

The Electoral Conflict in Libya: Between The Dispute of Postponement and The Return to The Square of Civil War

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Abstract :

This article aims at identifying the possibility of holding elections as a means of activating the process of rebuilding the modern Libyan state after the civil war. By performing a positive function that helps create opportunities for national dialogue among various political, tribal, social, and even regional actors, without excluding any contributions towards achieving reconciliation and building civil peace. To ensure coexistence among Libyans amidst the failure of all international and regional attempts, and with institutional vacuum due to ongoing war, there are no actual political parties or associations. Here, holding elections remains the realistic and rational option capable of organizing a genuine dialogue and reconciliation.

Keywords : Electoral conflict; Destructive electoral conflict; Libya; The transitional institutions in Libya; The civil war.

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Introduction:

In 2011, the Arab region witnessed a popular uprising and demonstrations demanding social improvements, freedom of expression, human rights, and democratic change. Libya was not an exception to this movement, however it turned into a civil strife chaos due to the widespread availability of weapons. As a result, Libya became a breeding ground for armed groups and terrorist organizations, which reinforced the violent conflict behavior. Most scholars agree that Libya is currently experiencing a war and a complex and unstable security environment due to the absence of local security and the collapse of state institutions. This situation was exacerbated by the international intervention (Resolution 1973 of the Security Council), which led to the destruction of 70% of the infrastructure.

In the absence of almost all sovereign state institutions and their division, ensuring stability and its establishment requires holding elections to transition from non-democracy to democracy and initiate the democratic transformation process. This will provide an opportunity for all Libyan citizens to participate in their country's affairs and give legitimacy to elected institutions that they need, away from the power of weapons and relying on dialogue, consensus, stability, and building bridges of trust among various political actors to begin the process of rebuilding modern Libya.

In this intervention, I will attempt to answer the following problematic :

What are the chances of success for managing the electoral process in Libya ? And how can all the guarantees related to this management be achieved in a way that leads to restoring stability and building civil peace in the post-civil war period ?

From this problematic , a set of sub-questions arise:

- What characterizes the management of the electoral process in post-conflict countries?
- Was the preparation for the electoral process in Libya characterized by transparency and neutrality ? Did the participating parties succeed in achieving the general guarantees for the success of these elections ?
- What are the means that will enable Libyan transitional institutions to bring about reform in the management of the electoral process ?

To answer the problematic, we formulated a hypothesis that states:

- The more guarantees are provided that enable the electoral administration in Libya to overcome the challenges and obstacles that limit its ability to conduct fair, transparent, and neutral administration, the more positive impact it will have on the path of reconciliation, the building of civil peace, and the guarantee of coexistence among Libyans. This is because elections are an urgent necessity to achieve consensus among the different political, tribal, and social entities, as well as the military with all their diverse visions, ideologies, and affiliations, without exclusion or marginalization.

- The importance of these study:

- Elections are the primary means of representative democracy in Libya; they allow the people to regularly choose their leaders and political programs.
- Involve Libyan tribes as strategic interventions of the group of wise men as to facilitate the electoral process.
- The role of the international community in preventing electoral conflict in Libya is to invest in the basic elements of EMB capacity and credibility, security and training for the electoral sector,

and civic education. Support for monitoring and reporting mechanisms would complement these efforts by providing independent sources of information.

-Conflict resolution in Libya's electoral cycle can refer to the resolution of short-term electoral complaints, the prosecution of perpetrators of electoral violence, or the resolution of the deeper grievances that are often at the root of election-related violence.

-importance of political participation, political parties and government actors, as well as educational institutions and civil society actors can assist in the implementation of election administration.

-conflict-sensitive election assistance can contribute to effectively addressing these conflicts to foster a more peaceful election process. The backbone of a good, conflict sensitive approach is explicitly linking the conflict-response cycle and the election cycle.

-The electoral process in Libya provides a better understanding of the interrelated roles that key stakeholders play in reducing violent conflict, and bringing the two cycles together can help international and national electoral assistance practitioners not only better appreciate the range of activities they are already undertaking that could be better targeted to conflict-related objectives, but also encourage innovation to fill the gaps.

•methodology used, and the tools:

In our study, we focused on one of the tools of historical methods by rooting the historical process of voting and voting operations from the independence of the Libyan state in 1951 to the conduct of three electoral processes after the explosion of February 17, 2011, so we used a case study approach based on the analysis of the Libyan experience in the application of the procedures of the electoral process as an attempt to address the challenge of rebuilding the Libyan state after the resolution of the conflict in Libya.

We will address these article topic through the following sections:

-The first section: Election management in post-conflict countries.

-The second section: Evaluating the Libyan experience in managing the electoral process.

-The third section: Necessary mechanisms for securing the future of the electoral process in Libya.

• Justification of the choice of the terms.

