THE END OF A COUNTRY - THE BREAK-UP OF LIBYA?

Wolfgang Pusztai

From September 11-12, 2016, General Heftar’s Libyan National Army (LNA) took the strategically important oil terminals on the coast of the eastern Gulf of Sidra in a surprise attack. Immediately thereafter he opened them up for oil exports by the National Oil Corporation (NOC). Heftar’s probable operational aim is to secure Bin Jawad, or preferably the Red Valley further towards the west to be able to conduct a defense-in-depth of the oil ports.

On September 21, 2016, Abdulrahman Sewehli, influential Misrata politician and President of the State Council, declared that the House of Representatives (HoR), Libya’s internationally recognized parliament is “non-existent”. He stated that the Council assumes full legislative authority, an action which is not foreseen in the Libya’s political process.

Reconciliation is becoming ever more difficult. Is this the beginning of the end of a country, the break-up of Libya?

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1 An advisory body established by the UN-brokered Libyan Political Agreement (LPA), which consists mainly of members of the former GNC, Libya’s first elected interim parliament.
History, Geography and Demography

Until its occupation by Italy in 1911, Libya had never ever been a unified country, its name derived from the ancient Roman name for Africa. At most times the historic regions Cyrenaica (in Arabic Barqa; east), Tripolitania (northwest), and Fezzan (southwest), separated by an ocean of 1,000 km of desert, were oriented towards different geographic directions.

A few years later, in 1918, an independent “Tripolitanian Republic” was established by Tripolitanian cities and tribes. It existed only until 1922, but was the first example of a modern state on African soil. From 1927 to 1934 Tripolitania was administered by the Italians as a separate colony. Only thereafter it was merged into “Libya”.

The 1951 Constitution established an independent Libya as a federal union, with significant powers given to the three historic regions. A 1963 constitutional amendment implemented a more centralized form of government, which allowed for a more efficient administration of the country’s oil wealth.

The centralized state of Libya, as we know it today, has existed for just more than 50 years. Obviously, such a short period makes the existence of a common Libyan identity debatable.

After seizing power in 1969, Muammar al-Gaddafi neglected Cyrenaica and its occasionally rebellious population during the 42 years of his rule. Although Cyrenaica is home to roughly two-thirds of the country’s 48 billion barrels of oil reserves, the bulk of revenue from the region’s oil wealth ended up in northern Tripolitania and Sirte. While several of the oil wells in Tripolitania and Fezzan will be exhausted in a couple of years, the fields in the east will produce for many more years. However, some of Cyrenaica’s areas with the largest oil reserves belong to the more impoverished parts of Libya.

Cyrenaica accounts for almost half of Libya’s territory, but only a third of its population. Its society has been characterized by tribes of two classes for centuries. The Sa‘adi tribes of higher origin ruled the Murābitin of the lower class. In addition, there is a significant number of descendants from families from the western merchant city Misrata living in coastal towns like Benghazi and Derna. Today the influence of the tribal society is not so much of importance in the more populated coastal places any more, but it is still omnipresent in the rural areas. In Kufra in southern Cyrenaica there is a strong Toubou minority. The Toubou, living also in neighboring Fezzan, Chad, and Niger, are the original inhabitants of this part of the Sahara. They have a violent dispute with the Al Zuwayya, an Arab tribe from the coast, which has
extended its territory down to the south in the XIX century.

**Developments since the revolution**

After the 2011 revolution, which started in the cities of northern Cyrenaica, eastern leaders feared that they would again become second class citizens. The perceived domination of the National Transition Council (NTC) (the de facto government established during the revolution) by Tripolitians, the alleged marginalization of Cyrenaica, and the strong influence of militias from Tripoli, Misrata, and Zintan on the governments seemed to confirm these worries. Repeated government promises to move significant public entities, like the headquarters of the NOC and Libyan Airlines, to Benghazi failed to materialize.

As a consequence, two major groups of federalists and a linked political party raised to significance.

On March 6, 2012, a group of tribal and military leaders established the Cyrenaica Transitional Council (CTC) – renamed in October 2013 Council of Cyrenaica in Libya (CCL). Ahmed al-Senussi, now in his eighties, the grandnephew of King Idris I, and Libya’s longest incarcerated political prisoner, was appointed leader. Another prominent founding member was Abu Bakr Buera, a professor of business administration.

