



# Fleshing Out the Libya Ceasefire Agreement

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**What's new?** On 23 October, negotiators from the warring sides in Libya signed a ceasefire deal in Geneva. The text lacks specificity, however, leaving the parties room to backtrack on their commitments.

**Why does it matter?** Should disputes erupt between the sides over how to interpret the accord, it could fall apart, leading to renewed combat. War raged around Tripoli between April 2019 and June 2020, but a lower-intensity conflict between various Libyan factions has been ongoing for nine years.

**What should be done?** The Libyan parties, as well as their respective outside backers, should hammer out the details of troop withdrawals and foreign fighter repatriation, so that there is no space for competing interpretations. The UN should assist in this endeavour.

## I. Overview

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It was long in coming, but the Libya ceasefire agreement, signed in Geneva on 23 October, is a welcome development, a move toward broader political talks and a way out of the war. As UN Secretary-General António Guterres put it, if honoured, the deal between representatives of the Tripoli-based Government of National Accord (GNA) and Khalifa Haftar's Libyan National Army (LNA) could constitute "a fundamental step toward peace and stability". But the agreement's text leaves room for divergent interpretations, misunderstandings and/or intentional recasting of terms to serve either party's interests – or those of foreign patrons. Preventing a destructive blame game and the agreement's unravelling should be the top priority for stakeholders in the Libyan conflict.

That will take some doing. The military follow-up committees, comprising representatives from both sides and tasked with implementing the deal, should flesh out its details. They will need full backing from their respective governments, senior military commanders and foreign sponsors. The last group, especially Turkey, Russia, Egypt and the United Arab Emirates, should cooperate even if they fear that the agreement's success might diminish their influence on the ground. All have more to gain from a functional, stable, unified Libya than from a Libya that remains divided and chaotic or backslides once again into war. The ceasefire arrangements will take

time to carry out and will require strong UN Security Council backing, including the establishment of a monitoring mechanism. But immediate tangible progress in defining and implementing each side's ceasefire commitments is also necessary, so as to create the right conditions for UN-backed political talks scheduled for November.

## II. The Agreement

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The agreement resulted from dialogue that five military officers loyal to the GNA and five affiliated with Haftar (known as the 5+5 Joint Military Commission) initiated under UN mediation in February 2019. This negotiating track is one of three (the others are political and economic) that the UN has been convening since the January 2020 Berlin conference, which aimed at ending the Haftar-led campaign to take Tripoli.<sup>1</sup> For months, this track failed to produce results, even after Haftar's forces withdrew from Tripoli's environs in June. Emboldened by Haftar's retreat and empowered by direct Turkish military support, pro-GNA forces launched an assault on Haftar-controlled central Libya, hoping to seize the oil facilities that Haftar had blockaded since January.<sup>2</sup> This offensive soon stalled: Egyptian threats of military intervention to stop it and the deployment of Russian military equipment, including fighter jets, to defend Haftar's positions forced Ankara and Tripoli to reconsider, leading to a de facto halt in hostilities throughout Libya.

Two preliminary events set the stage for a formal ceasefire deal: a Russia-brokered agreement between a member of the Tripoli government and a member of the rival pro-Haftar government to end the oil facilities blockade, and a successful meeting of military officers from Libya's warring sides hosted by Egypt in late September.<sup>3</sup> The 23 October agreement made official the informal nationwide ceasefire that both

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<sup>1</sup> After months of protracted UN-mediated consultations among foreign stakeholders in the Libyan conflict, Germany convened the Berlin Conference on Libya on 19 January 2020. At its conclusion, the U.S., the EU, the UK, France, Russia, China, Italy, Germany, Turkey, Egypt, the United Arab Emirates, Algeria and Congo-Brazzaville, as well as the UN, Arab League and African Union, signed a 55-point declaration, which was subsequently endorsed in UN Security Council Resolution 2510 (12 February 2020), enshrining their countries' support for a three-track UN mediation process. The military track tasked a 5+5 Joint Military Commission, composed of five military representatives from each side of the conflict, to reach agreement on ceasefire terms. Crisis Group Statement, "Libya: Turning the Berlin Conference's Words into Action", 22 January 2020.

<sup>2</sup> Crisis Group Statement, "Averting an Egyptian Military Intervention in Libya", 27 July 2020.