1- Electoral conflict:

Given the importance of elections for countries living in a turbulent security environment, scholars in this field have defined electoral conflict as: ' All actions that lead to coercion,

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intimidation, physical harm or threats committed in order to influence the electoral process, or that arise in the context of electoral competition. When these acts or threats are committed with the aim of influencing the electoral process, whether through delaying or obstructing the voting process, diverting it from its course, or influencing the election results to determine the winners

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2- Destructive electoral conflict:

It leads to the emergence of a relationship between the parties within the framework of their future conflicts, as electoral processes can stimulate the outbreak of destructive conflict, where elections and their results can be a strong catalyst for the eruption of violence that escalates to the level of civil war.ⁱⁱ

3- Libya:

Libya is located in North Africa on the southern coast of the Mediterranean Sea. It is bordered by Egypt to the east, Sudan to the southeast, Chad and Niger to the south, Algeria to the west, and Tunisia to the northwest. Its area is estimated at 1,759,540ⁱⁱⁱ km², making it the third-largest country in Africa in terms of land area after Algeria and the Democratic Republic of the Congo. The relatively large size of Libya has formed a political and strategic advantage, and geographically Libya consists of three distinct regions: the western Tripoli region in the northwest, the eastern Cyrenaica region, and the southern Fezzan region.^{iv}



Figure1: the political map of the Libyan state

Source: World Maps, detailed website: <https://arabic.mapsofworld.com/libyam/>, consulted on: 09-02-2023, time: 18:00.

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Based on the above, it is clear that Libya is situated in the middle of the southern Mediterranean and the Arab-African world. It is internally composed of a coastal area and a desert region, located between the Mediterranean Sea and Europe to the north and the vast Sahara and Sudan Africa to the south. This gives Libya's geographic location throughout history significant importance. Its strategic location can at least threaten the Mediterranean Sea's transportation arteries, as well as allow for movement eastward to the Middle East and westward to North Africa.^v

Libya holds a prominent position in the international energy market, owning approximately 3.5% of crude oil reserves. Prior to the outbreak of conflict, its production was estimated at 1.77 million barrels per day, equivalent to 2% of global production, and around 0.2 million cubic meters of natural gas^{vi}. The population of Libya is estimated at around 7 million people, mostly Libyan Arabs, residing in Tripoli and Cyrenaica. In addition, there are Amazigh people located in the Nafusa Mountains and the western coast of Tripoli, estimated at 250,000. Tuareg nomads are found in the Fezzan region, while the Tubu people are located in the south of Cyrenaica. The official language is Arabic, spoken by the majority, while the Amazigh speak the Nafusi dialect, and the Tubu speak the Teda dialect.^{vii}

Section I: Election Management in Post-Conflict Countries.

Elections in post-conflict countries are considered as a tool for peace building, despite the lack of institutional and technological capabilities to conduct elections in these countries. However, they provide citizens with an opportunity to participate in their country's affairs, which is of great significance giving legitimacy to elected institutions that are needed for governance under difficult circumstances that follow the end of conflict.^{viii}

As for the objectives of the electoral process in post-conflict countries, are as follows^{ix}:

- 1/ Transferring power to a democratically established government that enjoys national legitimacy and is capable of initiating state reconstruction, where conflicting parties partner with civil society organizations in partnership with the international community and international donor agencies to manage elections, whether to choose a new government or a constituent assembly to draft a constitution.
- 2/ Elections are considered the first step towards stabilizing and strengthening the democratic transition process and building democratic institutions after the war, through the massive funding provided by the international community.
- 3/ The consolidation and promotion of reconciliation between conflicting parties is another objective of post-conflict elections. Conducting elections represents a significant shift from violent conflict to non-violent means of conflict resolution, where the ballot box replaces the bullet. Besides, the warring parties are able to present their agendas and mobilize public opinion

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in a peaceful manner through the secret ballot. Besides, elections are considered one of the most significant elements of a democratic system, as they contribute to institutionalizing decision-making mechanisms within the political structure.

The IFES 2001 ElectionGuide listed major electoral events occurring in 55 countries or entities. The assembly elections in Kosovo and local elections in Pakistan can be added to the survey for a total of 57. Of these 57 locations, 31 are rated as “Free” by the Freedom House rating process (Thailand, Portugal, Cape Verde, Israel, Liechtenstein, Samoa, Andorra, Benin, Micronesia, Guyana, Italy, Cyprus, United Kingdom, St. Vincent, Philippines, Mongolia, San Marino, Bulgaria, Japan, Sao Tome and Principe, Norway, Poland, Argentina, Australia, Denmark, Honduras, Taiwan, Solomon Islands, St. Lucia, Trinidad and Tobago, and Chile). Two of these entities, East Timor and Kosovo, can be considered in a special category while under international administration. The remaining 24 countries are classified as “Partly Free” or “Not Free” (Senegal, Bahrain, Yemen, Moldova, Uganda, Peru, Montenegro, Chad, Iran, Pakistan, Albania, Fiji, Seychelles, Belarus, Bangladesh, Gambia, Mauritania, Singapore, Nicaragua, Sri Lanka, Gabon, Madagascar, Comoros, and Zambia)^x.