Key CCL demands include the transformation of Libya into a federal state, the creation of a regional parliament, local control over interior security, domestic policy, and a newly established judicial system. NTC head Mustafa Abdul Jalil, himself from Al Bayda in eastern Libya, rejected the demands, pledging to defend the unity of the country. Sincere negotiations with the federalists never ever took place.

In opposition to the decision to distribute seats according to the population, rather than equally between Libya’s three historic regions, the CCL boycotted the 2012 General National Congress (GNC) elections, resulting in the political marginalization of the federalists.

Disappointed by the CCL’s lack of progress, a group led by the head of the central branch of the Petroleum Facility Guards (PFG) Ibrahim Jadhran and by former air force officer Abd Rabbo al-Barassi, established the Cyrenaica Political Bureau (CPB) in Ajdabiya late 2013. An independent government of 20 ministers was formed, with al-Barassi serving as prime minister. Al-Barassi demanded the fair

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distribution of Libya´s resources, the end of the centralized system adopted by the Tripoli administration, and a return to the 1951 constitution. Although this government raised the profile of the federalists, its practical significance was next to nil.

At the same time, Jadhran ordered a blockade of the oil terminals in eastern Sirte – a move which costed Libya $30 billion alone in 2014. The CTC’s Abu Bakr Buera opposed Jadhran´s violent approach, criticizing it as counterproductive and dangerous to federalist objectives. In the light of developments around Jadhran, the oil port blockades, the fight between the PFG and the Misrata in 2015, and the disagreements with the leadership of the LNA, it could well be that playing the “federalist card” was just a tool for Jadhran to increase the pressure on central authorities to get a larger share of the oil revenues. However, the relative importance of Jadhran´s CPB government eventually faded away in late 2014. The PFG continued to occupy the terminals until they were expelled by the swift LNA offensive in September 2016

Realizing the mistake of non-participation in 2012, the federalists ran in the elections for the House of Representatives (HoR) in 2014, winning almost half of the 60 seats allocated for Cyrenaica. This made the group around Abu Bakr Buera, now president of the federalist National Union Party, one of the most influential blocks in Libya’s parliament, benefiting from the blockade of the 200-seat HoR by many Tripolitanian representatives. As the oldest member, Buera himself was briefly the first Acting President of the parliament, until Ageela Saleh Issa, an independent from Al Qubah, a small town between Derna and Al Bayda in the Green Mountains, was elected narrowly as a permanent chair.

Buera is probably the most influential politician within the federalist movement, although he lost some credibility among Easterners during the UN-brokered negotiations in Skhirat for the Libyan Political Agreement (LPA), as he was considered too compliant by eastern hardliners. The existence of two competing Libyan parliaments and governments in Tobruk/Al Beida and Tripoli since late 2014 has further complicated the situation.

After the Government of National Accord (GNA), established by the LPA, moved to Tripoli in March 2016, Concerns over the influence of Tripolitanian militias and Islamists on the government were – probably rightly – raised by HoR members, tribal leaders and many others in the East. For many people in Cyrenaica it is entirely unacceptable to be “ruled” by western Libyan militias, let alone by Islamists.
Until now, the HoR did not endorse the GNA, although such an endorsement is according to the LPA a prerequisite for its inauguration. The HoR is divided among supporters and opponents of the GNA, most of the latter hailing from eastern Libya.

The current situation in Tripoli is fostering the federalist conviction that Cyrenaica must not be ruled from Tripolitania. A very high crime rate, an ongoing cash crisis, frequent sustained electricity power cuts, and difficulties in maintaining a permanent water supply have not increased the trust in the GNA’s capabilities.

The obvious powerlessness and ineptitude of the GNA in the face of the militias and Islamists as well as the perceived overwhelming influence of the Misrata within the UN-supported government confirms federalist beliefs that a democratic government cannot survive in Tripoli. According to them, based on past experiences a just representation of the East is not realistic. Therefore, remaining under the rule of a central government would mean the continued neglect of Cyrenaica as well as the ongoing exploitation of its natural resources.

