

Country/entity	Libya
Region	Middle East and North Africa
Agreement name	Consultation Meeting for the Libyan Political Dialogue (Hammamet Agreement)
Date	24 Jan 2017
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate 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	Implementation/renegotiation
Conflict nature	Government
Peace process	Libyan peace process
Parties	<ol style="list-style-type: none"> 1. Salam Musa Madi 2. Balqasim Muhammad Qazit 3. Muhammad Said Am'azib 4. Sha'ban Ali Abusitta 5. Saleh Muhammad al-Makhzum 6. Mustafa Abushaqur Ghayth 7. Al-Sharif al-Wafi Muhammad 8. Fati Ali Bashagha 9. Ahmed Abdrabbu al-'Abar 10. Abdalmoneim Farag al-Fiqih 11. Tawafiq Abrik al-Shahibi 12. Fayrouz Abdelrahim al-Na'as 13. Nuri Khalifah al-'Abaar 14. Jam'ah Kusa 'Adel 15. Muhammed Hassan Suwan 16. Hafez Abdelhamid Qadur 17. Muhammad Ali Abdallah 18. Jama'ah Abdallah al-Qumati 19. Jamal Muhammad 'Ashur
Third parties	-
Description	Six point agreement identifying the issues to implementing the Libyan Political Agreement of 17/12/15. These issues include: the structure of the Presidential Council, who will be president of the Government of National Accord; the post of the Supreme commander of the Army; the implementation of Art. 16-17 of the LPA by the House of Representatives; broadening the membership of the State Council; ending the formulation of the draft constitution.

Agreement document	LY_170124_Hamammat Agreement_EN.pdf (opens in new tab) Download PDF
Agreement document (original language)	LY_170124_Hamammat Agreement_AR.pdf (opens in new tab)

Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ethnic/ national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/displaced persons	No specific mention.
Social class	No specific mention.

Gender

Women, girls and gender	No specific mention.
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	No specific mention.

State definition

Nature of state (general)	No specific mention.
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)	<p>Governance→Political institutions (new or reformed)→Temporary new institutions</p> <p>Page 1, First: Restructuring of the presidential council of three members, who assume the presidential competences stipulated in the political agreement, provided that the decisions are made between them by consensus.</p> <p>Page 1, Second: The President of the National Reconciliation Government will be chosen from among the non-members of the Presidential Council to assume executive competencies with his ministers</p> <p>Page 1, Third: The post of supreme commander of the Libyan army shall be installed and a council composed of (the Speaker of the House of Representatives, the President of the Supreme Council of the State and a member of the Presidential Council to be named by the Presidential Council) shall be appointed in their capacity. The decision shall be taken by consensus.</p> <p>Page 1, Fifth: Broaden the membership of the Supreme State Council according to the 7/7/2012 elections taking into account the equitable representation of all constituencies.</p>
Elections	<p>Page 1, Fourth: Application of the mechanism stipulated in the law for electing the House of Representatives on membership, after the House of Representatives commits to apply articles 16-17 of the Political Agreement.</p>
Electoral commission	<p>No specific mention.</p>
Political parties reform	<p>No specific mention.</p>
Civil society	<p>No specific mention.</p>
Traditional/religious leaders	<p>No specific mention.</p>
Public administration	<p>No specific mention.</p>
Constitution	<p>Governance→Constitution→Constitutional reform/making</p> <p>Page 1, Sixth: In order to complete the constitutional process, we emphasize the need to activate Article 52 of the political agreement on the end of the term of work of the founding body to draft a draft constitution, within a month of signing these amendments.</p>

Power sharing

Political power sharing

Power sharing→Political power sharing→General
State level

Page 1, Second: The President of the National Reconciliation Government will be chosen from among the non-members of the Presidential Council to assume executive competencies with his ministers

Power sharing→Political power sharing→Executive coalition
State level

Page 1, First: Restructuring of the presidential council of three members, who assume the presidential competences stipulated in the political agreement, provided that the decisions are made between them by consensus.

Page 1, Second: The President of the National Reconciliation Government will be chosen from among the non-members of the Presidential Council to assume executive competencies with his ministers

Power sharing→Political power sharing→Proportionality in legislature
State level

Page 1, Fifth: Broaden the membership of the Supreme State Council according to the 7/7/2012 elections taking into account the equitable representation of all constituencies.

Power sharing→Political power sharing→Form of 'veto' or communal majority
State level

Page 1,

First: Restructuring of the presidential district of three members, who assume the presidential competences stipulated in the political agreement, provided that the decisions are made between them by consensus.

Page 1,

Third: The post of supreme commander of the Libyan army shall be installed and a council composed of (the Speaker of the House of Representatives, the President of the Supreme Council of the State and a member of the Presidential Council to be named by the Presidential Council) shall be appointed in their capacity. The decision shall be taken by consensus.

Territorial power sharing

No specific mention.

Economic power sharing

No specific mention.

Military power sharing

Power sharing→Military power sharing→Joint command structures

Page 1, Third: The post of supreme commander of the Libyan army shall be installed and a council composed of (the Speaker of the House of Representatives, the President of the Supreme Council of the State and a member of the Presidential Council to be named by the Presidential Council) shall be appointed in their capacity. The decision shall be taken by consensus.

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.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

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 No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

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.

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.
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Water or riparian rights or access	No specific mention.
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Security sector

Security Guarantees	No specific mention.
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Ceasefire	No specific mention.
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Police	No specific mention.
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Armed forces	No specific mention.
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DDR	No specific mention.
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Intelligence services	No specific mention.
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Parastatal/rebel and opposition group forces	No specific mention.
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Withdrawal of foreign forces	No specific mention.
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Corruption	No specific mention.
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Crime/organised crime	No specific mention.
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Drugs	No specific mention.
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Terrorism	No specific mention.
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Transitional justice

Transitional justice general	No specific mention.
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Amnesty/pardon	No specific mention.
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Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory	No specific mention.
Other international signatory	No specific mention.
Referendum for agreement	No specific mention.
International mission/force/similar	No specific mention.
Enforcement mechanism	Page 2, In order to achieve the implementation of what has been agreed upon in these amendments as a single package, it is necessary to ensure that the constitutional declaration and the granting of confidence to the government be amended before signing these amendments from the parties to the Libyan political dialogue.
Related cases	No specific mention.
Source	Al Wasat.ly: http://alwasat.ly/news/libya/122738