Elections provide an opportunity for peaceful competition between political ideas and personalities and for political and social debates to play out in an arena of constructive conflict. Maintaining this opportunity for constructive conflict requires attention to the election process beyond Election Day. Voting is only a single event within a cycle of activities and processes that connects one Election Day to the next. Thus, most practitioners and donors have adopted an electoral cycle approach to provide adequate assistance and proper planning (Figure 2). Yet, this approach may not be sufficient in addressing certain challenges that impact the credibility of an election^{xi}.



Figure2: Electoral Cycle

Source: Electoral Cycle, detailed website: <https://aceproject.org/electoral-advice/electoral-assistance/electoral-cycle>, consulted on: 23-3-2023, Time: 22:20.

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Bridging this gap requires reframing elections and conflict. It starts with looking at the electoral cycle and the conflict cycle as the bases of two different types of programming. The electoral cycle (as described above) allows for an expanded view of all electoral processes and related programming that incorporates the social and political context during and between elections. It also extends to such activities as analyzing election results, the formation of government, preparation of reforms and procedures for the next set of elections and supporting education and advocacy activities related to election and election reform. The conflict cycle (in which a country experiences cyclical periods of latent violence, escalation of tension, violent outbreaks and de-escalation of conflict) is the source of common conflict programming responses, just as the electoral cycle approach helps frame electoral assistance activities. The conflict cycle helps us situate visible violence as a part of a longer process, just as Election Day is but one point in the electoral cycle. While violence appears to erupt suddenly, it is simply one stage in the cycle. Thus, electoral violence has its roots in each cycle and the most efficient responses to electoral conflict will also be rooted in both cycles^{xii}.

As seen in Figure 3, if one maps election assistance activities to conflict-cycle program objectives, every stage of the electoral cycle could support various conflict responses (analysis, prevention, mitigation and/or resolution) through elections-based programming. If we look at each conflict response area, we can identify election assistance activities that already exist and new approaches that could further integrate conflict and elections programming.

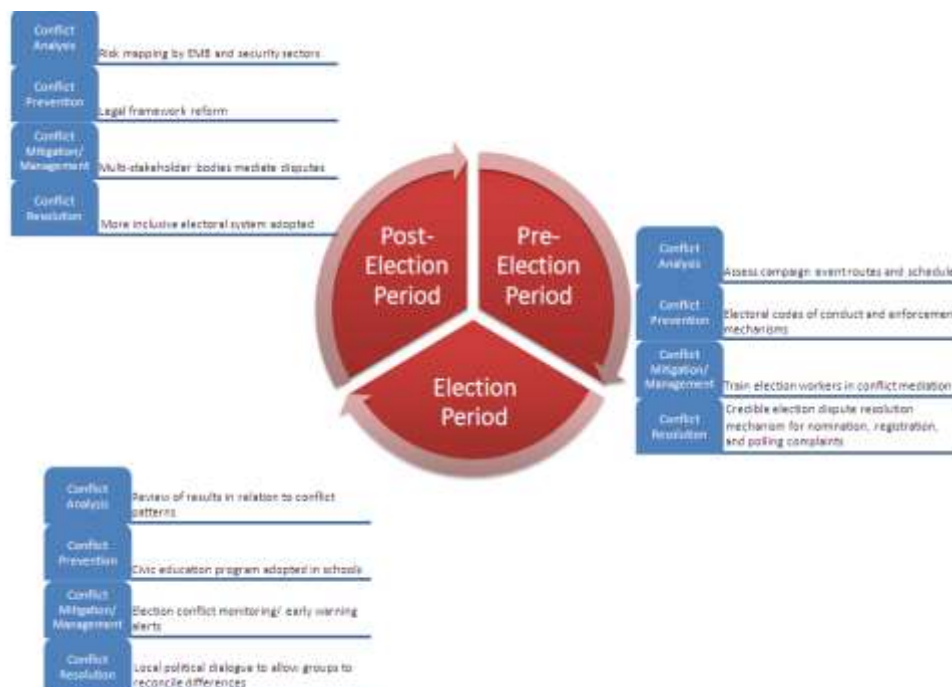


Figure 3: Electoral Cycle plus Conflict Response Cycle – Illustrative Activities

Source: Lisa Kammerud, An Integrated Approach to Elections and Conflict, USA: International Foundation for Electoral Systems, 2012, p5.

Election conflict monitoring was recommended specifically as a successful strategy in the 2010 UN report on election-related killings. The most effective monitoring and reporting initiatives tie into intervention mechanisms, or include advocacy components, as IFES' EVER program does. They also incorporate web-based and/or new media technologies to improve the speed and reach of information gathering and dissemination, enabling quicker response times. For example, in Burundi, as part of the **Amatora Mu Mahoro** early warning network, IFES used the EVER methodology with text-based reporting and online mapping via the Ushahidi platform to facilitate information exchange between partners, stakeholders and the public. International and local stakeholders followed the reports on an online portal where incidents of violence were mapped geographically and by type of incident (e.g., intimidation, physical harm, murder, etc.). One challenge to this type of program approach is that early warning and early response are often the focus of separate funding streams. In the long-term both should be priorities and neither can be mobilized as effectively if attention is only paid in the immediate pre-election period^{xiii}.

