

|                                 |  |
|---------------------------------|--|
| <b>Country/entity</b>           | Libya  |
| <b>Region</b>                   | Middle East and North Africa                                       |
| <b>Agreement name</b>           | Reconciliation Agreement between the Zintan and Mashashiyya Tribes |
| <b>Date</b>                     | 18 May 2017  |
| <b>Agreement status</b>         | Multiparty signed/agreed   |
| <b>Interim arrangement</b>      | Yes  |
| <b>Agreement/conflict level</b> | Intrastate/local conflict  |

### **Libyan Conflicts (1969 - 1994) (2011 - )**

Agreements relate to two distinct conflict dyads.

Libya-Chad. Since the 1970s, Libya under Colonel Muammar Gaddafi had a tense relationship with its neighbour Chad, predominantly focused on the resource-rich Aouzou Strip in northern Chad. Libyan claims of the Aouzou Strip were held in an unratified treaty between France and Italy in 1935, similarly Chadian claims of the Strip were argued with support of a 1955 treaty between Libya and France. In 1973, Libya effectively annexed the Strip to gain access to natural resources. This spurred cross-border clashes between 1979 until 1987 until escalated to a brief war known as the Toyota War, wherein Chadian government troops succeeded in repelling Libyan forces. A brief and repeatedly violated ceasefire was held from 1987-88, followed by a series of unsuccessful negotiations, until an International Court of Justice ruling in 1994, which granted sovereignty of the Strip to Chad.

Libya post-Gaddafi. Gaddafi's downfall following the Libyan Civil War in 2011-2012, led to several factions fighting for the country's leadership. Since 2013, the country effectively split into three entities, with the National Army controlling the east including the city of Benghazi, and the New General National Congress and their militias such as the Golden Dawn controlling the northwest including the capital of Tripoli. Significant portions of the country in the south-west are currently held by Tuareg forces. The civil war and chaos continued into 2014 as the General National Congress refused to disband after the expiry of its mandate, resulting in eruption of mass protests. The UN efforts continue to broker peace between the Libyan Army and the Libya Dawn factions, and a partial ceasefire was declared in January 2015. A new interim-government (Tunisia-based) called 'Government of National Accord' is formed with the backing of UN despite the refusal of the other forces to recognise its authority and arrived to Tripoli with the UN in 2016. A state of emergency was declared by the UN backed government amid clashed between rival militia in Tripoli's southern suburbs. Since April 2019 there has been sustained fighting between the Libyan National Army and the UN-backed government in Tripoli as the Libyan National Army aims to seize Tripoli.

Close

Libyan Conflicts (1969 - 1994) (2011 - )

|                        |   |
|------------------------|---|
| <b>Stage</b>           | Framework/substantive - partial   |
| <b>Conflict nature</b> | Inter-group   |
| <b>Peace process</b>   | Libyan local processes  |
| <b>Parties</b>         | <p>Mashashiyya Tribe[13 signatories]<sup>[28]</sup><br/> Reconciliation Council [4 signatories]<sup>[28]</sup><br/> Zintan Tribe [9 signatories]<sup>[28]</sup><br/> Al-Qantrar [7 signatories]<sup>[28]</sup><br/> Neighbouring Areas [3 signatories]</p> <p>The reconciliation council is comprised of: <sup>[28]</sup><br/> Warfallah Tribe, Tarhunah Tribe, Gharyan Tribe, Gadhdfafiyya Tribe, Sa'iyan, Rajban, Jadu, al- Asabi'ah, al-Ruhaybat, al-Qawalish, al-Hawamid, al-Zuwayyah Tribe, Burqah Tribes.</p>   |
| <b>Third parties</b>   | -   |
| <b>Description</b>     | Agreement made between tribal parties, elders and reconciliation council regarding refugee return to and from specified locations; the removal of armed groups; the opening of roads; the hand over of wanted persons in accordance with law. In addition, the agreement specified the tasks of the Reconciliation Council, including missing persons, trial, investigation into misdeeds and 'blood'. The agreement is considered violated if one party allies themselves with another third party for the purpose of attacking the other party to this agreement. |

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**Agreement document** [LY\\_170518\\_Reconciliation Agreement between the Zintan and Mashashiyya Tribes\\_EN.pdf \(opens in new tab\) | Download PDF](#)

**Agreement document (original language)** [LY\\_170518\\_Reconciliation Agreement between the Zintan and Mashashiyya Tribes\\_AR.pdf \(opens in new tab\)](#)