<sup>3</sup> On 28-29 September 2020, police and military officers from the GNA and LNA met in the Egyptian Red Sea resort of Hurghada for talks facilitated by the UN Support Mission in Libya (UNSMIL). They agreed to a prisoner exchange, resumption of flights and reopening of land routes, and renewal of the 5+5 Joint Military Commission's face-to-face talks. "Security and Military Direct Talks between Libyan Parties in Hurghada, Egypt Conclude with Important Recommendations", press release, UNSMIL, 29 September 2020. On 20 September, a Tripoli-based member of the GNA's Presidential Council, Ahmed Meitig, and the deputy finance minister of the east-based government allied with Haftar, Morajea Geith, met in Sochi, Russia, and inked an agreement to lift the blockade on the oil installations. The agreement remains highly contested; many Tripoli-based politicians continue to object to its terms, which include the establishment of a joint committee to oversee oil revenue disbursement. Nevertheless, oil production proceeded across the country throughout October.

sides had been observing since August. It commits the parties to stopping all hostilities with immediate effect.<sup>4</sup>

The agreement outlines four crucial follow-up areas. The first focuses on relations between Libyan military factions and their foreign backers. The parties commit to the departure from Libya of all foreign fighters by 23 January 2021. The problem is that neither side officially acknowledges being supported by foreign fighters, which could lead to future backtracking. But based on conversations with people involved in the negotiations, Crisis Group understands that – on Tripoli’s side – Turkish-supplied anti-Damascus Syrian fighters and a handful of Sudanese and Chadian armed groups mainly based in southern Libya are to go home. On Haftar’s side, those who will leave are the estimated 2,000-3,000 Russian Wagner Group contractors, pro-Damascus Syrian fighters and a second collection of Chadians and Sudanese.<sup>5</sup>

The agreement also states that all foreign military officers must leave the country immediately and freezes all training agreements with foreign states until the Libyan parties form a new unity government. Again, the text does not specify any foreign country or training agreement. It does not say whether this provision suspends only the training carried out by each faction’s foes (Turkey training GNA personnel, which the LNA opposes; Russia, Egypt and other Middle Eastern states training LNA personnel, of which the GNA does not approve), or whether less controversial programs carried out by European states, such as training of the coast guard loyal to the GNA, must also halt. Nor does it advise Libyans now training abroad as to what they should do. Also unclear is whether the prohibition includes counter-terrorism training. The agreement states only that the “ceasefire does not apply to UN-designated terrorist groups on all Libyan territories”, suggesting that both sides can continue attacking such groups.

The potential for backtracking is considerable, and some is already occurring. A day after the agreement became public, the Tripoli-based defence minister declared that the deal does not affect all its military cooperation and training agreements with Turkey, on the grounds that the GNA is Libya’s legitimate government, bound to a deal with another legitimate government in Ankara.<sup>6</sup> Turkish authorities echoed this

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<sup>4</sup> “A Complete and Sustainable Ceasefire Agreement in Libya”, 23 October 2020. The text circulated on Twitter, including in the tweet by Muhammad Bushaqma, journalist, @boshqma, 7:06am, 23 October 2020.

<sup>5</sup> Crisis Group telephone interviews, UN officials, Tripoli-based and Benghazi-based politicians, 24-26 October 2020.

<sup>6</sup> On 25 October 2020, Defence Minister Salahedin Al Namroush posted on his Twitter account (@Namroush): “We affirm the strengthening of joint cooperation with the Turkish ally and the continuation of the training programs that have been received and will be received by affiliates in the training institutes of the Defence Ministry of the Government of National Accord, and the signing of the initial agreement (5 + 5) does not include the military cooperation agreement with the state of Turkey, an ally of the legitimate government”. On 27 November 2019, Prime Minister Faiez Serraj and Turkish President Recep Tayyip Erdoğan signed a security cooperation memorandum of understanding, which the Turkish parliament subsequently ratified. This memorandum paved the way for Turkish military intervention in Libya, which Ankara’s legislators approved on 2 January 2020. Tripoli-based politicians and foreign officials claim that Serraj had agreed in private to freeze Turkey’s training program and was aware that the ceasefire agreement implied a suspension of the military cooperation agreement with Ankara, but as of the end of October he had yet to publicly weigh in on the matter. Crisis Group telephone interviews, Tripoli-based politicians, 23-27 October 2020.

position, while the Tripoli government's military operations room, Volcano of Anger, published a video of its recruits undergoing commando training in Turkey.<sup>7</sup> Three days later, the pro-Tripoli interior minister signed an agreement with Qatar on counter-terrorism cooperation.<sup>8</sup>

A second follow-up area concerns the repositioning of Libyan military forces and joint patrolling. The text states in vague terms that the two coalitions agree to withdraw their forces from the front lines to home bases. "Forces from Benghazi must return to Benghazi, those from Tripoli to Tripoli, those from Misrata to Misrata", said a GNA military delegate, expressing this side's interpretation of the clause.<sup>9</sup> The lack of detail about the relocation of forces and their equipment is worrying, especially regarding Libya's central region, where the latest military build-up has taken place. Some politicians on Haftar's side claim that the two sides agreed to withdraw fighters from front lines in the desert between Sirte, Jufra and Misrata, but that Jufra and Qurdubiya, the two main airbases in the area, would remain under Haftar's control on the grounds that fighters from these two locations are part of the LNA.<sup>10</sup> Whether the pro-GNA coalition shares this understanding remains unclear. Both sides, however, committed to carrying out joint police patrols along the front lines once military forces withdraw.