Section II: Evaluating the Libyan experience in managing the electoral process.

Libya did not hold any elections since its independence in 1951, except for the limited elections under the monarchy regime. After the movement of February 17, 2011, three national elections were held, which are:

The July 2012 elections for the parliament, known as the General National Congress, were followed by a vote in February 2014 on the separate Constitution Drafting Assembly, and the June 2014 elections to choose the parliament that would succeed the General National Congress and the House of Representatives. However, it is noteworthy that between each electoral process, voter registration and participation significantly decreased. 62% of local voters participated in the 2014 General National Congress elections, while less than half cast their votes in the Constitution Drafting Assembly elections, estimated at one-third ($\frac{1}{3}$). As for the parliamentary elections in June 2014, they received a lower turnout with challenges to the legitimacy of the votes and a boycott by members residing in the West, which led to the formation of two separate governments that did not ensure the country's direction towards stability.^{xiv}

Therefore, managing the electoral process in Libya requires a legal framework that is in line with international election standards, while creating a suitable environment for all parties to participate in this process. However, there are some challenges facing the management of the electoral process, including:

1/ The security issue is a major challenge facing the election process in Libya, particularly when citizens become afraid and therefore do not participate in the voting process. This is especially problematic in post-conflict countries where there is no regular trained army controlling the

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state, and instead there may be non-legal militias associated with political parties or undisclosed groups^{xv}. This was the case in Libya on May 2, 2018, following the suicide attack carried out by ISIS against the High National Elections Commission, which makes the voting process a significant challenge.^{xvi}

2/ The immaturity of judicial institutions, which leads political parties in post-conflict countries to fill legal voids, results in a multitude of laws, amendments, and temporary laws. In addition, external interventions may lead to the formation of laws that do not reflect the spirit of the society^{xvii}. In Libya, the previous three elections were held under different laws and with different voter awareness initiatives. **Dr.Ratib Al-Jundi** indicated that "issuing temporary laws represents a departure from the legislative authority entrusted to representatives of the people in democratic countries, and issuing election laws through temporary laws that constitute an attack on the political rights of citizens and the principle of separation of powers, where the issuance of these laws does not correspond to the democracy whose essence and structure are based on popular sovereignty."^{xviii}

Therefore, laws must express the fundamental principles of human rights and be in line with the ones arising from society. For this reason, constitutional law jurists believe that temporary laws cannot be amended or changed from election laws, because when the executive authority legislates based on constitutional texts, it is described as an administrative body, not a political one. There are powers for parliament as a political body, such as political rights, electoral issues, and freedom of the press, where the executive authority is prohibited from interfering in these issues^{xix}.

3/ The problematic of sequencing, as the United Nations Support Mission in Libya did not precisely determine its aspirations for Libyans' voting and in what order: either a constitutional referendum, parliamentary or presidential elections. The Quartet Group, composed of the United Nations, the European Union, the Arab League, and the African Union, which met on April 30, 2018, emphasized the importance of holding parliamentary and presidential elections in accordance with the required legal framework. However, it has not yet been decided whether Libyans will proceed with holding elections before or after a constitutional referendum.^{xx}

4/ The possibility of the intervention of foreign countries through undisclosed sources, to finance political parties and candidates that are linked to regional and international agendas that are attempting to draw the future policy of post-conflict countries, which affects the integrity of the electoral process^{xxi}. This threatens the upcoming elections in Libya, amid regional and international tensions.

5/ The instability of the constitutional institutions that support the electoral process in Libya, especially those related to the three authorities (legislative, executive, and judicial), which are essential parties in the electoral process in a post-conflict country, will experience disruptions

leading to their instability. As a result, the management becomes ineffective and unproductive, which leads to paralysis of the electoral institutions.^{xxii}

It is clear that the Libyan electoral process is facing serious obstacles that could dash the hopes of Libyans who aspire to stability, especially since there are internal and even external parties attempting to use violence, threats, and coercion to derail the electoral process. This is due to the control of about 100 militias over the political scene, with more than 125,000 armed individuals distributed on a regional and geographic basis. This is evident in the siege of **Haftar** militias around the Sabha court to obstruct the decision on the appeal of presidential candidate **Saif al-Islam Gaddafi**, and the illegal obstacles placed through pressure on the President of the Supreme Council of the Judiciary, **Miftah al-Qawi al-Arfi**, in addition to the pressure exerted on the head of the High Electoral Commission, **Emad al-Sayeh**, by influential Libyan figures.