There is also a dispute between the eastern and the western branch of the League of Libyan Ulema. The League is a group of well-respected leading Libyan religious scholars, representing the traditional Azhari line of Asha’ri, Malik, Junaidi (= Sufi) schools, but includes also some Ibadi scholars. Focal points of the dispute are the roles of the controversial Grand Mufti Sadik al-Ghariani (opposed by the East) and General Heftar (rejected by the western branch).

In the Battle of Benghazi, Misrata is supporting the Islamist “Benghazi Revolutionary Shura Council” in its struggle against General Heftar’s “Operation Dignity” by providing logistics, weapons and even voluntary fighters. This perceived interference into eastern affairs is deepening the hostility of the federalists against the West of Libya.

All these circumstances will facilitate federalist tendencies further on in a way that could eventually lead to some kind of separation of Libya’s eastern province. This must not necessarily signal the end of Libya, but could lead to a federal state with a limited responsibility of the central authorities or some kind of far-reaching autonomy.

While the concrete political demands of federalists remain unclear, the implementation of the adapted 1951 constitution (or a similar one) is a common element in most of their statements. This includes the control of some key judicial and security functions of the state by the regions and power of disposal over hydrocarbon resources – or at least a guaranteed fair share of the income.
If the other Libyan regions prevent such a constitution, a self-declared autonomy could become their objective. Preconditions for this include wide local support, the ability to control the production (and preferably also the selling) of oil, and physical control of the borders. Some international support, in particular from Egypt, or at least tacit acceptance is also required. However, it cannot be assumed that the United States or Europe have any kind of veto.

For the time being a separation from Libya is not on the agenda. The federalists are fully aware, that such a move would trigger fierce resistance, not only within Libya, but also internationally. Without at least some international support, such a move would certainly fail. Furthermore, as long as the Central Bank of Libya (CBL), the NOC, and the Libyan Investment Authority (LIA) are treated by the international community as the sole partners for oil business and Libyan investments abroad a separate state would be economically unviable.

It would also be a dangerous mistake to assume that all Libyans in eastern Libya are in favor of federalism. This is far from true. Although some surveys indicate a wide support for federalism – or at least for some kind of decentralization – it cannot be assessed, how representative they are. Reliable statistics on how much support the federalists enjoy are impossible to come by.

However, it seems to be that the majority of the Brâ’aṣa, ‘Ibidât, ‘Awâqîr, Al Magharba, Awlâḍ Alî, and Minifa Jirâra are supporting the federalists. With the exception of the Minifa Jirâra, the tribe of Omar al-Mukhtar, the hero of the resistance against the Italians, all of them are larger Sa´adi tribes.

**Where is the border?**

There are many pitfalls on the way to some kind of self-determination of the East, particularly a possible dispute over the border between Tripolitania and Cyrenaica. Would it be at the location of the historic site Marble Arch eastward of Ras Lanuf, the border between ancient cities Carthage and Cyrene, which Gaddafi used to delineate the borders of the regions? Or does Cyrenaica extend “from the central coastal city of Sirte (or, to be more precise, from the Wadi Al-Ahmar, the “Red Valley”) to the Egyptian border” as claimed by the CCL?

The latter would have severe consequences. Almost the entire oilfields in the Sirte Basin and all the oil terminals on the coast — even

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significantly more than two-thirds of the hydrocarbon resources — would belong to Cyrenaica. About this line was occupied by the LNA when it recently took over the oil terminals.

The border at the Marble Arch does not take current tribal areas into account. Several major tribes, like the Al Magharba and the Al Zuwayya are settling on both sides. This would make things more complicated. It is unlikely that these tribes would accept a split-up easily. If the border is drawn at the Red Valley, the vast majority of the tribal areas would remain cohesive.

Reactions & Consequences

Eastern Libya’s strongman General Khalifa Haftar, appointed head of the LNA by the HoR prior to the Shkirat agreement and in firm opposition to the GNA, has yet to make his opinion on federalism public, but based on his statements and actions it seems to be that he is more a nationalist. However, as he knows that his position relies on the support of eastern tribal leaders, he would most likely also accept a federalist solution or an autonomy.