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**Groups**

**Children/youth** No specific mention.

**Disabled persons** No specific mention.

**Elderly/age** No specific mention.

**Migrant workers** No specific mention.

|  |  |
|--|--|
| <b>Racial/ethnic/<br/>national group</b> | Groups→Racial/ethnic/national group→Substantive<br>Page 1, In order to preserve the cohesion of the social fabric and to fix the rift between brothers, neighbours and siblings in one nation, and in the desire to avoid more strife, wars and bloodshed, we stand today at this historic milestone to witness and to assist the sensible position called for by the Mashashiyya and Zintan tribes as well as those other tribes around them (to rise above injury and return kinship and repair the rift so that tranquillity and peace may return to Libya. |
| <b>Religious groups</b>                  | No specific mention.   |
| <b>Indigenous people</b>                 | No specific mention.   |
| <b>Other groups</b>                      | No specific mention.   |
| <b>Refugees/displaced<br/>persons</b>    | Groups→Refugees/displaced persons→Substantive<br>Page 1, 1. The people of al-'Awiniyya, Zawiyya al-Baqul and 'Umur remain in their homes, with the return of incomers from other regions back to their place of origin. <sup>29</sup><br><br>Page 1, 2. Return of emigrants from Mizda to their homes from Zintan, Quntrar, Mashashiyya and others.  |
| <b>Social class</b>                      | No specific mention.   |

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## Gender

|                                    |                      |
|------------------------------------|----------------------|
| <b>Women, girls and<br/>gender</b> | No specific mention. |
| <b>Men and boys</b>                | No specific mention. |
| <b>LGBTI</b>                       | No specific mention. |
| <b>Family</b>                      | No specific mention. |

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## State definition

|                                      |                      |
|--------------------------------------|----------------------|
| <b>Nature of state<br/>(general)</b> | No specific mention. |
| <b>State configuration</b>           | No specific mention. |
| <b>Self determination</b>            | No specific mention. |

**Referendum** No specific mention.

**State symbols** No specific mention.

**Independence/  
secession** No specific mention.

**Accession/  
unification** No specific mention.

**Border delimitation** No specific mention.

**Cross-border  
provision** No specific mention.

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## Governance

**Political institutions (new or reformed)** No specific mention.

**Elections** No specific mention.

**Electoral commission** No specific mention.

**Political parties reform** No specific mention.

**Civil society** Page 1, The reconciliation council is comprised of: 28  
Warfallah Tribe, Tarhunah Tribe, Gharyan Tribe, Gadhdhafiyya Tribe, Sa'iyah, Rajban, Jadu, al-Asabi'ah, al-Ruhaybat, al-Qawalish, al-Hawamid, al-Zuwayyah Tribe, Burqah Tribes.

**Traditional/religious leaders** Page 1, The reconciliation council is comprised of: 28  
Warfallah Tribe, Tarhunah Tribe, Gharyan Tribe, Gadhdhafiyya Tribe, Sa'iyah, Rajban, Jadu, al-Asabi'ah, al-Ruhaybat, al-Qawalish, al-Hawamid, al-Zuwayyah Tribe, Burqah Tribes.

Page 2, 8. The settling of the current conflict between the parties on the lands and properties of the town Mizda and other areas, not going beyond what is in conformity with shariah, traditional authority, and the mandate of the council to settle the conflict. Any party that does not submit to the view of the council during the period defined by the council will have a ruling issued against them, and will be turned over to the competent authorities.

**Public administration** No specific mention.

**Constitution** No specific mention.

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## Power sharing

**Political power sharing** No specific mention.

**Territorial power sharing** No specific mention.

**Economic power sharing** No specific mention.

**Military power sharing** No specific mention.

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## Human rights and equality

**Human rights/RoL general** No specific mention.

**Bill of rights/similar** No specific mention.

**Treaty incorporation** No specific mention.

**Civil and political rights** No specific mention.

**Socio-economic rights** No specific mention.

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
## Rights related issues

**Citizenship** No specific mention.

**Democracy** No specific mention.

**Detention procedures** No specific mention.

**Media and communication** No specific mention.

**Mobility/access** Page 1, 4. Securing the roads leading in and out of the mentioned places, and ensuring that no checkpoints are established. 

Page 1, 5. Coordination with security directorates in the bordering regions to put in place a plan to secure the roads in coordination with the councils from all parties.

**Protection measures** No specific mention.

**Other** No specific mention.

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## **Rights institutions**

**NHRI** No specific mention.

**Regional or international human rights institutions** No specific mention.

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## **Justice sector reform**

**Criminal justice and emergency law** No specific mention.

**State of emergency provisions** No specific mention.

**Judiciary and courts** No specific mention.

**Prisons and detention** No specific mention.

**Traditional Laws** Page 2, 8. The settling of the current conflict between the parties on the lands and properties of the town Mizda and other areas, not going beyond what is in conformity with shariah, traditional authority, and the mandate of the council to settle the conflict. Any party that does not submit to the view of the council during the period defined by the council will have a ruling issued against them, and will be turned over to the competent authorities.