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Furthermore, the lack of a comprehensive legal framework for organizing and conducting successful elections, due to the immaturity of judicial institutions, has led to attempts to fill legal voids by issuing temporary laws such as the approval of the Elections Law on October 4, 2021, which was approved by parliament without a vote due to the absence of attendance and the lack of a quorum, thus constituting an attack on citizens' political rights and the principle of separation of powers. Where the issuance of this law is not commensurate with democracy, whose essence and foundation is popular sovereignty. Article 12 of the electoral law represents a real problem which allows for the nomination of a military official who, if not elected, can return to their previous position. This effectively puts Major General **Khalifa Haftar**'s position on hold, as he has been accused of committing war crimes against humanity in Tarhuna and has transferred command to Lieutenant General **Abdul Razzaq Al Nadhour**i. The candidacy of **Abdul Hamid Dbeibah** for the Prime Minister position of the National Unity Government has led to negative consequences as it goes against the political agreement. Furthermore, delaying the parliamentary elections for a month after the final approval of the presidential election results is a tactic to extend the term of the House of Representatives. Additionally, implementing the individual system for elections instead of the party list system results in a hidden exclusion of participating parties. The upcoming elections in Libya are also threatened by the possibility of foreign interference in the electoral process through hidden sources of funding for political parties or candidates who are linked to regional or international agendas that attempt to shape the future policy of this country. It is worth noting the former Minister of Interior **Fathi Bashagha**'s signing of a memorandum of understanding with the French security company **IDEMIA** in November 2020, which specializes in biometric identity verification. This means that there is a possibility of information breaches that will affect the integrity of the electoral process.^{xxiv}

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In this regard, the head of the Libyan High National Elections Commission, **Emad Al-Sayeh**, indicated that resuming the electoral process in the country requires 6 to 8 months. He made this statement during a formal session of the Libyan House of Representatives, amidst the prevailing ambiguity about setting a new date for the postponed elections. Al-Sayeh also stated that "the procedures that the Commission must undertake in the coming period require a period of 6 to 8 months to complete the electoral process."^{xxv}

The UN envoy to Libya, **Abdullah Batili**, announced a new initiative to solve the Libyan crisis and agree on a constitutional basis before next June to ensure holding elections before the end of this year through a mechanism that brings together various Libyan parties, including representatives of political institutions, prominent political figures, tribal leaders, civil society organizations, active security parties, and representatives of women and youth, to facilitate the adoption of a binding legal framework and timetable for holding elections in 2023. Another faction believes that the UN envoy's initiative to Libya is immature as it contains many unclear points, considering it simply a "deadline for the international community to find a settlement and agreement on the mechanism of change in Libya," which can easily be passed within Libya. Moreover, the step taken by the UN envoy to Libya, **Abdullah Batili**, before the Security Council on February 27th last year, announced an agreement by the Libyan House of Representatives and the State Council on the "Thirteenth Constitutional Amendment," which stipulates the formation of a joint committee of the two councils "6+6," with the aim of formulating a constitutional basis for holding elections in the country. This was considered by the UN mission as a step forward, as the only solution in Libya lies in the presence of an international political will to pressurize the armed parties and hold elections with clear conditions to avoid erupting a new war.^{xxvi}

Section III: The necessary mechanisms to secure the future of the electoral process in Libya.

When greater coordination is present, conflict risks can be identified earlier and better managed, or avoided altogether. Conflict analysis can be integrated into risk assessments throughout the electoral cycle, with great benefit to security planning and stakeholder decision-making. In Lebanon, a methodology was designed by IFES and local partners to explicitly support capacity for risk assessment in the lead-up to the 2009 elections and maintained throughout the process. The Lebanon Election Violence Risk Assessment (LEVRA) project was designed in cooperation with the Ministry of the Interior and Municipalities to be an integrated part of the ministry's risk assessment tools^{xxvii}.

In general, tips for better analysis across the stages of the electoral cycle include:

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- Between elections, actors should come to a consensus and agree on the coordination of assessments and analysis. This way cross-sector cooperation will already be in place and the plan of action is clear as the pre-election period approaches.
- Legal framework analysis between elections can better incorporate conflict sensitivity. Justice sector officials, local organizations and others must analyze the legal and regulatory framework for potential friction points that could create or aggravate conflict.
- Greater emphasis on country context and analysis of conflict dynamics between elections can yield more informed election-related planning and assessments. Conflict analysis tools can be used to understand past conflict dynamics and to assess risk in upcoming electoral process.
- Identify appropriate technologies and tools for gathering, visualization and sharing of information more effectively. In any phase of the election cycle risk assessment methodologies and conflict mapping software can be used to map, track and analyze data on structural tensions, social divides and friction points throughout the country.
- Public opinion and knowledge can also be analyzed as part of conflict analysis. Through various outreach and activities, such as public meetings and conflict mapping exercises, in the between-election and pre-election phases, civic actors and political parties can gain key insights into their constituencies, in terms of conflict dynamics, voter education needs and constituents' policy priorities.
- During the election and post-election period, conflict analysis should identify immediate threats to particular processes, such as political primaries, voter registration, movement of sensitive materials, polling station logistics, vote counting transportation and facilities or victory rallies.
- Overall, practitioners should work together to create a standard for ensuring conflict analysis is included in the design of electoral assistance programs. This standard should demand that electoral assessments such as PETAs and legal/procedural reform explicitly include conflict assessment and conflict analysis and risk assessment capacities are integrated into security planning and strategic planning exercises.

