

Forum: Security Council

Issue: The Question of Libya

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Introduction

The question of Libya refers to the political instability, economic challenges and security threats that have troubled Libya since the Libyan civil war and the death of the dictator Muammar al-Gaddafi in 2011. After the end of Gaddafi's regime the whole country fell into chaos, due to the absence of a state authority exercising control over the territory¹. According to Fund for Peace organisation in the year 2012, Libya's index declined more than any other country's index has ever declined in the history of Fragile States Index,² where countries are placed in the order of their social stability on the basis of political, social and economic indicators.³

Libya has no single government with authority over the whole territory.⁴ Instead the power in Libya is separated between three leading powers. In addition to that, there are various rival militia groups and military forces controlling some parts of the country.

One of the three leading powers is the Presidential Council (PC) also known as the unity government, which was born when Libyan Political Agreement (LPA) was signed in December 2015. The PC is based in Tripoli and is headed by Fayeze al-Sarraj. According to the LPA, the PC oversees the Government of National Accords and appoints military leadership.⁵ The PC is Libya's internationally recognized government⁶.

¹ <https://www.hs.fi/ulkomaat/art-2000002880936.html>

² <http://library.fundforpeace.org/fsi12-libya>

³ <https://vastavalkea.fi/2015/05/19/libyan-sodan-valheet-ja-seuraukset/>

⁴ <http://www.bbc.com/news/world-middle-east-19744533>

⁵ http://www.ecfr.eu/mena/mapping_libya_conflict

⁶ <http://politiikasta.fi/libyan-poliittiset-haasteet-historian-valossa/>

The second center of power is the National Salvation Government, headed by Prime Minister Khalifa Ghwell. Its authority is based on the General National Congress, the parliament originally elected in 2012. The National Salvation government no longer controls any relevant institutions. The third main power holder is made up of the authorities based in al-Bayda and Tobruk. The Tobruk and al-Bayda authorities are under the control of the general Khalifa Haftar, who is the leader of Libyan National Army.⁷

The absence of a working government and the failure to disarm and demobilize militias after war has led to many problems, such as the lack of security.⁸ Also the justice system is dysfunctional and offers no prospects for accountability. Courts in the east of Libya are also mostly shut causing different militia groups to continue killing and torturing people, as well as destroying civilian property with impunity. Also politicians, journalist, civilians - including children - are being abducted for political and monetary gain by militias.⁹

Refugee crisis has as well become a severe problem in Libya, as Libya has become one of the main routes to flee to Europe. Tens of thousands of asylum seekers and refugees from Africa and the Middle East pass through Libya on their route to Europe. While in Libya many are subjected to torture, forced labour, sexual abuse and extortion.¹⁰ Slave auction has also become a problem, as the Libyan Coast Guard has managed to reduce the number of boats that make it out to the sea.^{11 12} Due to that the smugglers are left out of jobs and the only way to make living can be by selling refugees as slaves.¹³ Many of the refugees that make it to the sea die while crossing the Mediterranean from Libya to Europe.¹⁴

Libya has also faced economic challenges after the war. The stability of Libya's economy has been disturbed by armed takeovers of Libya's oil facilities in 2013. Libya however still has the highest GDP per capita in Africa.

⁷ http://www.ecfr.eu/mena/mapping_libya_conflict

⁸ https://www.rand.org/content/dam/rand/pubs/research_reports/RR500/RR577/RAND_RR577.pdf

⁹ <https://www.hrw.org/world-report/2017/country-chapters/libya>

¹⁰ <https://www.hrw.org/world-report/2017/country-chapters/libya>

¹¹ <https://www.theguardian.com/commentisfree/2017/feb/20/migrant-slave-trade-libya-europe>

¹² <http://edition.cnn.com/2017/11/14/africa/libya-migrant-auctions/index.html>

¹³ <https://www.theguardian.com/commentisfree/2017/feb/20/migrant-slave-trade-libya-europe>

¹⁴ <https://www.hrw.org/world-report/2017/country-chapters/libya>

Definition of Key Terms

Militia

A military force whose members are trained soldiers but who often have another occupation¹⁵

Refugee

A person who has been forced to flee her or his country for safety due to political, religious or economic reasons or for example because of a war.¹⁶

Asylum seeker

A person who has left their own country, often for political reasons or because of war, and who travels to another country hoping that the government will protect and allow him or her to live there. Asylum seekers can become refugees if the local immigration or refugee authority deems them as fitting.^{17 18}