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## **Socio-economic reconstruction**

**Development or socio-economic reconstruction** No specific mention.

**National economic plan** No specific mention.

**Natural resources** No specific mention.

**International funds** No specific mention.

**Business** No specific mention.

**Taxation** No specific mention.

**Banks** No specific mention.

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## **Land, property and environment**

**Land reform/rights** No specific mention.

**Pastoralist/nomadism rights** No specific mention.

**Cultural heritage** No specific mention.

**Environment** No specific mention.

**Water or riparian rights or access** No specific mention.

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## **Security sector**

### **Security Guarantees**

Page 1, 3. Concealment of all provocative, armed presences in all conflict zones.<sup>[29]</sup>

Page 1, 4. Securing the roads leading in and out of the mentioned places, and ensuring that no checkpoints are established.<sup>[29]</sup>

Page 1, 5. Coordination with security directorates in the bordering regions to put in place a plan to secure the roads in coordination with the councils from all parties.<sup>[29]</sup>

Page 2, 10. The introduction of any power or other party for their use in the attacking of any other parties is not permissible to any party.

### **Ceasefire**

No specific mention.

### **Police**

No specific mention.

### **Armed forces**

No specific mention.

### **DDR**

No specific mention.

### **Intelligence services**

No specific mention.

### **Parastatal/rebel and opposition group forces**

Page 1, 6. In the case of any act of aggression or criminal act by any individual or group from the quarreling parties, the case against the offender or offenders will be determined and they will be handed over to a neutral agency agreed-upon by the parties, or to the reconciliation council given that the parties pledged not [to engage] in indiscriminate and random retaliation with the raising of social coverage from the defectors.<sup>[29]</sup>

Page 2, 10. The introduction of any power or other party for their use in the attacking of any other parties is not permissible to any party.

### **Withdrawal of foreign forces**

No specific mention.

### **Corruption**

No specific mention.

### **Crime/organised crime**

No specific mention.

### **Drugs**

No specific mention.

### **Terrorism**

No specific mention.

## **Transitional justice**

**Transitional justice general** No specific mention.

**Amnesty/pardon** No specific mention.

**Courts** No specific mention.

**Mechanism** Page 2, 7. The reconciliation council takes charge of the matters of services, maintenance, compensation for damages, and removing the remnants of the war in all aforementioned areas under the remit of the official agencies through a council formed for this purpose.<sup>28</sup>

Page 2, 9. The council undertake an inspection into the matters of blood, misdeeds and missing persons in accordance with the demands presented by all parties.

**Prisoner release** No specific mention.

**Vetting** No specific mention.

**Victims** No specific mention.

**Missing persons** Page 2, 9. The council undertake an inspection into the matters of blood, misdeeds and missing persons in accordance with the demands presented by all parties.

**Reparations** Transitional justice→Reparations→Material reparations  
Page 2, 7. The reconciliation council takes charge of the matters of services, maintenance, compensation for damages, and removing the remnants of the war in all aforementioned areas under the remit of the official agencies through a council formed for this purpose.

**Reconciliation** Page 2, 7. The reconciliation council takes charge of the matters of services, maintenance, compensation for damages, and removing the remnants of the war in all aforementioned areas under the remit of the official agencies through a council formed for this purpose.<sup>28</sup>

Page 2, 9. The council undertake an inspection into the matters of blood, misdeeds and missing persons in accordance with the demands presented by all parties.

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## **Implementation**

**UN signatory** No specific mention.

**Other international signatory** No specific mention.

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|--|--|
| <b>Referendum for agreement</b>            | No specific mention.   |
| <b>International mission/force/similar</b> | No specific mention.   |
| <b>Enforcement mechanism</b>               | Page 2, 8. The settling of the current conflict between the parties on the lands and properties of the town Mizda and other areas, not going beyond what is in conformity with shariah, traditional authority, and the mandate of the council to settle the conflict. Any party that does not submit to the view of the council during the period defined by the council will have a ruling issued against them, and will be turned over to the competent authorities. |
| <b>Related cases</b>                       | No specific mention.   |
| <b>Source</b>                              | 218 TV.net, 'Reconciliation agreements signed between the Mashashiyya and Zintan Tribes', 18 May 2017, <a href="https://bit.ly/2qWWufJ">https://bit.ly/2qWWufJ</a>   |

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