Thirdly, the agreement outlines steps aimed at demobilising armed groups. A joint subcommittee will review all armed groups, including those already integrated into the state security apparatus, to determine which ought to be dismantled and how. Military officers on both sides of Libya's conflict oppose the armed groups that emerged after the Qadhafi regime fell in 2011. They consider professional security personnel to be the foundation of the state. The problem is that, especially in Tripoli, these armed groups continue to enjoy the patronage of political factions, including Islamists, who want a counterweight to Qadhafi-era security personnel as a safeguard against the return of a repressive military regime. In eastern Libya, Haftar has co-opted or crushed such local armed groups.

As it stands, most Libyan observers seem to perceive the agreement's vaguely worded commitment to demobilise armed groups as a nod to the Haftar camp. Haftar, who claims to stand at the LNA's helm, has repeatedly demanded that pro-Tripoli armed groups be dismantled. But Tripoli-based politicians consider the LNA itself to be little more than an amalgam of armed groups using the same brutal tactics that the Qadhafi regime employed. As a result, demobilisation faces two main potential obstacles: 1) whether Haftar-led commanders will agree to dissolve some of the armed

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On Turkey's intervention in Libya, see Crisis Group Europe Report N°257, *Turkey Wades into Libya's Troubled Waters*, 30 April 2020.

<sup>7</sup> See the tweet by the Burkan al-Ghadab media centre, @BurkanLY, 1:57pm, 24 October 2020.

<sup>8</sup> "Memorandum of Understanding in the Field of Security Cooperation between the Ministry of Interior of the Government of National Accord of the State of Libya and the Ministry of Interior of the State of Qatar" (original in Arabic), 26 October 2020. Copy on file with Crisis Group. Copies circulated on Libyan social media, including in a tweet by Libya al-Ahrar TV, @libyaalahrartv, 8:21am, 26 October 2020.

<sup>9</sup> Remarks of Brigadier General al-Faituri Gherbil, member of the GNA's delegation at the ceasefire talks, to Libya al-Ahrar TV, 23 October 2020.

<sup>10</sup> Crisis Group telephone interviews, persons close to the LNA general command, Tripoli and Benghazi, 24 October 2020.

groups that the LNA has integrated into its security forces, but which the GNA might want to see disbanded; and 2) whether the patrons of the Tripoli-based armed groups will likewise agree to the disbandment of irregular forces that have become part of the state security apparatus loyal to the GNA. The agreement does not specify if the demobilisation applies to both sides or solely to GNA security forces.

The two sides also agreed to reform the Petroleum Facilities Guards, which are in charge of protecting Libya's oil facilities and are divided between pro-Haftar and pro-Tripoli units. This project remains in its infancy. While the guards are largely uncontroversial and necessary to guarantee security at the hydrocarbon hubs, an open question is whether the LNA will relinquish control of the oil installations that are under its authority.

Fourthly, the agreement outlines important confidence-building measures, such as the reopening of central Libya's roads and the resumption of flights between Benghazi and Tripoli. The two camps have already started rolling out these measures, which will benefit most Libyans, and this part of the accord is likely to proceed smoothly.

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### III. Domestic and International Reactions

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The ceasefire announcement sent a wave of hope across Libya. Many in the pro-Haftar camp, including the LNA, applauded the deal, as did many in the pro-Tripoli coalition. Even a Misratan politician normally critical of foreign mediation paid homage to the agreement, calling it “the closest thing we have ever had to ending the war and putting an end to this misery we are in”.<sup>11</sup>

But sceptics and critics abound, especially among Libya's anti-Haftar factions. While praising the agreement, Tripoli's defence minister homed in on the need for justice for war crimes, whether through Libyan or international judicial institutions.<sup>12</sup> He was referring to pro-Tripoli factions' demand that Haftar and his military be held accountable for actions during the siege of Tripoli. In a published statement, members of the Tripoli-based parliament also expressed doubt about whether Haftar would abide by the agreement, “especially with regard to removing mercenaries from the Wagner forces, the Janjaweed [Sudanese armed groups] and the Chadian opposition”.<sup>13</sup> Muslim Brotherhood members and other Islamists likewise expressed displeasure over the agreement, saying it validates Haftar as a negotiating counterpart – something they have long rejected.<sup>14</sup> They had hoped to sideline him instead, betting that, without his leadership, the LNA would disintegrate over time.