Arab spring

A series of anti-government uprisings and protests affecting Arab countries of North Africa and the middle east that began in Tunisia December 2010.¹⁹

Rebellion

Resistance to one in authority or dominance.²⁰

Civil war

A war between opposing groups of people in the same nation.²¹

¹⁵ <https://dictionary.cambridge.org/dictionary/english/militia>

¹⁶ <https://www.unrefugees.org/refugee-facts/what-is-a-refugee/>

¹⁷ <http://www.unesco.org/new/en/social-and-human-sciences/themes/international-migration/glossary/asylum-seeker/>

¹⁸ <https://www.theguardian.com/world/2015/aug/28/migrants-refugees-and-asylum-seekers-whats-the-difference>

¹⁹ <https://www.thoughtco.com/definition-of-the-arab-spring-2353029>

²⁰ <https://www.merriam-webster.com/dictionary/rebellion>

²¹ <https://www.merriam-webster.com/dictionary/civil%20war>

Background

Libya became independent in 1951 after being under foreign rule for centuries. After becoming independent Idris Al-Harir proclaimed Libya and declared himself as the king of Libya.²² Soon after becoming independent oil was found, and Libya earned immense wealth. In 1969 King Idris' rule ended when Muammar al-Gaddafi seized power in a political coup. Gaddafi ruled for over four decades before being overthrown in 2011 following an armed rebellion.²³

The rebellion in 2011 was sparked by the Arab spring and the protest in Benghazi on the 15th of February 2011 signaled the beginning of an uprising and brutal civil war in Libya. Due to many human rights abuses, social mismanagement and political corruption in Libya under Gaddafi's rule, the atmosphere of the country was optimal for rapid growth of tensions and the country was divided into those who supported Gaddafi, and those who were against Gaddafi's government, also known as the rebels.²⁴ The conflicts between the government and the rebels escalated and spread through the whole country. The conflict got more complex when armed rebel groups entered the conflict against governments forces. In March the National Transitional Council (NTC) was formed, when rebel groups united. The NTC was recognized by 60 countries as well as the African Union.²⁵ The UN's Security Council also impacted the conflict, when they passed resolution 1970, imposing an arms embargo on Libya and sanctioning the regime. They also ordered all mandatory measures, except an occupation force, to help protect the civilians of Libya and ordered a no-fly zone over Libya in the resolution 1973.²⁶

In October 2011 the rebels successfully overthrew Gaddafi, with the help of Western military intervention and Libya was declared as liberated the 23th of October by The National Transitional Council (NTC).²⁷ After the civil war the NTC took over governing the country. NTC

²² <http://www.aljazeera.com/programmes/aljazeeraworld/2015/11/libyas-forgotten-king-151119111039307.html>

²³ <http://www.bbc.com/news/world-africa-13754897>

²⁴ <http://www.operationspaix.net/DATA/DOCUMENT/7367~v~Development of Conflict in Arab Spring Libya and Syria From Revolution to Civil War.pdf>

²⁵ <http://ntclibya.org>

²⁶

<http://www.securitycouncilreport.org/un-documents/search.php?IncludeBlogs=10&limit=15&tag=%22Security%20Council%20Resolutions%22+AND+%22Libya%22&ctype=Libya&rtype=Security%20Council%20Resolutions&cbtype=libya>

²⁷ <http://www.bbc.com/news/world-africa-13755445>

did not achieve full authority over the country and the absence of an organized military, lead to clashes between different militias and rebel groups. The NTC held elections in August 2012 and handed the power to the General National Congress (GNC). However GNC was unable to control several different militias²⁸.

In June 2014, elections were held and Council of Deputies (CoD) was elected as the new parliament to take over the GNC, with very low turnout of voters. However new protest erupted when the GNC refused to disband after its mandate was expired²⁹ and conflicts between the GNC and CoD formed creating two governments; The Council of Deputies also known as the Tobruk government and the government of National Salvation Government endorsed by GNC and based in Tripoli. The conflicts between these two governments and other forces such as various militias has been an ongoing crisis in Libya since 2014.³⁰

Islamic State of Iraq and ash--Sham (DAESH)

Following the death of Gaddafi in 2011 two rival government and several militias emerged all fighting for power. This struggle for power and the absence of one state authority provided the perfect opportunity for the Islamic State of Iraq and ash--Sham (DAESH) to spread to Libya³¹ and become a serious security threat.³²

