

Country/entity	Libya
Region	Middle East and North Africa
Agreement name	Statement By The Meeting Of The JMC 5+5 And Eastern And Western Military And Security Commanders In The Presence Of SRSB Bathily
Date	15 Mar 2023
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	Framework/substantive - partial
Conflict nature	Government/territory
Peace process	Libyan peace process
Parties	5+5 Joint Military Committee (JMC) Military and security units from West Libya Military and security units from East Libya
Third parties	United Nations Support Mission in Libya (UNSMIL) The Special Representative of the United Nations Secretary-General Abdoulaye Bathily
Description	A short agreement between the the 5+5 Joint Military Committee and multiple security and military units in the west and east of Libya which commits to creating just and secure conditions for elections. The provisions cover measures for organising free and fair elections, as well as prohibiting unjust use of force, arrest and politically motivated acts or intimidation towards citizens by security forces. Additionally there are provisions addressing humanitarian access and reparations and return for IDPs.

Agreement document [LB_230315_Statement By The Meeting Of The JMC 5+5 \(opens in new tab\)](#) | [Download PDF](#)

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 Groups→Refugees/displaced persons→Substantive
5. They also agreed on the following confidence-building measures to foster national reconciliation:

...

f- Reparation, redress for grievances resulting from former armed conflicts, and return of IDPs and refugees to their regions are among the most important pillars of reconciliation efforts and reunification of the Libyans.

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)

No specific mention.

Elections

1. They agreed to come together and move forward towards organizing free and fair elections in Libya this year, 2023.

...

5. They also agreed on the following confidence-building measures to foster national reconciliation:

a- Criminalize acts of violence against civil peace that jeopardize the political process and the holding of free and fair elections.

...

g- The meeting agreed to continue communication among the leaders of the security and military units for joint security work to ensure the security of the electoral process.

Electoral commission

No specific mention.

Political parties reform

No specific mention.

Civil society

5. They also agreed on the following confidence-building measures to foster national reconciliation:

...

d- Prevent actions that impede or delay humanitarian aid and the protection of civilians.

Traditional/religious leaders

No specific mention.

Public administration

No specific mention.

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 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 Rights related issues→Media and communication→Media roles
5. They also agreed on the following confidence-building measures to foster national reconciliation:
...
b- Reject hate speech that incites citizens and adversely affects the work of the 5+5 JMC and efforts of national reconciliation.

Mobility/access **5. They also agreed on the following confidence-building measures to foster national reconciliation:**
...
d- Prevent actions that impede or delay humanitarian aid and the protection of civilians.
e- Refrain from restricting the movement of persons and commodities across all Libyan regions and by all means of transportation.

Protection measures Rights related issues→Protection measures→Protection of groups
5. They also agreed on the following confidence-building measures to foster national reconciliation:
...
d- Prevent actions that impede or delay humanitarian aid and the protection of civilians.

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 Socio-economic reconstruction→Development or socio-economic reconstruction→Humanitarian assistance
5. They also agreed on the following confidence-building measures to foster national reconciliation:
...
d- Prevent actions that impede or delay humanitarian aid and the protection of civilians.

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	<p>5. They also agreed on the following confidence-building measures to foster national reconciliation:</p> <p>...</p> <p>g- The meeting agreed to continue communication among the leaders of the security and military units for joint security work to ensure the security of the electoral process.</p>
Ceasefire	No specific mention.
Police	No specific mention.
Armed forces	3. The participating commanders of the military and security units stressed the need to abstain from using force, violence, arrest, or threats for political or material gains or for regional or factional interests.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	3. The participating commanders of the military and security units stressed the need to abstain from using force, violence, arrest, or threats for political or material gains or for regional or factional interests.
Withdrawal of foreign forces	No specific mention.
Corruption	3. The participating commanders of the military and security units stressed the need to abstain from using force, violence, arrest, or threats for political or material gains or for regional or factional interests.
Crime/organised crime	<p>5. They also agreed on the following confidence-building measures to foster national reconciliation:</p> <p>a- Criminalize acts of violence against civil peace that jeopardize the political process and the holding of free and fair elections.</p> <p>...</p> <p>c- Criminalize acts of violence, attacks, kidnappings, and intimidation targeting civilians.</p>
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 **5. They also agreed on the following confidence-building measures to foster national reconciliation:**
...
f- Reparation, redress for grievances resulting from former armed conflicts, and return of IDPs and refugees to their regions are among the most important pillars of reconciliation efforts and reunification of the Libyans.

Missing persons **5. They also agreed on the following confidence-building measures to foster national reconciliation:**
...
c- Criminalize acts of violence, attacks, kidnappings, and intimidation targeting civilians.

Reparations Transitional justice→Reparations→Material reparations
5. They also agreed on the following confidence-building measures to foster national reconciliation:
...
f- Reparation, redress for grievances resulting from former armed conflicts, and return of IDPs and refugees to their regions are among the most important pillars of reconciliation efforts and reunification of the Libyans.

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 No specific mention.

Related cases No specific mention.

Source No specific mention.