In many countries, resources for analysis by all groups are limited. While this issue deserves to be the focus of its own paper to advocate for more funding attention, it is important to focus on what can be done with limited resources to move toward the standard noted above.

The importance of democratic reforms in Libya is widely acknowledged, and it is recognized that these reforms must come from within the country before being influenced by external factors. However, the transitional institutions that have been in place have not fulfilled their responsibility to implement the necessary reforms, leading to hesitations and delays. Following the failure to hold presidential elections on December 24th, as stipulated by the UN, some individuals have criticized the legislative authorities in Libya. This has resulted in a sense of

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disillusionment among politicians who were surprised by the authorities' inability to conduct the election process on schedule. While some have argued that the real reason for the failure to hold elections lies in "the candidacy of some individuals, whom some inside and outside Libya believe that their victory in the presidential elections would conflict with their interests," "It is not as those who directed criticism towards the laws think - despite their shortcomings - They were not the main obstacle that prevented the 'Commission' from completing the stages of the electoral process." ^{xxviii}

Therefore, the conflict in Libya is more significant than the elections or the power that results from them. The real crisis in Libya lies in the political elite's evasion and the external militias that support freezing the current situation in Libya, which coincides with their interests and desires. This leads to the absence and fragmentation of the national state, completely removed from unifying international and national efforts to deal with the challenges and issues that Libya faces. As the Muslim Brotherhood did not show any respect for the will of the Libyan people who are waiting for the presidential and parliamentary elections to be held.

Ultimately, the best alternative regarding managing the electoral process in Libya would be through:

- Returning to the postponed National Comprehensive Conference due to the war on 04/04/2019 to crystallize a clearer picture of the Libyan identity and common priorities and to manage municipal elections as happened in Zawiya on May 13, while continuing the dialogue with the militias aimed at developing an agreed action plan to unify them and provide a framework for electoral security. ^{xxix}

- Managing the electoral process according to an independent model, as it is more appropriate and in harmony with the security conditions in Libya. A good example of this is the electoral administration in Iraq, the Republic of South Africa, and Bosnia and Herzegovina, unlike when the elections are administered by national authorities, which leads to questioning the credibility of the elections. This was proven by practical reality, especially after Libya plunged into chaos in mid-2014, the emergence of two competing administrations, and the seizure of the capital, Tripoli, by the armed coalition, which includes Islamists, after the announcement of the election results. ^{xxx}

- The role of the United Nations in providing technical and logistical assistance to the team or entity responsible for organizing and managing the elections, by planning, organizing, and administering the electoral process, starting from organizing the voter registry, and preparing the political and security conditions, until announcing the election results. ^{xxxi}

- Eliminating all obstacles that hinder women from participating extensively in elections, both as voters and candidates, and ensuring an increased share of women in parliament, ultimately leading to equality among citizens. This can be achieved through various measures, such as

"women's quotas," dedicated national lists for women, or laws requiring the nomination of women in guaranteed positions on party lists and national ratios, while combating phenomena such as collective vote buying, regulating political financing, and enacting legislation to ensure the neutrality of official media in the electoral process.^{xxxii}

Conclusion:

From the above, we can conclude that the success of the electoral process in Libya is closely linked to the cooperation and support of the three state authorities - the House of Representatives, the High Council of State, and the judiciary - as well as the active parties and participants in the electoral process embodied in both emerging political parties, the High National Elections Commission, local and international observers, free and independent media, civil society, and the United Nations. Away from external pressures and influences, thus reducing the size of the challenges and allowing Libya to emerge from its crisis and move towards peace and stability, and to raise the challenge of dialogue between everyone. Amid the shortage of time and the absence of a decisive decision, and in light of marathon meetings inside and outside of Libya to rearrange the cards between political parties and a "fireball" between the East and West, especially after the appointment of parliament member **Fathi Bashagha** as the head of a new government, along with the Libyan Prime Minister Abdul Hamid **Dbeibah's** rejection of this step and considering it 'another attempt to forcibly enter Tripoli'. Therefore, this will deepen the divisions with the possibility of a new transitional phase, which may be a strong incentive for the outbreak of violence and a return to the square of civil war, which will be even more severe as happened in Burundi, Cambodia, Ethiopia, Kenya, and Angola. Thus, the conflicting parties in Libya must establish constructive and continuous relationships to achieve political consensus, national partnership, and hold free and fair elections.

Recommendations:

Addressing the topic of "The Electoral Conflict in Libya: Between Failure and Postponement" is of utmost importance despite its difficulty. Therefore, we have identified a set of recommendations that would enhance the success of managing future electoral processes in Libya, considering elections as an effective tool for building civil peace:

- Adopting an independent electoral administration to ensure the credibility and transparency of the elections.
- Relying on a solid constitutional basis that strengthens the capacity of the electoral administration and the possibility of supervising it in a way that satisfies everyone.
- Consensus between the three authorities and support for the judiciary, army, and security apparatus.

•The role of the international community is very important in promoting standards and good practices in election administration, especially through

These experiences have helped establish performance criteria that can guide policymakers in future programming initiatives.