Nevertheless, it cannot be assumed that the LNA would follow Haftar’s possible orders supporting a breakaway of Cyrenaica. Contrary to what is expected from an army, the LNA is not a homogeneous body. It consists of units from the former Gaddafí army, which defected early in the revolution, units reconstructed from remaining elements of former paramilitary units or the old army, newly established formations, and various local militias. For quite some time Haftar was the unifying element within this ragtag army. He is probably not uncontested any more, although he was able to significantly improve his standing with the successful offensive taking the oil terminals. There are frictions and fault lines emerging, in particular with regard to the position of the LNA towards the GNA and its defense minister, Mahdi Al-Barghathi, former commander of an LNA tank brigade, and the LNA's strategy and objectives after the currently still ongoing Battle of Benghazi against various Islamist groups.

Therefore, it cannot be assumed that the LNA as such would follow eventual orders of General Hef tar to support a breakaway of Cyrenaica. Heftar is certainly aware of this.

The declaration of Cyrenaica’s autonomy would also not go unchallenged in the western regions. The GNA and most of the western militias will reject it right away. The Misratans will seek to occupy oilfields and oil terminals in the eastern Sirte Basin, as they attempted already in 2015. But territory still held by the Islamic State
(IS) in the central coastal city of Sirte is making an advance further along the coast towards the east difficult. It will still take some time until the GNA forces, made up mainly of Misratan militias, can defeat IS in its urban stronghold Sirte without significant more international military support. Many IS terrorists have already sneaked out of the city and will likely seek to attack the oil industry in central Libya and in the Fezzan, which will have a major impact on the economic situation of Libya.

In Cyrenaica there are several groups strictly opposing any kind of federalism or autonomy. Among those are the descendants from Misrata. They want to keep close ties with their mother city. Along with them several tribes, mostly from the Murābitin, the lower class, and various Islamist groups are outspoken against federalism. Demonstrations and even armed resistance by them against an attempt to practically implement autonomy is likely.

Radical Islamists, including the BRSC, the Shura Council of Mujaheddin in Derna (SCMD), the Defend Benghazi Brigades (DBB), and Islamist groups in Ajdabiya will certainly continue the fight for their objective, a conservative Islamist state in Libya, based on the Sharia laws. They will not accept to be part of an autonomous eastern region and remain a thorn in the side of the LNA. This will keep a significant number of troops fixed in and around those cities. At least the BRSC and the DBB will continue to enjoy logistic and military support from Tripolitania.

The Toubou minority could eventually take the side of the federalists, if the eastern government would make some concessions. The willingness to do so will depend on the position of the Al Zuwayya, who are by far more important for the federalist case than the Toubou.

On the economic side, even with a border along the Red Valley and two-thirds of the oil revenue remaining in the East, western Libya would be viable. However, the resources available would be significantly lower. Investments to rebuild western Libya and to revitalize the economy would be more difficult.

The economy of Cyrenaica would significantly benefit from a functioning autonomy and a higher oil income. It is very likely that most of the international oil companies would find in the mid-term some kind of arrangement with the Cyrenaica administration, while accepting antagonizing the government in Tripoli. The focus of the oil production is shifting to the East anyway.

Egypt has a vital security interest in keeping its western neighborhood stable. If this could be achieved by an autonomous or
semi-independent Cyrenaica, Egypt could certainly get along with it and would continue to support the eastern leaders. In return, Egypt would benefit from cheap imports of crude oil and refinery products. A stable Cyrenaica would allow the return of 100,000s of Egyptian migrant workers, a much needed relief for its labor market.

The Islamist-leaning government of Sudan, with its own rebellious provinces Darfur, South Kordofan, and Blue Nile, will certainly reject any kind of break-up of Libya and throw its weight behind the central government. It would fear that in such a case the wide, open spaces in southeastern Libya could be used even more easily by the Darfuri rebels as a logistic base and a safe haven. Sudan has certainly the capability to contribute to the destabilization of at least southern Cyrenaica in support of the GNA and could eventually even intervene directly.

The stance of Libya’s southern neighbor Chad would probably depend on how the Toubou get along with the federalists.

History and current developments strongly indicate that federalism is high on the agenda in Cyrenaica. If there is no satisfying national solution, eventually a referendum could take place to provide a legal foundation for autonomy. However, it cannot be expected that the outcome would be accepted by all the groups in favor of a centralized state, leading probably to another outbreak of violence. It is doubtful that the fragmented LNA could subdue all the resistance against federalism, while keeping at the same time western militias like the Misrata at distance. To conclude, it is unlikely that federalism in Libya can be implemented by force.