

Country/entity	Libya
Region	Middle East and North Africa
Agreement name	Reconciliation Charter between Tebu and Zway Tribes from Kufra
Date	20 Feb 2018
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	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 -

)

Stage	Pre-negotiation/process
Conflict nature	Inter-group
Peace process	Libyan local processes
Parties	No signatures
Third parties	-
Description	Agreement sets out key principles for reconciliation that include freedom of movement, individual accountability for crimes, and equal access to services without discrimination.

Agreement document [LY_180220_Reconciliation Charter between Tebu and Zway Tribes from Kufra_EN.pdf \(opens in new tab\) | Download PDF](#)

Agreement document (original language) [LY_180220_Reconciliation Charter between Tebu and Zway Tribes from Kufra_AR.pdf \(opens in new tab\)](#)

Groups

Children/youth Groups→Children/youth→Rhetorical
Page 3, Affirm the following fundamental principles:

- Women and youth have a key role to play in reconciliation and need to be involved in any reconciliation process to ensure a lasting peace,

Groups→Children/youth→Substantive
Page 3, Responsibility of State

- Ensure education to all citizens in Kufra, expedite access to university by all students to pursue their education and ensure provision of qualified teachers to work in the city,

Page 4, Temporary Arrangements
A High Commission for Peace and Reconciliation in Kufra shall be formed, equally composed of all parts and components of the city, including members of the Zway and Tebu tribes, civil society actors, women, youth, elders, security actors, academics, and notables, all experienced in reconciliation and respected by their constituencies. They will be selected through wide consultations and a transparent process.

Disabled persons No specific mention.

Elderly/age Groups→Elderly/age→Substantive
Page 4, Temporary Arrangements
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Migrant workers

No specific mention.

**Racial/ethnic/
national group**

Groups→Racial/ethnic/national group→Rhetorical

Page 2, Affirm the following fundamental principles:

- Tribes are a social umbrella only, and should remain away from any political position or military agenda,

...

- Tribes outside of Kufra, as well as neighbouring states, should not interfere in our daily lives unless for doing good,

...

- Hate speech and incitation to war, violence, and discrimination should be rejected by all actors,

Page 3, Affirm the following fundamental principles:

- Armed groups should not be affiliated with any tribal component in Kufra, and security should be provided in a neutral manner to all,

- Municipalities and public services such as education, health, transportation, and other public facilities should stay away from tribal, ethnic or political affiliations,

Groups→Racial/ethnic/national group→Anti-discrimination

Page 2, Affirm the following fundamental principles:

- There should be no discrimination on the basis of race, tribe, political affiliation, or any other criteria,

Page 3, Affirm the following fundamental principles:

- There should be no collective stigmatization based on tribal or ethnic origins, and accordingly all crimes should be treated on a strictly individual basis only,

...

- Attributing political or civil positions based on tribal affiliations should not be allowed,

- Public positions should be allocated on the sole basis of experience and competence, and not based on tribal origins.

Groups→Racial/ethnic/national group→Substantive

Page 4, Temporary Arrangements

A High Commission for Peace and Reconciliation in Kufra shall be formed, equally composed of all parts and components of the city, including members of the Zway and Tebu tribes, civil society actors, women, youth, elders, security actors, academics, and notables, all experienced in reconciliation and respected by their constituencies. They will be selected through wide consultations and a transparent process.

The High Commission for Peace and Reconciliation in Kufra is mandated to:

- Advocate for peace and reconciliation between both tribes,

...

Religious groups

No specific mention.

Indigenous people

No specific mention.

Other groups Groups→Other groups→Substantive
Page 4, Temporary Arrangements
A High Commission for Peace and Reconciliation in Kufra shall be formed, equally composed of all parts and components of the city, including members of the Zway and Tebu tribes, civil society actors, women, youth, elders, security actors, academics, and notables, all experienced in reconciliation and respected by their constituencies. They will be selected through wide consultations and a transparent process.

Refugees/displaced persons No specific mention.

Social class No specific mention.

Gender

Women, girls and gender Page 1, Preface
Reaffirming the importance of women in peace processes, praising their pivotal role in stabilizing our communities and bearing in mind that they are too often the first victims of our conflicts,

Page 3, Affirm the following fundamental principles:

- Women and youth have a key role to play in reconciliation and need to be involved in any reconciliation process to ensure a lasting peace,

Page 4, Temporary Arrangements

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Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) Page 1, Preface
Mindful of the risks raised by regional and international interferences and the need to protect our borders and our sovereignty,

State configuration No specific mention.

Self determination 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.

Governance

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

Elections Page 2, Affirm the following fundamental principles:
• Free, fair and open elections are the only source of democratic legitimacy,

**Electoral
commission** No specific mention.

**Political parties
reform** No specific mention.

Civil society Page 4, Temporary Arrangements
A High Commission for Peace and Reconciliation in Kufra shall be formed, equally composed of all parts and components of the city, including members of the Zway and Tebu tribes, civil society actors, women, youth, elders, security actors, academics, and notables, all experienced in reconciliation and respected by their constituencies. They will be selected through wide consultations and a transparent process.

**Traditional/
religious leaders** Page 4, Temporary Arrangements
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Public administration Page 3, Affirm the following fundamental principles:
• Attributing political or civil positions based on tribal affiliations should not be allowed,
• Public positions should be allocated on the sole basis of experience and competence, and not based on tribal origins.

Constitution No specific mention.

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.