- Adopting a legal system for financing electoral campaigns to ensure the principle of equal opportunities in electoral propaganda.

- Agreement on the necessity of the state in Libyan society to prevent chaos and avoid resorting to armed violence.

- The initial stages of technical assistance to electoral processes focused on legal, procedural, and educational issues to establish a viable electoral infrastructure and build institutional capacity.

- Consensus on the concept of a civil state and reaching a common ground.

- Empowering and involving women in the decision-making process through women's quotas and securing their rights in the constitution and electoral law.

- Agreeing on the importance of civil society.

- Educating voters residing in rural and desert areas to increase participation in the elections.

- Adopting a party-list system instead of individual lists.

- Developing a strategic program to address obstacles related to external voting, by providing refugees and displaced persons the opportunity to return and participate in the political process successfully.

Citations:

ⁱ Brett Lacey, Elections and Conflict Prevention, MA: United Nations Development Programme, Democratic Governance Group, 2012.

ⁱⁱIbid., pg. 3.

ⁱⁱⁱEl HadiGuetché, and Abdel RahmaneIdris, Atlas of Algeria and the World Naturally, Humanly, Economically, and Politically. Algeria: Dar Al-Houda for Printing, Publishing and Distribution, 2011, p. 87.

^{iv}Izz al-Din Abd al-Salam Mokhtar al-Alam, Libyan Foreign Policy Towards Africa: A Study in Diplomatic History and International Relations: 1951-1977. Libya: National Center for Archives and Historical Studies, 2009, pp. 164-165.

^vDjamalHamdane, The Great Socialist People's Arab Jamahiriya: A Study in Political Geography. Egypt: Madbouly Library, DSN, p. 134.

^{vi} Ralph Chami et al., Libya After the Revolution: Opportunities and Challenges. (Department of the Middle East and Central Asia, International Monetary Fund), Arabic edition, 2012, p. 2.

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- vii Jean Fleury, *Libyan Crisis: The new geopolitical deal*, France, Paris, Jean Picollec, éd&é, p.12.
- viii Aram Najm El Din Abdel Ghafour, *Managing the Electoral Process in Post-Conflict Countries: A Comparative Study*. Lebanon: Zain Human Rights Publications, 1st edition, 2017, p. 84.
- ix Krishna Kumar, *Postconflict Election, Democratization and International Assistance*, 1998, by Lynne Reinner Publishers, P6-7.
- x- Jeff Fischer, *ELECTORAL CONFLICT AND VIOLENCE A Strategy for Study and Prevention*, USA: IFES White Papers, 2005, P11.
- xi- Lisa Kammerud, *An Integrated Approach to Elections and Conflict*, USA: International Foundation for Electoral Systems, 2012, p2.
- xii- Lisa Kammerud, op, p3.
- xiii- Alston, P., *Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions: Addendum, Election-related killings*, A/HRC/14/24/Add.7, 21, UN, May 2010.
- xiv Ben Fishman, "The Libyan Elections Dilemma, Policy Analysis Blog," *Al-Marsad Al-Politsi Magazine*, Issue 2972, Date: 05-21-2018, The Washington Institute, citing: <https://www.washingtoninstitute.org/ar/policy-analysis/view/libyas-election-dilemma> Browsing date: 12-08-2020, time: 18:00.
- xv Aram Najm al-Din Abd al-Ghaffour, reference previously mentioned, pp. 172-173.
- xvi Ben Fishman, op.
- xvii Alan Wall and others, *Forms of Electoral Administration*, International Institute for Democracy and Elections, tr: AymanAyoub, p. 210.
- xviii Dr.Raed Al-Jundi, *Issues of Public Trust, Legitimacy and Election Monitoring*, a published research on contemporary electoral systems. Jordan: Sinbad House, 1995, pp. 177-178.
- xix Aram Najm al-Din Abd al-Ghaffour, reference previously mentioned, p. 195.
- xx Ben Fishman, op.
- xxi Aram Najm al-Din Abd al-Ghaffour, reference previously mentioned, p. 160.
- xxii Ibid., pg. 200.
- xxiii AmouriNasima, *Libya: 100 militias and an intense electoral dispute...how is salvation? The site of the Game of Nations: Media Not Trumpets*, quoted by: Date: 02-15-2022, Time: 22.00. <https://lo3batelomam.com/2021/12/20>
- xxiv AmouriNasima, reference previously mentioned.
- xxv Mohammad Artima, *The Libyan Elections: We need from six months to 8 months to appeal the entitlement*, quoted from: <https://www.aa.com.tr/ar>, date: 02-18-2022, time: 22:00.
- xxvi Ali Al-Qamati, *Libyan Elections: The United Nations launches a new initiative in Libya, amid controversy about its effectiveness*, quoted from: <https://www.bbc.com/arabic/middleeast-64875484>, browsing date: 22-02-2023, timing : 22:00.
- xxvii- IFES, "Background on the Lebanon Election Violence Risk Assessment Project," 2010, <http://www.ifes.org/Content/Publications/Papers/2010/Background-on-the-Lebanon-Election-Violence-Risk-Assessment-Project.aspx>, accessed on April 12, 2012.
- xxviii Fahd Dibaji, *postponing the Libyan elections raises concerns again*, quoted from: <https://al-ain.com>/date: 02-16-2022, time: 12:00.
- xxix Ben Fishman, op.

