
- 2014** Constitutional referendum and parliamentary elections. Disputed results fuel conflict. U.S. diplomats depart.
- 2015** International mediation yields agreement to form Government of National Accord (GNA).
- 2016** House of Representatives (HOR) withholds GNA endorsement. Islamic State forces defeated in Sirte with U.S. military support.
- 2018** Libyan National Army (LNA) controls eastern Libya.
- 2019** LNA offensive against Tripoli; Turkey intervenes.
- 2020** U.N. supports ceasefire negotiations, selects Libyan Political Dialogue Forum (LPDF) members. LPDF agrees to roadmap, plans December 2021 elections.
- 2021** LPDF selects Interim Executive Authority members. HOR approves interim Government of National Unity (GNU). U.N. Security Council endorses ceasefire monitoring and election date, but election postponed.
- 2022** HOR selects replacement interim government and plans constitutional consultations and elections by May 2023. GNU leaders object and retain control of the capital.

Source: Prepared by CRS using ArcGIS and media reporting.

Competing Governments Reemerge

In the wake of the election postponement, consultation and political competition among Libyans has intensified. HOR Speaker Aqilah Saleh, who had stepped back from his role in 2021 to seek election as president, has moved to dismiss GNU Prime Minister Abdul Hamid Dabaiba and the GNU cabinet. Dabaiba, who also had presented himself as a presidential candidate in spite of a previous pledge not to do

so, has asserted a continuing mandate and refused to yield to anything but a nationally elected government. In February 2022, the HOR endorsed former GNA Interior Minister Fathi Bashaga as Prime Minister-designate, and, in March, endorsed Bashaga's proposed cabinet. The HOR also endorsed a process to establish a constitutional basis for elections by May 2023.

Bashaga's initial attempt to assert authority in Tripoli and Dabaiba's resistance created risks of armed confrontation, and a standoff has persisted. The Libyan National Oil Corporation, the Central Bank, and budgetary and fiscal processes remain subject to intense competition, as each side seeks access to Libyan oil export revenues to pay salaries, provide subsidies, and otherwise generate political and security support. Haftar, the LNA, and western Libyan militias remain powerful security actors with diverse political aims and influence. U.S. officials have avoided endorsing either government and are encouraging dialogue between Bashaga and Dabaiba and engaging Libyans and other foreign counterparts in discussions on crafting politically neutral fiscal mechanisms for interim use.

Libya has the largest proven crude oil reserves in Africa, but conflict, political rivalry, and neglected infrastructure impede the energy sector's operations and limit its potential. Output temporarily fell below 1 million barrels of oil per day during March 2022 after politically influenced shutdowns. Oil revenues accrue to a National Oil Corporation account for transfer to the Central Bank to support government spending.

The political path forward is uncertain. U.N. Special Adviser to the Secretary-General Stephanie Williams continues to press Libyan factions to reach agreement to enable elections before the LPDF-GNU mandate expires in June 2022. HOR Speaker Saleh, his partners among the LNA leadership, and their foreign backers envision a longer timeline: their approach could further entrench the HOR-designated government, undermine Dabaiba and the LNA's western Libyan opponents, and strengthen the HOR's influence over constitutional and electoral processes.

U.S. Policy and Selected Issues

During and prior to the 2019-2020 clashes, rival executive authorities based in western and eastern Libya similarly competed for power and international recognition. International mediators intended the formation of the GNU and the holding of new elections to provide a basis for the reunification of Libyan institutions and an end to serial interim arrangements. U.S. officials supported U.N. leadership of these initiatives, emphasized the importance of maintaining the ceasefire, and sought to avoid accusations of illegitimate interference by not insisting on specific outcomes. U.S. officials have maintained these approaches in 2022, while balancing Libya-related concerns with other U.S. goals in relation to foreign actors, including Russia, Egypt, Turkey, France, Italy, and the UAE.

U.S. Special Envoy for Libya Ambassador Richard Norland leads U.S. diplomatic engagement, and U.S. officials operate from a Libya External Office at the U.S. Embassy in Tunisia. Press reports suggest U.S. officials are assessing requirements for the reestablishment of a permanent U.S. diplomatic presence in Libya. Congress may consult with

the Administration on related questions pursuant to congressionally mandated security requirements.

Terrorism and Foreign Military Forces

U.N. and U.S. reporting describe transnational terrorist threats in Libya as reduced and contained. Other U.S. priorities in Libya include preventing the resumption of destabilizing conflict, encouraging political accommodation and economic development, and fostering the departure from Libya of foreign military forces and mercenaries. The U.S. military supports U.S. diplomatic initiatives and has monitored and reported on the activities of Russian mercenaries and military equipment in Libya. Press reports suggest that some Russian mercenaries may have left Libya to support operations in Ukraine, although Libya reportedly remains a logistical hub for their operations in sub-Saharan Africa. Turkish military advisers train and assist western Libyan forces in accord with a 2019 Turkey-GNA security agreement. The LNA and its opponents reportedly have used fighters from Syria, Chad, and Sudan.

Sanctions and U.N. Bodies

The U.N. Security Council has authorized financial and travel sanctions on entities threatening peace in Libya, undermining Libya's political transition, or supporting others who do so. U.S. executive orders provide for comparable U.S. sanctions. The U.N. Security Council may consider the extension of UNSMIL's mandate and proposed reforms to the mission in April 2022. The position of Special Representative of the Secretary-General is vacant.

Humanitarian Needs and Migrants

The U.N. estimates more than 800,000 people in Libya (out of 7 million) will require some form of humanitarian aid in 2022. U.N. agencies have identified more than 635,000 foreign migrants, more than 168,000 internally displaced persons, and more than 43,800 refugees in Libya. Migrants remain especially vulnerable to extortion and other abuses.

Conflict Hampers COVID-19 Response

Years of division and conflict have weakened the Libyan health care system's ability to mitigate risks from COVID-19. As of mid-April 2022, Libyan officials have reported more than 500,000 COVID-19 cases and more than 6,400 COVID-19 deaths. Testing and case tracking are limited.

Issues in the 117th Congress

Congress has conditionally appropriated funding for transition support, stabilization, security assistance, and humanitarian programs for Libya since 2011, including under the FY2022 omnibus (P.L. 117-103). In the 117th Congress, H.R. 1228 and S. 379 would authorize future U.S. assistance, enact U.S. sanctions in statute, and establish new reporting requirements. The House Foreign Affairs Committee-reported version of H.R. 7311, the 'Countering Malign Russian Activities in Africa Act,' would require reporting on foreign entities that have supported Russian mercenaries or Russian armed forces operating in Libya and analysis of whether such entities meet U.S. sanctions criteria. The Biden Administration seeks \$44.5 million in FY2023 funding for Libya programs.

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