How Will Fathi Bashagha’s New Government Impact Libya’s Roadmap to Democracy?

Unit for Political Studies
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On 1 March, Fathi Bashagha was named as the head of a new government by Speaker of the House of Representatives, Aguila Saleh, following the earlier postponement of the December 2021 elections by 6 months, which was met with division in Abdulhamid Dbeibah’s interim cabinet and parliament.

**Context of the Current Crisis**

The roadmap approved by the Libyan political dialogue meeting in Geneva in late 2020, with a key mission to hold presidential and parliamentary elections met a dead end as when Abdulhamid Dbeibah’s Government failed to organize those elections on 24 December 2021. Signs that they had failed to commit to the date of the elections began to appear with the nomination of Saif al-Islam Gaddafi, Khalifa Haftar and Dbeibah himself as candidates for the presidency, and the failure of the High National Election Commission (HNEC) and the Judiciary to resolve the debate over legal nomination.

By postponing electoral rights, the dispute over the legitimacy of the Dbeibah government escalated. Divisions surfaced between a camp believing that the legitimacy of the government ends with the expiration of the elections deadline set by the political dialogue forum roadmap, and another contending that the legitimacy of the Dbeibah government stands until authority is handed over to an elected government. Speaker of the House, Aguila Saleh, and former Minister of Interior Fathi Bashagha, along with a number of representatives and State Supreme Council members were among the most outspoken voices calling for an alternative to the Dbeibah government, while some members of the two chambers argued for continuing with the status quo until a government was formally elected, claiming that there was no reason to call for a new government as long as the goal is holding legitimate elections.

On 10 February 2022, the House of Representatives held a meeting in its headquarters in Tobruk to consider an amendment to the constitutional declaration allowing a new government, where seven candidates were nominated for the position of prime minister. The meeting ended with the announcement of Bashagha’s appointment as Prime Minister. The session was characterized by exchanges of accusations between representatives themselves and between them and the Speaker. Different conceptions of legitimacy focused on the amendment of the constitutional declaration and the House of Representatives’ Choice for Prime Minister and testimonials from members of the State Supreme Council. Accusations were also directed at Aguila Saleh, suggesting he had forged the result of the vote in Bashagha’s favour.

**Divisions and Ambiguity**

Dbeibah anticipated the House of Representatives decision, announcing before the meeting that he would only transfer authority to an elected government. He stressed that “the people of Tripoli will
not allow anyone to enter by force,” claiming that the move is no different from Haftar’s previous attempt to control Tripoli, but this time through different methods.\(^1\)

Following Parliament’s vote of confidence for Bashagha, the Dbeibah pledged that his government would “remain functional until the elections in June.”\(^2\) Dbeibah defended his position by stating that the presidential council is the only party entitled to change the government according to the Geneva roadmap, and warned of the repercussions of a parallel government for the overall transition. Instead, Dbeibah repeated calls for elections in June 2022, forming a committee headed by the Minister of Justice to draft a new electoral law and beginning consultations with the various parties to implement a new roadmap to facilitate the organization of elections next June.\(^3\)

Members of the State Supreme Council and its head, Khalid al-Mishri, on changing the government witnessed a clear division and conflict in positions. It was announced, during the session to select the Prime Minister, that a number of members of the State Supreme Council had named Bashagha, and that the committee composed of members of the two chambers (the State Supreme Council and the House of Representatives) had drafted an amendment to the constitutional declaration, while al-Mishri appeared closer to “understanding” the decision of the House of Representatives. But his position soon changed, as he stated that “the constitutional amendment and the change of the prime minister are not final decisions,” then went on to argue that “the proposed government project is admitting the aggressors into the capital through the window after they failed to enter by force.”\(^4\) The State Supreme Council’s position was made further ambiguous when a number of its members denied signing a statement in support of the Bashagha government, making accusations of forgery.\(^5\)

Head of the Presidential Council, Mohamed al-Menfi, tried to remain neutral. While he did not issue any statement that could be interpreted as siding with one of the two camps, leaks emerged stating that he was seeking to mediate between Dbeibah and Bashagha, and that he “refused to see the country slip into a new conflict.”\(^6\) Meanwhile, the spokesperson for Haftar’s forces command, Ahmed Al-Mismari, welcomed the selection of Bashagha as the head of a new government that “works with the regular military and security authorities, in order to maintain the prestige of the state.”\(^7\)

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\(^1\) A special episode with Abdulhamid Dbeibah, *Libya Alahrar TV*, Facebook, 10/2/2022, accessed on 18/2/2022, at: https://bit.ly/3GV53KA.


\(^3\) “Abdulhamid Dbeibah: I will announce the plan related to the elections at the end of the week,” *Anadolu Agency*, 14/2/2022, accessed on 19/2/2022, at: https://bit.ly/3JeBKq.

\(^4\) “Press release of the President of the High Council of State,” Media Office of the President of the High Council of State Facebook page, 13/2/2022, accessed on 19/2/2022, at: https://bit.ly/3zRiKA.