In 2012 DAESH made its first appearance in Libya and began to gain supporters. In January 2015 DAESH managed to take control over Sirte, a port city between Libya's two largest cities Tripoli and Benghazi. The group quickly gained followers of displeased Libyans and local rebels. Due to the gain of supporters DAESH managed to take control over Derna and the broaden periphery of Nofaliya.³³ However in 2016 DAESH lost control over Sirte and other important cities to the Libyan navy.³⁴ Nonetheless DAESH is still active in Libya and as long as

²⁸ <https://www.ulkopolitist.fi/2017/02/06/libya-tuhon-partaalla-marsalkka-haftar-vastaan-yk/>

²⁹ <http://www.ibtimes.co.uk/arab-spring-5-years-timeline-major-events-uprisings-middle-east-1539085>

³⁰ http://www.ecfr.eu/mena/mapping_libya_conflict

³¹ <http://edition.cnn.com/2017/05/25/middleeast/isis-looks-to-libya-to-plot-terror-attacks/index.html>

³² <https://www.gov.uk/foreign-travel-advice/libya/terrorism>

³³ <http://www.washingtoninstitute.org/policy-analysis/view/the-islamic-states-burgeoning-capital-in-sirte-libya>

³⁴ <https://www.theguardian.com/world/2016/jun/09/libyan-forces-claim-ousted-isis-sirte-final-stronghold>

Libya's rival powers continue to fight over the country DAESH will be able to gather back the power it lost in 2016.³⁵

Key member states and NGOs

United Nations

The UN has been actively working in Libya since the rebellion started in 2011. During the rebellion UN aimed to protect Libyan civilians and the United Nations Security Council adopted resolution 1970, which imposed an arms embargo on the country and the resolution 1973, which authorized all mandatory measures - except for foreign occupation - to make sure civilians are protected in Libya.^{36 37}

The UN has continued its work in Libya after the civil war and is trying to advance Libya's transition towards a stable, functioning country, through many negotiations.³⁸ UN has established the UNSMIL, the United Nations Support Mission in Libya, that continues to work in Libya. There are also several other UN organisation working in Libya such as UNHCR, which is responsible for helping refugees and asylum seekers in the areas of health, protection, shelter and non-food items. UNDP is also working in Libya closely with UNSMIL supporting supporting the democratic transition in the country.³⁹

UN has also passed resolution 2240, that authorizes the overseeing of vessels that are of smuggling refugees off the Libyan shore. Through the resolution UN has intervened in human trafficking.⁴⁰ One of UN's achievements in Libya is the signing of the Libyan Political Agreement, that proposed a deal between GNC and Council of deputies establishing the GNA.

³⁵ <http://gulfnews.com/news/mena/libya/daesh-is-regrouping-in-libya-but-why-1.2106738>

³⁶ <http://www.securitycouncilreport.org/un-documents/search.php?ctype=Libya&rtype=Security%20Council%20Resolutions&cbtype=libya&search=%22Security%20Council%20Resolutions%22%20AND%20%22Libya%22&mode=tag&IncludeBlogs=10&limit=15&page=2>

³⁷ https://www.nato.int/cps/ic/natohq/topics_71652.htm

³⁸ https://eeas.europa.eu/headquarters/headquarters-homepage_en/19163/EU-Libya%20relations

³⁹ <https://unsmil.unmissions.org>

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<http://www.securitycouncilreport.org/un-documents/search.php?ctype=Libya&rtype=Security%20Council%20Resolutions&cbtype=libya&search=>

UNSMIL

United Nations support mission in Libya (UNSMIL) is a unified special political mission authorized by the UN Security Council Resolution on 16 September 2011. Its mandate is to ensure and promote Libya's transition to a democratic country, advance human rights and the rule of law, develop national security institutions and assist the government. UNSMIL has been successful in creating dialogue, which led to signing of the Skhirat deal and creating the GNA.⁴¹

North Atlantic Treaty Organization (NATO)

Following the adoption of resolution 1970 by the UN Security Council, NATO took action in order to protect the civilians of Libya and increased its surveillance operation in the Mediterranean on 8 March 2011. After the situation in Libya worsened and after the release of resolution 1973, NATO agreed to enforce no-fly zone over Libya on 24 March 2011. On 23 March NATO later took the overall charge of the international military effort in Libya, which consisted of three components; the retention of a no-fly zone, enforcing an arms embargo and attacking against forces targeting Libyan civilians. On 20 October 2011, after the death of Gaddafi NATO decided to end the operation in Libya and forces were pulled out.⁴²