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 Human rights and equality→Civil and political rights→Equality
 Page 2, Affirm the following fundamental principles:

- Freedom of movement is a basic right that should be guaranteed to all without discrimination,
- ...
- Services should be provided to all and all citizens must have the right to access state institutions,
- ...
- Social justice and equitable access to resources is a basic right that should be guaranteed to all,

Page 3, Affirm the following fundamental principles:

- Armed groups should not be affiliated with any tribal component in Kufra, and security should be provided in a neutral manner to all,

Human rights and equality→Civil and political rights→Freedom of movement

Page 2, Affirm the following fundamental principles:

- Freedom of movement is a basic right that should be guaranteed to all without discrimination,

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy Page 2, Affirm the following fundamental principles:

- Free, fair and open elections are the only source of democratic legitimacy,

Detention procedures No specific mention.

Media and communication Rights related issues→Media and communication→Other
 Page 4, Temporary Arrangements
 The High Commission for Peace and Reconciliation in Kufra is mandated to:

- ...
- Promote the principle of social cohesion and tolerance through various activities, including through awareness-raising programs in mosques and media, and spreading messages of peace,

Mobility/access No specific mention.

Protection measures No specific mention.

Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts Page 3, Responsibility of State
• Activate the judicial system, criminal investigations and judicial police,

Prisons and detention No specific mention.

Traditional Laws Page 2, Affirm the following fundamental principles:
• Crimes should not be covered up, and those responsible for killing, smuggling, or kidnapping should be punished, and tribes are responsible for ensuring that justice is rendered,

Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Page 3, Responsibility of State
• Ensure education to all citizens in Kufra, expedite access to university by all students to pursue their education and ensure provision of qualified teachers to work in the city,
...
• Implement priority development programs in the region,
Socio-economic reconstruction→Development or socio-economic reconstruction→Infrastructure and reconstruction
Page 3, Responsibility of State
• Implement priority development programs in the region,
• Develop the infrastructure in Kufra, including roads, schools, university and the airport,
• Establish a fund for development and reconstruction in Kufra.

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.

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.

Security sector

**Security
Guarantees** No specific mention.

Ceasefire No specific mention.

Police Page 3, Responsibility of State
• Activate the security, police and army forces,
• Activate the judicial system, criminal investigations and judicial police,

Armed forces Page 3, Responsibility of State
• Establish a neutral force from outside the region, supported by all components of Kufra to maintain security, secure the city and its roads and institutions, bring criminals to justice, and end any intervention by armed groups of the neighbouring regions or foreign states.
• Activate the security, police and army forces,

DDR No specific mention.

Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	Page 3, Responsibility of State • Address cash shortage and corruption in Kufra,
Crime/organised crime	Page 2-3, Affirm the following fundamental principles: • Crimes should not be covered up, and those responsible for killing, smuggling, or kidnapping should be punished, and tribes are responsible for ensuring that justice is rendered, ... • There should be no collective stigmatization based on tribal or ethnic origins, and accordingly all crimes should be treated on a strictly individual basis only, Page 4, Temporary Arrangements The High Commission for Peace and Reconciliation in Kufra is mandated to: ... - Document crimes and violations committed during the conflict,
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	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.

Victims	<p>Page 3, Responsibility of State</p> <ul style="list-style-type: none"> • Provide reparations to victims of war based on comprehensive truth-seeking and investigations, including the work already carried out by previous governments, <p>Page 4, Temporary Arrangements</p> <p>The High Commission for Peace and Reconciliation in Kufra is mandated to:</p> <p>...</p> <ul style="list-style-type: none"> - Evaluate damages, identify victims and recommend measures of individual and collective reparations on that basis,
Missing persons	No specific mention.
Reparations	<p>Transitional justice→Reparations→Symbolic reparations</p> <p>Page 3, Responsibility of State</p> <ul style="list-style-type: none"> • Provide reparations to victims of war based on comprehensive truth-seeking and investigations, including the work already carried out by previous governments, <p>Page 4, Temporary Arrangements</p> <p>The High Commission for Peace and Reconciliation in Kufra is mandated to:</p> <p>...</p> <ul style="list-style-type: none"> - Evaluate damages, identify victims and recommend measures of individual and collective reparations on that basis,
Reconciliation	<p>Page 3, Affirm the following fundamental principles:</p> <ul style="list-style-type: none"> • Mosques, schools and universities are public spaces open to all while contributing to establishing social cohesion and respect for diversity, <p>...</p> <ul style="list-style-type: none"> • Women and youth have a key role to play in reconciliation and need to be involved in any reconciliation process to ensure a lasting peace, <p>Page 4 Temporary Arrangements</p> <p>A High Commission for Peace and Reconciliation in Kufra shall be formed, equally composed of all parts and components of the city, including members of the Zway and Tebu tribes, civil society actors, women, youth, elders, security actors, academics, and notables, all experienced in reconciliation and respected by their constituencies. They will be selected through wide consultations and a transparent process.</p> <p>The High Commission for Peace and Reconciliation in Kufra is mandated to:</p> <ul style="list-style-type: none"> - Advocate for peace and reconciliation between both tribes, - Communicate with conflicting parties and state authorities, - Encourage civil and military actors to take part in the dialogue process, - Monitor the implementation of past agreements, - Document crimes and violations committed during the conflict, - Evaluate damages, identify victims and recommend measures of individual and collective reparations on that basis, - Promote the principle of social cohesion and tolerance through various activities, including through awareness-raising programs in mosques and media, and spreading messages of peace, - Communicate with UNSMIL on various efforts and progress made towards reconciliation in Kufra.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar Page 4, Temporary Arrangements
The High Commission for Peace and Reconciliation in Kufra is mandated to:
...
- Communicate with UNSMIL on various efforts and progress made towards reconciliation in Kufra.

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source <https://unsmil.unmissions.org/sites/default/files/reconciliation-charter.pdf>