International Responses

In a statement made after the selection of Bashagha, the spokesperson for the Secretary-General of the United Nations, Stéphane Dujarric, announced that the United Nations still recognizes the Dbeibah government, but the international position witnessed a relative change following the Adviser to the Secretary-General in Libya, Stephanie Williams, meeting with both Dbeibah and Bashagha. Her statements implied tacit acceptance of the outcomes of the House of Representatives decision, by emphasizing “the need to move forward in a transparent and consensual manner and without any exclusion.”9 However, the international position changed following the vote of confidence session, as the Secretary-General’s spokesman stated that the vote “did not live up to the standards of transparency,”10 and Williams' assertion that “the solution to the Libyan crisis is not in the formation of competing administrations and permanent transitional stages.” She called for “a meeting of a six-member committee from the House of Representatives and the State Supreme Council to develop a consensual constitutional rule.”11

Similar to the UN position, the US ambassador to Libya affirmed “support for every effort that is made to reach compromise solutions that lead as soon as possible to a reliable path to holding the elections,” and retained a degree of ambiguity by saying that his country “is not going to tell the Libyans what they must do in the current situation.”12 This position was repeated in the joint statement issued by the United States, Britain, France, Germany and Italy.13 Contrary to Western positions, Russia expressly welcomed the Bashagha government, and considered the matter an “important step towards overcoming the crisis.”14

At the regional level, Egypt appeared to play a role in pushing for the formation of the Bashagha government, as Bashagha, who comes from Misrata and is politically affiliated with the western region, joining Haftar and Saleh’s camp, would enhance Egyptian interests in Libya. The Egyptian Foreign Ministry issued a statement, shortly after the session of the Libyan House of Representatives, in which it confirmed that the House of Representatives “is the elected legislative body, expressing the will of the brotherly Libyan people, and entrusted with granting legitimacy to the executive authority.”15

Although Cairo established relations with Dbeibah when he took office, with economic relations between Cairo and the western region of Libya witnessing remarkable development, which was manifested in the reception of Egyptian government delegations, the return of Egyptian workers

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15 Press release, the Official Page of the Egyptian Ministry of Foreign Affairs on Facebook, 10/2/2022, accessed on 17/2/2022, at: https://bit.ly/3oVCKbS.
in large numbers to the region, and Egyptian contracting companies securing important deals in Tripoli and the western region, Egypt was not entirely satisfied with the alliance behind the Dbeibah government and its continued estrangement from Haftar.

In contrast to the explicit Egyptian support of the selection of Bashagha, the Turkish response was less enthusiastic about the recent developments. Turkish President Recep Tayyip Erdogan did not see that “the step of forming a new government in Libya is a correct approach,” although he stated that “the relationship with Fathi Bashagha is good, as is the relationship with Dbeibah,” and that “what is important is who the Libyan people choose and how.”

Turkey appears uncomfortable with the clear Egyptian role in engineering the alliance that brought Bashagha into its camp in eastern Libya, despite the space opened by Turkish diplomacy with Benghazi and the exchange of visits between Turkish officials and representatives affiliated with the Haftar camp.

Back to Square One

The reactions to Parliament’s vote of confidence for Fathi Bashagha to serve as prime minister of a new government revealed the fragility of the political and security situation in Libya and the depth of division between different camps. Regional and international intervention has played a role in reshaping the Libyan political landscape, seeking to offset the defeat of Haftar’s forces and their expulsion from the capital and the region, which extinguished any potential for a military solution, and moulded the outcomes of the Libyan Political Dialogue Forum and its roadmap. But appointing Bashagha to head a new government has brought the country back to square one and may have caused deeper and broader divisions.

Since 2014, Libya has been divided between two main camps; one affiliated with the eastern region and Khalifa Haftar, and the other, politically and militarily, with the western region. The accession of Bashaga to Haftar and Saleh’s camp, along with their regional sponsors would bring this division to the western region and to the city of Misurata, which has military, political and economic weight. Dbeibah is from Misurata, and both he and Bashagha have relations with the military, social and political elements of the city.

Despite these political and military divisions, both Dbeibah and Bashagha have doubled down on their positions. Bashagha called on the state’s administrative, security and military institutions not to adhere to any decisions issued by the Dbeibah government, while the latter continues to act as prime minister, refusing to hand over power to any party other than an elected government, and some of the military has mobilized to prevent Bashagha from entering the capital.

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17 “In Support of Dbeibah... Armed Formations are Heading to Tripoli,” Russia Today, 13/2/2022, accessed on 19/2/2022, at: https://bit.ly/36kppAd.
Although institutional division has once again become a reality in Libya, the Dbeibah government maintains its cohesion, and there have been no signs so far of a change in the loyalties from security and military institutions. Meanwhile Bashagha appears unable, so far, to effectively penetrate the capital or Misurata and the Western region either politically or militarily, with his governance limited to the Eastern region.

**Conclusion**

The selection of former Interior Minister, Fathi Bashagha, as the head of an alternative government to Dbeibah’s was preceded by a clear rapprochement between him and the camp affiliated with Khalifa Haftar, Aguila Saleh and their regional sponsors. Despite the relative support that Bashagha received from the House of Representatives, its speaker, some members of the State Supreme Council, and political and military groups in the western region and Misurata, he has failed to move to the capital and win explicit international recognition for his government, while Dbeibah maintains a cohesive government and a loyal political and military front. With the international support rising for the UN proposal to form a committee to expedite the organization of elections, it is likely that the Bashagha government will remain effectively powerless until a new plan is agreed upon to resolve this crisis, which has only been exacerbated by the formation of the Bashaga government.