NATO's actions in Libya have been questioned many times and they have faced criticism. NATO has been blamed for overstepping its mandate to protect civilians. However the previous UN's Secretary General Ban Ki-moon has commented, that the military operations done by the NATO followed strictly the resolution 1973.⁴³

European Union

[%22Security%20Council%20Resolutions%22%20AND%20%22Libya%22& mode=tag&IncludeBlogs=10&limit=15&page=2](#)

⁴¹ <https://unsmil.unmissions.org>

⁴² https://www.nato.int/cps/ic/natohq/topics_71652.htm

⁴³ <https://www.reuters.com/article/us-libya-nato-un/u-n-chief-defends-nato-from-critics-of-libya-war-idUSTRE7BD20C20111214>

EU is devoted to Libya and is assisting Libya's transition to a democratic, stable and law-based state. EU funds various projects currently active in Libya, including border management and security, the political process, security and justice, migration, health and education⁴⁴. EU supports UN mediation efforts as well, as to make Libya a stable country.⁴⁵ Due to the refugee crisis EU has also been interested in making a deal with Libyan state, in order to restrict the number of refugees arriving to Europe.⁴⁶

National Transitional Council (NTC)

NTC was the main opposition group of the Libyan government under the rule of Gaddafi. NTC's aim was to help Libya regain peace after Gaddafi's rule and make sure, that Libya would have a working government, free elections and to make the country safer. NTC worked as an interim government of Libya for ten months between 2011 and 2012. The NTC handed power over to General National Congress in 8 of August 2012 and was abolished.⁴⁷

Italy

Italy ruled Libya from 1911 to the Second World War. In recent years Italy has given money to the Libyan coastal guard in order to secure Italy's political stability and to cease the migrants from crossing the Mediterranean sea to Europe.⁴⁸

Timeline

Date	Description of events
1969	Muammar al-Gaddafi overthrows the monarchy under the Libyan King Idris in a military coup.
February 15, 2011	The events of Arab spring spark protest calling for an end to

⁴⁴ https://eeas.europa.eu/delegations/libya/1447/libya-and-eu_en

⁴⁵ https://eeas.europa.eu/headquarters/headquarters-homepage_en/19163/EU-Libya%20relations

⁴⁶ <http://www.e-ir.info/2017/07/25/the-european-union-immigration-agreement-with-libya-out-of-sight-out-of-mind/>

⁴⁷ <http://ntclibya.org>

⁴⁸ <https://www.hs.fi/paakirjoitukset/art-2000005374572.html>

	Gaddafi's regime. Majority of the protests are held in Benghazi.
February 17, 2011	Violent protests flare up in Benghazi and fights between rebels and Gaddafi's forces begin to escalate and spread to other cities.
March 17, 2011	UN Security Council authorises a no-fly zone over Libya and authorizes all necessary measures to protect civilians, excluding an occupation force.
July, 2011	The National Transitional Council (NTC) is recognized as the legitimate government of Libya by the international contact group.
August, 2011	Rebels swarm Gaddafi's fortress compound and Gaddafi goes into hiding.
August-September, 2011	NTC is recognised as the legitimate government of Libya by 60 countries including the African Union
20 October, 2011	Gaddafi is captured and killed by rebels as they conquer Sirte. Last major groups loyal to Gaddafi are also defeated.
23 October, 2011	NTC announces plans to have elections in eight months and Mustafa Abdel Jalil, the leader of NTC, declares Libya as "liberated".
January, 2012	Former rebel forces clash in Benghazi over the nature of change under NTC.
March, 2012	Campaign is formed to re-establish autonomy in Benghazi, which leads to growing tension in central NTC.
7 July, 2012	Elections are held and the General National Congress (GNC) is formed to replace the transitional government.
August, 2012	The transitional government hands power to the General National Congress. The Congress selects Mohammed Magarief to be the chairman of the GNC, making him temporary the head of state.