^{xxx} Muhammad Abdul Karim Ahmed, reference previously mentioned, p. 35.

^{xxxi} Morter Sellers, *The New World Order: The Limits of Sovereignty - Human Rights - Self-Determination of Peoples*. TR: Sadiq Ibrahim Odeh, Jordan: Dar Fares for Publishing and Distribution, 2001, pg. 280.

^{xxxii} Aram Najm al-Din Abd al-Ghaffour, reference previously mentioned, p. 244.

Bibliography:

A- Books:

1. El-Hadi Katesh, and Abd al-Rahmane Idris, *Atlas of Algeria and the World Naturally, Humanly, Economically, and Politically*. Algeria: Dar Al-Huda for printing, publishing and distribution, 2011.
2. Izz al-Dine Abd al-Salam Mokhtar al-Alam, *Libyan Foreign Policy Towards Africa: A Study in Diplomatic History and International Relations: 1951-1977*. Libya: National Center for Archives and Historical Studies, 2009.
3. Brett Lacey, *Elections and Conflict Prevention*, MA: United Nations Development Programme, Democratic Governance Group, 2012.
4. Djamal Hamdane, *The Great Socialist People's Arab Jamahiriya: A Study in Political Geography*. Egypt: Madbouly Library, Dr. Sn. Ralph Chami et al., *Libya after the Revolution: Opportunities and Challenges*. (Department of the Middle East and Central Asia, International Monetary Fund), Arabic Edition, 2012.
5. Aram Najm El Din Abdel Ghafour, *Managing the Electoral Process in Post-Conflict Countries: A Comparative Study*. Lebanon: Zain Human Rights Publications, 1st Edition, 2017.
6. Alan Wall and others, *Forms of Electoral Administration*, International Institute for Democracy and Elections, Ref: Ayman Ayoub.
7. Raed Al-Jundi, *Issues of Public Trust, Legitimacy and Election Monitoring*, a published research on contemporary electoral systems. Jordan: Sinbad House, 1995.
8. Morter Sellers, *The New World Order: The Limits of Sovereignty - Human Rights - Self-Determination of Peoples*. TR: Sadiq Ibrahim Odeh, Jordan: Dar Fares for Publishing and Distribution, 2001.
9. Jean Fleury, *Libyan Crisis: The New Geopolitical Deal*, France, Paris, Jean Picollec, 2017.
10. Krishna Kumar, *Postconflict Election, Democratization and International Assistance*, 1998, by Lynne Reinner Publishers.

B- Report:

1. Alston, P., *Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions: Addendum, Election-related killings*, A/HRC/14/24/Add.7, 21, UN, May 2010.
2. Jeff Fischer, *ELECTORAL CONFLICT AND VIOLENCE, A Strategy for Study and Prevention*, USA: IFES White Papers, 2005.
3. Lisa Kammerud, *An Integrated Approach to Elections and Conflict*, USA: International Foundation for Electoral Systems, 2012.

C - Newspaper articles:

1. Amouri Nassima, *Libya: 100 militias and an intense electoral dispute...how is salvation? The site of Nations: Media Not Trumpets*, quoted by: Date: 02-15-2022, Time: 22.00. <https://lo3batelomam.com/2021/12/20/>.

D - Websites:

2. Ben Fishman, "The Libyan Elections Dilemma, Policy Analysis Blog," Political Monitor Magazine, Issue 2972, Date: 05-21-2018, The Washington Institute, citing: <https://www.washingtoninstitute.org/ar/policy-analysis/view/libyas-election-dilemma> Browsing date: 12-08-2020, time: 18:00.
3. Mohammed Artima, The Libyan Elections: We need from six months to 8 months to resume the entitlement, quoted from: <https://www.aa.com.tr/ar>, date: 02-18-2022, time: 22:00.
4. Fahd Dibaji, postponing the Libyan elections raises concerns again, quoted from: <https://al-ain.com/>, date: 02-16-2022, time: 12:00.
5. Ali Al-Qamati, Libyan Elections: The United Nations launches a new initiative in Libya, amid controversy about its effectiveness, quoted from: <https://www.bbc.com/arabic/middleeast-64875484>, browsing date: 22-02-2023, time : 22:00.
6. IFES, "Background on the Lebanon Election Violence Risk Assessment Project," 2010, <http://www.ifes.org/Content/Publications/Papers/2010/Background-on-the-Lebanon-Election-Violence-Risk-Assessment-Project.aspx> , accessed on April 12, 2012.
7. World Maps, detailed website: <https://arabic.mapsofworld.com/libyam/> ,consulted on: 09-02-2023, time: 18:00.
8. Electoral Cycle,detailed website: <https://aceproject.org/electoral-advice/electoral-assistance/electoral-cycle> , consulted on: 23-3-2023, Time: 22:20.