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<sup>11</sup> Crisis Group telephone interview, Misratan politician, 25 October 2020.

<sup>12</sup> Remarks by Defence Minister Salahedin Al Namroush to Libya al-Ahrar TV, aired on 25 October 2020.

<sup>13</sup> “Statement of the High Council of the State Regarding the Ceasefire Agreement”, 25 October 2020.

<sup>14</sup> Crisis Group telephone interview, Tripoli-based Islamist politician, 25 October 2020. Even non-Islamist Tripoli-based politicians who consider themselves “nationalists” but share the Islamists' aversion to Haftar expressed similar views. Crisis Group telephone interviews, Tripoli-based politicians, 24-25 October 2020.

International reactions have been mostly positive. The U.S., France, Germany, Italy, the EU and the African Union all applauded the ceasefire agreement.<sup>15</sup> Russia issued a timid endorsement that suggested scepticism. Moscow's interim Libya chargé d'affaires merely expressed "satisfaction" with the deal and said he hoped it would last.<sup>16</sup> The agreement's greatest foreign sceptic was Turkey's president, Recep Tayyip Erdoğan, who declared: "The ceasefire agreement that has been signed is not a ceasefire at the highest level. Time will show how lasting it will be at lower levels".<sup>17</sup>

#### **IV. Implementing the Ceasefire Agreement**

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Despite its lack of specifics and other shortcomings, the spirit that this deal embodies is worth preserving. Now is the time to turn the agreement's general principles into details and chart a roadmap with concrete actions that both sides need to take. The 5+5 Joint Military Commission that negotiated and signed the ceasefire agreement, its follow-up committees and the UN Support Mission in Libya (UNSMIL) need to rapidly agree on the deal's practicalities. The parties should clarify how it defines foreign fighters, and whether its clause on training agreements includes those signed by the government in Tripoli with foreign governments. They should also flesh out the framework for the vetting of armed groups. Insofar as many foreign fighters operating in Libya, especially those from Sudan and Chad, belong to opposition armed groups in their respective countries, authorities there may well object to their return; the UN should help put in place a plan for their demobilisation so that they do not become guns for hire in other conflicts.

The two sides also need to be more explicit about the terms of withdrawal from the front lines and relocation. They need to decide the status of Jufra and Qurdabiya airbases and delineate areas for joint police patrols. Only then will it be possible to put in place an international ceasefire monitoring mechanism, the need for which all parties recognise. A solution that would satisfy both sides' preference for a light footprint would be to place a monitoring team under the next UN special envoy's authority. The special envoy could give the team political guidance and ensure that verification of violations, as well as of implementation of follow-up measures, supports the political process, while the head of the ceasefire monitoring team would shoulder the responsibility of reporting publicly on violations and implementation. Such a solu-

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<sup>15</sup> "Ceasefire in Libya", press release, U.S. Secretary of State Michael Pompeo, 26 October 2020; "France Welcomes Libya Ceasefire Agreement", statement, French Ministry for Europe and Foreign Affairs spokesperson, 26 October 2020; "Accordo per un cessate il fuoco permanente in Libia", Italian Ministry of Foreign Affairs, 23 October 2020; "Declaration by the High Representative on Behalf of the EU on the Announcement of a Ceasefire Agreement in Libya", 25 October 2020; "Statement of the Chairperson of the African Union Commission on the Signing of a Ceasefire in Libya", 23 October 2020. UN Security Council members also issued a press statement welcoming the ceasefire agreement: "UN Security Council Press Statement on the Ceasefire in Libya, October 27, 2020".

<sup>16</sup> The comments of Russia's chargé d'affaires were quoted in "Libya rivals sign ceasefire agreement: live news", Al Jazeera, 23 October 2020.

<sup>17</sup> President Erdoğan's comments to the press were quoted at the Presidency of the Republic of Turkey website: "The Ceasefire Agreement Signed in Libya is Not a Ceasefire at the Highest Level", 23 October 2020.

tion would get around the difficulties in clinching a UN Security Council resolution to create a Libya ceasefire mission from scratch (and the associated logistical and security-related hurdles). It would also guarantee continuity with UNSMIL personnel, who over the past few years have built trust with Libya's military factions.

The ceasefire agreement offers a rare moment of real hope for the long-suffering Libyan people. If Libyan factions fail to follow through on its implementation or their foreign backers obstruct the process, that hope will have proven tragically short-lived.

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