June 2014	Council of Deputies CoD is elected as the new Libyan parliament with a low turnout of voters. Fight between the new parliament (CoD) and GNC break out.
July, 2014	UN staff and foreigners are evacuated as security situation in Libya worsens.
October, 2014	Ban Ki-moon, the previous UN Secretary-General visits, in order to host talks between the two governments, which were formed after the conflicts in July and June.
January, 2015	Partial ceasefire is declared by Libyan army and Tripoli-based militia alliance after UN-sponsored talks.
December, 2015	Skhirat agreement is signed in Morocco to form a new government, The Government of National Accord.
January, 2016	The new interim government is announced by UN, but neither of the two governments, Tripoli or Tobruk agree to recognize its authority.
May, 2017	After the Islamic State claims responsibility for killing and ambushing Christians on a bus, Egyptian military carries out airstrikes against jihadist group in Derna.
July , 2017	Islamic state group is banished from Benghazi after three years of fighting. ^{49 50 51 52}

Relevant Resolutions

S/RES/1970, 26 FEBRUARY 2011, This resolution imposed an arms embargo and targeted sanctions after establishing a sanctions committee.

S/RES/1973, 17 MARCH 2011, This resolution authorized all mandatory measures - except for foreign occupation - to make sure civilians are protected in Libya. The resolution also enforced a no-fly zone over Libya, imposed the arms embargo, strengthened the sanctions regime and established a panel of experts.

⁴⁹ <http://www.worldatlas.com/webimage/countrys/africa/libya/lytimeIn.htm>

⁵⁰ <http://www.bbc.com/news/world-africa-13755445>

⁵¹ <http://www.libya-watanona.com/libya/libyans.htm>

⁵² <https://www.crisisgroup.org/middle-east-north-africa/north-africa/libya/libyan-political-agreement-time-reset>

S/RES/2016, 27 OCTOBER 2011, This was a resolution that annulled the no-fly zone and the provisions for the use of force for the protection of civilians.

S/RES/2214 27 MARCH 2015, Resolution that concentrated in counter-terrorism efforts.

S/RES/2240 9 OCTOBER 2015, Security Council authorised the ban of vessels on the high seas off the coast of Libya, that were used for human trafficking or migrant smuggling.

S/RES/2259, 23 DECEMBER 2015, Security Council welcomed the signing of the Libyan Political Agreement.

S/RES/2292 14 JUNE 2016, Resolution that administered a one year authorisation for member states to inspect in the high seas off the coast of libya, vessels bound to or from Libya.

S/RES/2298, 22 JULY 2016, This resolution provided for Libya´s category 2 chemical weapons to be transferred and destroyed outside the country

S/RES/2312, 6 OCTOBER 2016, this resolution renewed the provisions of Resolution 2240 that intended to disrupt the smuggling of migrants and human trafficking on the high seas off the coast of Libya.

S/RES/23805, OCTOBER 2017, Security Council renewed the authorisation for member states to survey vessels on the high seas off the coast of Libya if they have reasonable grounds to suspect that the vessels are being used for human trafficking or migrant smuggling.⁵³

Possible Solutions

The problems in Libya, such as lack of security, immigration, human trafficking, slavery and the rise of DAESH are alarming in national and international level and need to be solved. Due to the fact that Libya is in a chaos, with no state authority exercising control over the territory, solving these problems without foreign help is impossible and support in Libya is needed.

The support offered by foreign countries should be focused on empowering one Libyan force. One leading power is needed, to put fighting militias under control and to hold them

⁵³ https://www.files.ethz.ch/isn/195545/397_Bodansky.pdf
http://www.securitycouncilreport.org/un-documents/search.php?ctype=Libya&rtype=Security%20Council%20Resolutions&cbtype=libya&search=%22Security%20Council%20Resolutions%22%20AND%20%22Libya%22&_mode=tag&IncludeBlogs=10&limit=15&page=2

responsible for their actions. Creating a working justice system and legislating laws are also required measures in order to improve security. Insecurity in Libya is also partially attributable to a lack of reliable national peacekeeping forces. International actors should help to remedy this problem and to improve security Libyans should be engaged in a national reconciliation dialogue. Such a process could promote disarmament, complement constitution making, and increase international actors access to information about the capabilities and intentions of key Libyan groups.⁵⁴

Securing border control is essential in order to stop human trafficking.⁵⁵ To establish an effective border control international funds and efforts are needed and investment in monitoring capabilities such as intelligence and surveillance are necessary.

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⁵⁴ https://www.rand.org/content/dam/rand/pubs/research_reports/RR500/RR577/RAND_RR577.pdf

⁵⁵ <https://www.hs.fi/paakirjoitukset/art-2000005322762.html>

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